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# Non-Jews at Sinai – reflections on the Noachide Statute

By Raniero Fontana\*

## Abstract

*Sinai is the most intimate and particular moment in the history of the relationship between God and his people, Israel. The question of the place of non-Jews at the foot of Sinai (מעמד הר סיני *ma'amad har Sinai*) is, for this reason, far from being obvious. However, the author of this article believes that Jewish rabbinic and post-rabbinic tradition does not exclude the possibility of bringing non-Jews on the ground of the Torah. He indicates a series of Jewish texts, which seem to open to non-Jews such a perspective that has Sinai at its centre.*

*Sinai steht für das bedeutungsvollste Ereignis in der Geschichte der Beziehung zwischen Gott und seinem Volk Israel. Aus diesem Grunde ist die Frage nach dem Ort der Nicht-Juden am Fusse des Sinai (מעמד הר סיני *ma'amad har Sinai*) alles andere als eine selbstverständliche. Der Autor dieses Artikels glaubt jedoch, dass die jüdische, rabbinische und nachrabbinische Überlieferung die Möglichkeit nicht ausschliesst, Nicht-Juden auf den Boden der Tora zu stellen. Dazu verweist er auf eine Reihe von jüdischen Texten, die Nicht-Juden eine solche Perspektive zu eröffnen scheinen, in deren Zentrum der Sinai steht.*

## I.

Before Sinai, the Israelites were not called בני ישראל (*bne Yisra'el*) “children of Israel”.<sup>1</sup> Before Sinai, all human beings were considered to be descendants of Noah,<sup>2</sup> including the Jews.<sup>3</sup> Although the latter are called the children of Abraham and not the children of Noah, Abraham himself is “son of Noah, since he was not present at the time of the giving of the Torah.”<sup>4</sup> It was only after Sinai that the Jews became an exception, so to speak. Sinai really concerns only the children of Israel. Actually, it would be a strange hypothesis the one that assigns a place to the גויים (*goyim*) at Sinai that is מעמד הר סיני (*ma'amad har Sinai*). The so-called *aggadic speculation* supposes a non-Jews' lack of interest in Sinai and in the God who manifested himself there.<sup>5</sup> As for Christians, it is not surprising that Sinai still poses

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1 Cf. bHul 101b.

2 Cf. bNed 31a (Rashi s. v. שאיני נהנה לבני נח *še-eini neheneh li-vne Noah*).

3 bAZ 51a (Rashi s. v. לבני נח *li-vne Noah*).

4 bAZ 3a (Rashi s. v. נמרוד *Nimrod*).

5 Cf. DAVID NOVAK, *The Image of the Non-Jew in Judaism. An Historical and Constructive*

a serious problem, today as yesterday. The voice of Sinai comes to Christians through Israel's testimony. But Christians still prefer the "Book" over the "people who live by it", i.e. the Jewish people; they want to hear God – the "God of Israel" – rather than Israel – the "Israel of God".<sup>6</sup>

In the following, we shall ask about the possible relationship between the Noachide obligations, that is the fundamental human obligations as such, and the historical and particular event of Sinai. We shall do so by looking at a discussion that is still going on in the heart of Judaism. Now, the full moral and religious independence of one of the many peoples of the world does not seem to go together with the perspective of its being related to Sinai. In fact, we ask ourselves why the path to human maturity necessarily must meet with Sinai. In order to avoid the risk of a subordinate position in relation to Israel, people prefer deny Sinai and its relevance. Thus, in the name of a common and universal *ratio*, they are ready to promote an ethically, religiously, and politically emancipated form of humanity.<sup>7</sup> This *ratio*, and no longer such a specific revelation as that of Sinai, would then be the basis for the obligations that are common to all and to each one. The path towards perfect human fulfilment is thus removed from Israel's guardianship for the sake of a human radical autonomy. In short, the reference to Sinai is kept, rightly or wrongly, an obstacle more than an opportunity to reach one's own full and mature human stature. As for the rest, on other occasions we have already pointed out and underlined what can be the significance of Sinai, what is at stake even ideologically? The same is true when talking about Noahism. It is enough to remember the large range of opinions on this subject, not to say opposite and conflicting ones, with some exalting Noahism as a model of tolerance and others rejecting it as a model of discrimination; some finding in it an almost absolute freedom of belief, and others the condemnation of everything that is alien to Judaism; some seeing Noahism as an ideal above Christianity and Islam, and others putting it lower and placing it among the idolatrous religions.

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*Study of the Noachide Laws*, New York / Toronto 1983 [Oxford / Portland, Oregon 2011], esp. pp. 257-73.

6 Cf. RANIERO FONTANA, "La voix du Sinäi," in: *Cahiers Ratisbonne* 3 (1997) pp. 49-55; and RANIERO FONTANA, "Variations sur le thème de l'écoute chrétienne d'Israël," in: *Cahiers Ratisbonne* 7 (1999) pp. 72-81.

7 Cf. NOVAK, *The Image of the Non-Jew in Judaism* (note 5), p. 265.

## *Noah and/or Moses*

The tension between Noah and Moses can be perceived at the heart of the issue over which the disciples of the Risen Lord were in opposition to one another. Contrary to the Christian Pharisees who wanted to impose the circumcision on the pagans who had entered through the door of faith, James commanded them only “to abstain from things polluted by idols and from fornication and from whatever has been strangled and from blood” (Acts 15:20).<sup>8</sup> There is no lack of authors who saw in the instructions of James a reference to an ancient tradition concerning the universal obligations binding every human being and which rabbinic Judaism later formalized in the so-called “seven commandments of the children of Noah”.<sup>9</sup> This desire for placing such an ecclesial event in the larger context of a Noachide development, if only because of the tension that characterized it, seems to be convincing, but not the attempt to bring about a more or less exact agreement between the Jerusalem instructions and the said commandments of Noah.<sup>10</sup> There was a discussion within the community of those following the Messiah Jesus around the status to be assigned to the new members, whether those coming from the non-Jews should be accepted on equal terms or separated. The reference to Noah played in favour of a separation, which had to be maintained because it was willed by God himself, thus introducing also within the nascent Church the salvific pair Israel/non-Jews.<sup>11</sup> In any case, this was nothing new, since it reflected the tension that existed within the multifaceted Judaism of that period. This tension between Noah and Moses was not at all alien to the spirit of the time. We can recognize that

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8 Cf. Acts 15:23-29, and Jub 7:20-28.

9 Cf. tAZ 8:4-6; bSanh 56a.b (quoting bAZ 9:4); bHul 92a-b. – On the “seven commandments of the children of Noah”, a lot has been written; cf. *inter alia*: AARON LICHTENSTEIN, *The Seven Law of Noah*, New York 1981 [21986]; NOVAK, *The Image of the Non-Jew in Judaism* (note 5); DAVID NOVAK, *Natural law in Judaism*. Cambridge / New York 1998; KLAUS MÜLLER, *Tora für die Völker. Die noachidischen Gebote und Ansätze zu ihrer Rezeption im Christentum* (Studien zu Kirche und Israel 15), Berlin 1994 [21998], NAHUM RAKOVER, *Law and the Noahides: law as a universal value*. Jerusalem 1998; RANIERO FONTANA, “I precetti di Noè,” in: *Bibbia e Oriente* 212 (2002) pp. 65-87.

10 Cf. H YAM Z. MACCOBY, *Early Rabbinic Writings* (Cambridge Commentaries on Writings of the Jewish and Christian World 200 BC to AD 200, vol. 3), Cambridge / New York etc. 1988 [22008], pp. 144-47.

11 Cf. ÉTIENNE NODÉ & JUSTIN TAYLOR, *Essai sur les origines du christianisme* (Collection Initiations bibliques), Paris 1998 [22002], pp. 208-18.

tension in the conflicting conceptions of the law – realism *versus* nominalism – adopted by sectarians and rabbis alike. Among the rabbis, the use of the Noachide category has been attributed to the school of Rabbi Akiba. The Torah was considered by this school to be the exclusive heritage of the community of Jacob (Deut. 33:4). The exclusivism of R. Akiba's school would have found in Noahism a conceptual tool that enables Israel to preserve the most precious possession, a treasure that cannot be shared with others, its Torah. If Rabbi Akiva's school is characterized by a particularistic and exclusivist orientation, the opposite must be said about the rival school, i.e. the school of Rabbi Ishmael.<sup>12</sup>

*The condition of הפקר (hefker “lawlessness”)*

“The tendency of the sources for R. Akiba is to take an even more extreme position, which highlights how all the nations are not limited just to not accepting the Torah, but that they shake from their shoulders the commandments of the children of Noah, which they had taken upon themselves in times past.”<sup>13</sup> R. Akiba's school manifests an extreme tendency vis-à-vis non-Jews. This can be seen in the following parable, which is taken from a Midrashic source attributed precisely to his school:

A parable: A man took his ass and his dog to the threshing floor and loaded the ass with a half לתך (*letekh* [of grain])<sup>14</sup> and the dog with three סאה (*seah*).<sup>15</sup> The ass went along (easily), but the dog began to pant, so that the man took off a *seah* and put it on the ass, and so too with the second and the third *seah*. So also, Israel accepted the Torah, with all of its explanations and details, as well as the seven commandments, which the children of Noah had not been able to observe and had cast off. Therefore, it is said: *And he said: The Lord came from Sinai, and rose from Se'ir unto them* (Deut. 33:2).<sup>16</sup>

This parable comes after the famous account of how God walked among the nations of the earth seeking unsuccessfully someone willing to accept his gift. The rejection of the Torah of Sinai was unanimous on the part of the nations. The motive was always because of their inability to sustain even a minimal commitment that of the seven Noachide commandments,

12 Cf. MARC MENAHEM HIRSHMAN, זרם אוניברסלי בספרות התנאים, תורה לכל באי העולם: זרם אוניברסלי בספרות התנאים, ויחסו לחכמת העמים, Tel Aviv 1999, esp. pp. 90-104.

13 HIRSHMAN, תורה לכל באי העולם (note 12), p. 104.

14 That is about 198 litres.

15 That is about 39.3 litres.

16 SifDev § 343 on Deut. 33:2; cf. the parallel in WayR XIII on Lev. 11:1).

compared with the commitment taken on by the children of Israel at Sinai, the six hundred and thirteen commandments of the Torah of Moses. Actually, what they did not accept was the Torah in the Noachide form: do not kill (שפיכות דמים *šefīkbut dammim*); do not commit adultery (גילוי עריות *gilluy 'arayot*); do not steal (גזל *gezēl*).<sup>17</sup> The consequence for the non-Jews was that they were no longer tied to laws. This was a harsh judgment, similar to that of a sectarian position, a judgment which stemmed from a spirit in keeping with those who thought that human beings had forgotten their own fundamental laws in an irreversible and definitive manner.<sup>18</sup> Non-Jews are then in a state of abandonment (הפרק *hefquer*) as people who are morally disengaged.

## II.

However, Noahism allows one to play the Sinai card in the opposite sense to that outlined above. The key to this way of understanding lies in the fact that, until the end of time, Israel is sorting out the salvific skein of thread that links the non-Jews indissolubly to Sinai<sup>19</sup>. The Noachide perspective maintains entirely the revelation of Sinai, now under a positive sign. From that perspective, Noahism coincides with the universalism of the Torah. In this light, we can now recuperate past history, starting from the ecclesial event that is reported by Luke in the Acts of the Apostles, with which we began our study. For James, the issue was precisely that of bringing new believers from pagan non-Jews onto the ground of the Torah. His reference to a Jewish tradition that connected the non-Jews to Noah had no other aim than to anchor them firmly in it.<sup>20</sup> The same is at stake in the rabbinic and Talmudic discussions. Sometimes, the ideological implications of detailed exegetical controversies among rabbis can, in this sense, surprise us in the direction we are seeking:

*Now Jethro the Priest of Midian, Moses' Father-in-Law Heard (Ex 18:1). What tidings did he hear that he came? He heard of the war of Amalek, reported in the*

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17 Cf. NOVAK, *The Image of the Non-Jew in Judaism* (note 5), p. 258.

18 Cf. Jub 6:18ss, and GARY A. ANDERSON, "The Status of the Torah before Sinai. The Retelling of the Bible in Damascus Covenant and the Book of Jubilees," in: *Dead Sea Discoveries* I/1 (1994) pp. 1-29.

19 Cf. RANIERO FONTANA, *Ebrei e gentili tra teologia e storia*, Firenze 2006.

20 Contrary to DAVID FLUSSER, "Theses on the Emergence of Christianity from Judaism," in: *Immanuel* 5 (1975) pp. 74-84.



preceding passage, and came – these are the words of R. Joshua. R. El'azar ha-Moda'i says: He heard of the giving of the Torah and came.<sup>21</sup>

According to R. El'azar ha-Moda'i, Jethro heard of the giving of the Torah at Sinai, and that in spite of the fact that it is spoken of only afterwards, in chapter 20 of the Book of Exodus. This reminder of the Sinai event thus made it possible to base the advice he gave in chapter 18 of the same book on the tradition which emanates from it. The positive obligation to administer justice is one of the seven commandments of Noah. In fact, the Noachide profile of Jethro emerges from chapter 18: his blessing refers to the prohibition concerning blasphemy (ברכת השם *birkat ha-Shem*; Ex. 18:10); his profession of faith refers to the prohibition of idolatry (עבודה זרה *avodah zarah*; Ex. 18:11); his advice itself refers to the positive obligation for justice (דינים *dinim*; Ex. 18:13-27).<sup>22</sup> R. El'azar ha-Moda'i does not consider the Noachide commandments to be a body of laws unrelated to Israel's Torah, and through them he keeps Sinai open to non-Jews.

### *Sinai: the ratification of the Noachide commandments*

In the Talmud, we can find the judgment explaining and justifying the present validity of the Noachide precepts explicitly stated in reference to the particular historical event of Sinai. It is in this sense that the Noachide law really rests on the authoritative tradition of Sinai. This is a formulation of principle by which the full universal relevance of Sinai for the history of humankind is recognized. In the Talmud, this is attributed to a second generation Palestinian *Amora*:

R. Jose b. Hanina said: Every commandment, which was given to the sons of Noah and repeated at Sinai, was meant for both; that, which was given to the sons of Noah but not repeated at Sinai was meant for the Israelites.<sup>23</sup>

Only if a commandment that was previously given, was repeated at Sinai, it was obligatory for all. If it was not repeated, it was obligatory for the children of Israel only. On this point, the *gemara* readily and immediately objects:

On the contrary, since it was repeated at Sinai, should we not assume it to be meant for Israel only? [...] On the contrary, since it was not repeated at Sinai, should we not assume that it was meant for the Noachides and not for Israel?<sup>24</sup>

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21 Mekhilta de-Rabbi Ishmael on Ex 18:1.

22 On the Noachide profile of Jethro, see RANIERO FONTANA, *Philosophari e altri scritti di materia ebraica*, Cantalupa (TO) 2016, pp. 63-4.

23 bSanh 59a.

24 bSanh 59a.

Although the objection can appear to be very logical, this is not so, as the prohibition of idolatry teaches us: the non-Jews are in fact punished for transgressing this commandment even after it was repeated at Sinai.<sup>25</sup> And the same must be said concerning the prohibition of illicit sexual relations.<sup>26</sup> This therefore confirms that the repetition of the commandment at Sinai applies to everyone, Jews and non-Jews, according to the principle of R. Jose bar Hanina. If then a precept that was not repeated at Sinai is in force only for the children of Israel, it is because there cannot be something that is permitted to the Israelites and forbidden to non-Jews. The yoke of the Torah is thus made up of three kinds of precepts: precepts given once and then repeated at Sinai, precepts given once and not repeated later<sup>27</sup>, new precepts. Only those belonging to the first kind are universally binding. From Sinai on, Israel's statute is no longer a Noachide statute. If the children of Israel abandoned the Noachide category, this was only "with the aim of sanctifying oneself and not of being indulgent with oneself."<sup>28</sup> We are really dealing with the issue of adding sanctity by means of the gift of a more demanding Torah. In the history of the Jewish nation, the Sinai event gave it its particular status. "The (Jewish) people is different from the other peoples because of its submission to the six hundred and thirteen precepts of the Torah."<sup>29</sup> For the children of Israel, Sinai commands: "Pre-Sinaitic revelation, such as the revelations to the Patriarchs contained in the Book of Genesis, is not the basis of religion and has no legal authority. The role of the post-Sinaitic revelation contained in the Prophets and Hagiographa is admonitory, i.e. it calls upon the people to observe the Sinaitic law. Thus, the basis of Judaism is not conformity to the revealed will of God, but conformity to the Sinaitic law."<sup>30</sup> If for the children of Israel, on the one hand, Sinai "commands", for the children of Noah, on the other hand, Sinai "ratifies" a preceding commandment by being repeated. The moment of Sinai as such does not constitute the source of the Noachide obligation, since to repeat is not to command. Even so, Sinai is anything but irrelevant for the *goyim*. Even if a commandment that was repeated at Sinai was not promulgated there, it was ratified, and thus, while maintaining its Noachide guise

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25 Cf. Deut. 18:10ss.

26 Cf. Lev. 18:27ss.

27 Cf. Gen. 32:33.

28 bSanh 59a (Rashi: לזה ולזה נאמרה *la-zeḥ we-la-zeḥ neemrah*).

29 Rashi on Ruth 1:16.

30 JOSÉ FAUR, "Understanding the Covenant," in: *Tradition* 9/5 (1968), pp. 33-55, here p. 41.



as a commandment addressed to Adam or to Noah, it is not something alien to the Torah<sup>31</sup>.

*Sinai: the promulgation of the Noachide commandments*

Israel's teachers asked themselves whether the Noachide law was obligatory or not. The following is one of the most radical *aggadot* – in line with the parable of R. Akiba's school previously mentioned – that the rabbis created in order to free the non-Jews from every obligatory bind:

R. Joseph said: *He stood and measured the earth; he beheld* (Hab. 3:2). What did He behold? He beheld the seven commandments, which had been accepted by all the descendants of Noah, and since rejected them He rose up and granted them exemption. Does this mean that they benefited? And if so, will it not be a case of a sinner profiting? Mar the son of Ravina thereupon said: It only means that even were they to keep the seven commandments they would receive no reward. Why they not? [...] I mean that they will receive reward not like those who having enjoined perform commandments, but like those who not having been enjoined perform good deeds.<sup>32</sup>

Thus, after seeing their breach of contract, God decided to free the children of Noah from their Noachide obligations. They can still fulfil them, but they do so as an option and not because they are bound to do so. They will still be given a reward, but it will in any case be less compared to what is given to the person who instead obeys a command. "R. Hanina has stated: Greater is the reward of those who having been enjoined do good deeds than of those who not having been enjoined do good deeds." (*ad loc.*). Nevertheless, the conclusion can be even more extreme, as is the case with Rashi.<sup>33</sup> He goes so far as to deny any reward being foreseen for the voluntary observance of what is not commanded – that is, the precepts of Noah – but at the same time, he maintains the future punishment for not having observed it.

If, following this speculative line, we have to return to speaking about a reward, it is necessary only after a new promulgation of the Noachide commandments. This is what Hayyim Hazan thought when he explained why the Noachide precepts had to be repeated at Sinai in order to be applied universally.<sup>34</sup> In this sense, their repetition at Sinai equals a real

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31 See the rabbinic interpretation of Gen. 2:16 and 6:9.

32 bBQ 38a.

33 Cf. bAZ 6a (Rashi: *u-lifnei iver*).

34 Cf. JOSÉ FAUR, "מקור חיובן של המצוות לדעת הרמב"ם," in: *תרביץ* (*Tarbiz*) 38 (1968), pp. 43-53, here p. 46 note 43.

promulgation of their own. But this is a radical response to a radical speculative hypothesis.

### III.

Contrary to what has been called ‘aggadic speculation’, according to which there is no place for the non-Jews at Sinai because they are regarded as foreign and alien to the character and to the nature of the Torah (*torat Israel*), there are in the Jewish tradition some affirmative voices that considered the moral and religious commitment of the non-Jews to be entirely based on the authoritative tradition emanating from Sinai. Although it has become almost a common place to maintain the traditional idea, according to which the source of the Noachide precepts is independent of Israel,<sup>35</sup> whether this source be divine or human, in reality this is quite a controversial point.

#### *Sinai: the entry ticket to the world to come*

Following this particular line of interpretation, Sinai’s centrality in the Noachide discourse seems to be expressed in a highly controversial passage by the famous medieval teacher Mose b. Maimon (Maimonides; 1138–1204). The text says:

Anyone who accepts upon himself the fulfilment of these seven מצוות (*misvot* “commandments”) and is precise in their observance is considered one of the pious among the non-Jews and will merit a share in the World to Come. This applies only when he accepts them and fulfils them because the Holy One, blessed be He, commanded them in the Torah and informed us through Moses, our teacher, that even previously, Noah’s descendants were commanded to fulfil them. However, if he fulfils them out of intellectual conviction, he is not a resident alien, nor of the pious among the non-Jews, nor/but<sup>36</sup> of their wise men.<sup>37</sup>

The Noachide precepts are incorporated into the authoritative tradition of Sinai in a crucial teaching like this. They are in the Torah (*בְּתוֹרָה* *ba-Torah*). God as part of the revelation of Sinai commands them, for which Moses was the mediator. In short, the Noachide commandments are integrated into the same Torah of Moses as part of it: “For a child of Noah, it is not enough to receive the seven commandments, nor is it enough for him or

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35 Cf. MOSHE GREENBERG, על המקרא ועל היהדות, Tel Aviv 1984, p. 65.

36 Cf. On this different reading, see JACOB I. DIENSTAG, “Natural Law in Maimonidean Thought and Scholarship (On Mishneh Torah, Kings VIII:11),” in: *The Jewish Law Annual* 6 (1987) pp. 64-77.

37 MOSE B. MAIMON (Maimonides), משנה תורה, *Hilkhot Melakhim* 8:11.

her to observe them; rather, he or she must receive them because they were commanded by the Almighty. But if we look at Maimonides even more closely, we will learn that that is not enough either. It is, in fact, not enough to receive them because YHWH commanded them, nor because a person is convinced that they are necessary and fitting because of the human intellect; rather, a person must receive and observe them because they are part of the Torah of Moses.”<sup>38</sup> A confrontation with the Midrashic background, which many years ago has been seen to be the source of his position<sup>39</sup>, proves to what extent the centrality of Sinai was deliberately affirmed by Maimonides. He chose to put Moses in the place of Noah:

The difference between the pious Jew and the pious Gentile is this: a Jew is not considered a pious unless he observes the whole Torah. But a Gentile is considered a pious if he keeps the seven commandments laid upon the Noachides – them and their ramifications, and on condition that they understand their obligation to stem, through their ancestor Noah, from the command of God. If they keep them in this spirit, they have a share in the world to come just like Jews – despite their non-observance of Sabbaths and holydays, which they were never commanded to keep. If, however, they kept the seven commandments because they believed them instituted by some human authority, or as a dictate of reason, or if they ascribed a partner to God, they receive a reward in this world only.<sup>40</sup>

A basis for the idea that the observance of the Noachide commandments depends on their acceptance through the mediation of Moses, was indicated by Moses Galanti in his commentary on bSanh 59a,<sup>41</sup> a text, which we have already mentioned. Now such a sharp affirmation of the centrality of Sinai not only in Israel’s history but also in that of the peoples of the earth, was and still is contested because of its coercive nature by renowned Jewish philosophers, including Baruch Spinoza and Moses Mendelssohn, and others<sup>42</sup>. From a philosophical point of view, the submission of every man to

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38 AARON KIRSCHENBAUM, “הברית עם בני נח מול הברית בסיני,” in: *דיני ישראל (Dine Israel)* 6 (1975), pp. 31-48, esp. p. 47.

39 The source is the *Baraita de-Rabbi Eli’ezer*. see HYMAN GERSON ENELOW (ed.), *משנת רבי אליעזר או מדרש שלשים ושנים* New York 1933. Cf. MICHAEL GUTTMANN, “Maïmonide sur l’universalité de la morale religieuse,” in: *Revue des Études Juives* 99 (1935), pp. 34-43.

40 *Mishnat de-R. Eli’ezer*, par. 6.

41 Cf. FAUR, “מקור חיובן של המצוות לדעת הרמב"ם” (note 27), p. 46 note 43.

42 Cf. STEVEN S. SCHWARZSCHILD, “Do Noachites Have to Believe in Revelation?” in: *The Jewish Quarterly Review* 52 (1962) pp. 297-309; 53 (1962) pp. 30-65.

obtain salvation to a revelation that is part of the history of a particular people is certainly disturbing. Thus, Maimonides' text is at the core of the confrontation between those who uphold autonomous ethics and those who uphold the ethics of Sinai; those who uphold human reason and those who uphold divine revelation. The newness contained in Maimonides' position as regards the preceding Talmudic tradition itself has been emphasized repeatedly. He explained in an original way the double condition for entering the world to come: first, that the commandments come from God and not only from human reason; second, the need to receive and to observe them as they are transmitted through the tradition of Moses. "The historical commandment to the children of Noah is not the source of the obligation [...]. The entry ticket to the world to come can always be found in the Torah of Moses, and only there."<sup>43</sup> Only by this is a child of Noah considered being "a righteous person from among the nations of the world" who merits eternal life.

### *Sinai: the universal God's kingship*

We can note a later step in the recognition of Sinai's centrality for the seven Noachide precepts in the reflection of Rabbi Menahem Mendel Schneerson, known as the Lubavitcher Rebbe, in a *responsum* he wrote on the passage of Maimonides cited above.<sup>44</sup> In it, the Rebbe presents the teaching of the Noachide precepts as a duty that is binding on every son of Israel, individually considered, and according to the situation in which Israel finds itself in the context of the nations.<sup>45</sup> HaBaD's interest in the Noachide proposition is well attested. Through the will of the Rebbe, Noahism came to the forefront of the movement's followers, who had a specifically messianic perspective<sup>46</sup>. But for us it is enough to point out the Noachide precepts' relationship with Sinai, by which the Rebbe justified the duty of every Jew

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43 HANNA KASHER, "תורת משה כאמצעי לעולם הבא," in: *תרביץ* (*Tarbiz*) 64 (1995) pp. 301-306, esp. p. 306.

44 Cf. Rabbi MENAHEM MENDEL SCHNEERSON, *חידושים וביאורים בש"ס ובדברי הרמב"ם*, 3 vols. Kefar HaBaD 1985, vol. II, no. 8, pp. 73-6 and pp. 225-6.

45 For a discussion, see MICHAEL J. BROYDE, "The Obligation of Jews to Seek Observance of Noahide Laws by non-Jews: A Theoretical Review", in DAVID SHATZ, CHAIM I. WAXMAN, NATHAN J. DIAMENT (eds.), *Tikkun Olam. Social responsibility in Jewish Thought and Law*, Northvale, N.J. 1997, pp. 103-43, esp. p. 107.

46 Cf. AVIEZER RAVITZKY, *Messianism, Zionism, and Jewish Religious Radicalism*, Chicago / London 1996, esp. pp. 181-206.

to spread the message among the non-Jews. Basing himself thus on the renowned medieval teacher, the Rebbe wrote:

The significance of the words [of Maimonides] is that the duty to constrain [the non-Jews to observe the Noachide precepts] etc. is part of and follows from the giving of the whole Torah and of the precepts to Israel, and that together with the bequest of the Torah to the children of Israel came the commandment from the mouth of the Almighty to impose the seven precepts on anyone belonging to the nations of the world [...]. What do the seven precepts have to do with Mount Sinai, and in this, what does Maimonides give us to understand?<sup>47</sup>

This is exactly the question underlying our reflection. It was expressed by the Rebbe after he had noted in the words of Maimonides the presence of the commandment to constrain the non-Jews to the Noachide observance and the link between it and the giving of the Torah. This latter is in fact what holds the explanatory key to the Noachide statute itself. The Rebbe's discourse is very well articulated. The giving of the Torah is characterized by a "double reception"; in the first place, there is the acceptance of the Kingdom of Heaven (קבלת מלכות שמיים *qabbalat malkhut šammayim*), and then there is that of the Yoke of the Commandments (קבלת עול המצוות *qabbalat 'ol ha-mišvoṭ*). The first is the prerequisite for the second. For the Lubavitcher Rebbe, Maimonides had retrieved that double reception, which belongs to the structure of the giving of the Torah, whether in the case of the proselyte (גר צדק *ger ṣedeq*), or in the case of the resident foreigner (גר תושב *ger tošav*), or in the case of a son of Noah (בן נח *ben Noah*), when these take upon themselves the yoke of the Noachide precepts. Thus, for the Rebbe, assuming the Kingdom of Heaven remains the basis for the obligation, whether this obligation be that of Moses or of Noah. This idea finds support in the following Midrash:

Said R. Abbahu in the name of R. Jochanan: When God gave the Torah, no bird twittered, no fowl flew, no ox lowed, none of the *Ofanim* stirred a wing, the Seraphim did not say: Holy, Holy, the sea did not roar, the creatures spoke not, the whole world was hushed into breathless silence and the voice went forth: *I am the Lord thy God* (Ex. 20:2).<sup>48</sup>

The manifestation of God's kingship was an event of general interest. All of creation was silent as it awaited His first words. This universal manifestation of the divine Lordship is of an obligatory nature for all peoples who inhabit the earth. Thus, in this sense non-Jews have part in the

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47 Rabbi SCHNEERSON, חידושים וביאורים (note 35), p.74.

48 ShemR XXIX:9 on Ex. 20:2.

*ma'amad bar Sinai*. And it is very tempting to conclude our presentation by saying with the Rebbe that the nations of the world received the Kingdom of Heaven with the first divine word they heard<sup>49</sup>. This first reception is the necessary condition for the second reception, that of the yoke of the Noachide commandments.

For Mose b. Maimon, the Jews are obliged to teach the non-Jews their Noachide duties. The Jewish tradition preserves the teachings that characterize the Torah's universalism. A tradition that takes us directly back to Sinai.

"Yet, it may easily be inferred from Mose b. Maimon's comments, *Hilkhot Melakhim* 8:11, that Noachides do not possess an independent מסורה (*mesorah*) or tradition based upon divine revelation. The authoritative source of the *mesorah* upon which the Noachide Code is predicated is the revelation, which occurred at Mt. Sinai."<sup>50</sup>

This trend of anchoring the non-Jews to Sinai is by no means foreign to the historical tradition.<sup>51</sup> The working out of the Noachide statute must take into account the specificity of the children of Israel; but on the other hand, in so doing, it must not renounce bringing the non-Jews to a ground that is common to both – the ground of the Torah.<sup>52</sup> Certainly, there can be tension between the Torah of Noah (תורת נח *torat Noah*) and the Torah of Moses (תורת משה *torat Mošeh*), but this tension is in any case within the Torah itself, which is One (תורת ישראל *torat Israel*), just as God, the God of Israel (אלהי ישראל *elohi Israel*), is One.

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49 Cf. RANIERO FONTANA, "L'esperienza gerarchica del Sinai," in: *Uni-versum* 1 (2010), pp. 37-42. The nations of the world didn't hear directly from God the second divine word (Ex. 20:3). This point may explain the more lenient judgment about the non-Jewish attitude to idolatry.

50 J. DAVID BLEICH, "Teaching Torah to non-Jews," in: *Tradition* 18/2 (1980), pp. 192-211, here p. 202.

51 It is in fact already at work in rabbinic tradition as in a paradigmatic episode of the nascent Church (Acts 15).

52 RANIERO FONTANA, *Diario noachide. Un non-ebreo ai piedi del Sinai*, San Pietro in Cariano (Verona) 2015.