

SEXUAL MORALITY PART 1  
 RABBI TANI BURTON  
 SUKKAT SHALOM-BNEI NOACH

1. Genesis 2:24

<p>Therefore, a man leaves his father and his mother and cleaves to his wife, and they become as one flesh.</p>	<p>עַל־כֵּן יַעֲזֹב־אִישׁ אֶת־אָבִיו וְאֶת־אִמּוֹ וְדָבַק בְּאִשְׁתּוֹ וְהָיוּ לְבָשָׂר אֶחָד:</p>
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2. Sanhedrin 58a

<p>As it is taught in a Baraita, (Genesis 2:24) "Therefore, a man leaves his father and his mother". Rabbi Eliezer says, "his father" refers to his father's sister, and "his mother" refers to his mother's sister. Rabbi Akiva says, "his father" refers to his father's wife, and "his mother" refers to his mother as stated.</p>	<p>דתניא (בראשית ב, כד) על כן יעזב איש את אביו ואת אמו רבי אליעזר אומר אביו אחות אביו אמו אחות אמו ר"ע אומר אביו אשת אביו אמו אמו ממש</p>
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3. Rashi, loc. Cit

<p>"Therefore, a man leaves his father and his mother" – this was commanded of Adam.</p>	<p>על כן יעזב איש את אביו ואת אמו - לאדם הראשון נאמר:</p>
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4. Rashi, loc. Cit

<p>"his father's sister" – all the more would this apply to his own sister.</p>	<p>אחות אביו - וכ"ש אחותו:</p>
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5. Sanhedrin, ibid.

<p>If he married his maternal sister, he must divorce her. If she was his paternal sister, he may keep her as his wife. If she is his father's maternal sister, he must divorce her. But if she is his father's paternal sister, they may remain married. If she is his mother's maternal sister, he must divorce her. But if she is his mother's paternal sister, Rabbi Meir says, he must divorce her, and the Sages say that they may remain married. Rabbi Meir would say that any family member who is a relative of the mother requires divorce, while if it is a relative of the father, it can be maintained. Moreover, (a Noahide is) permitted to marry his brother's wife, or his father's brother's wife, and all other relationships that would be forbidden in Jewish law are permitted in Noahide law, including his</p>	<p>הא כיצד נשא אחותו מן האם יוציא מן האב יקיים אחות האב מן האם יוציא מן האב יקיים אחות האם מן האם יוציא אחות האם מן האב ר"מ אומר יוציא והכ"א יקיים שהיה ר"מ אומר כל ערוה שהיא משום שאר אם יוציא משום שאר האב יקיים ומותר באשת אחיו ובאשת אחי אביו ושאר כל עריות ומותרות לו לאתווי אשת אביו נשא אשה ובתה כונס אחת ומוציא אחת ולכתחילה לא יכנס מתה אשתו מותר בחמותו ואיכא דאמרי אסור בחמותו אמר רב יהודה לא קשיא הא ר"מ אליבא דר' אליעזר והא ר"מ אליבא דר"ע</p>
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<p>father's wife. If he married a woman and her daughter, he may keep one and divorce the other, but ideally he should not maintain either relationship. If his wife died, he can marry his mother-in-law, and there are other opinions who regard this as forbidden. This is not a contradiction—the first statement is Rabbi Meir's explanation of Rabbi Eliezer's opinion, and the second statement is Rabbi Meir's explanation of Rabbi Akiva's opinion.</p>	
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6. Rashi, loc. Cit

<p>"and he is permitted to marry his brother's wife", etc., for there is no prohibition against marrying one's brother's wife for Noahides, etc., and this is also true of one's father's brother's wife or any other woman whom he is related to by marriage.</p>	<p>ומותר באשת אחיו - ואפילו מאמו ולאחר מיתה ואפילו נשאה אחיו משנתגייר או נשאה כשהוא כותי ומשנתגייר קיימה דאין אשת אח לבני נח וליכא למיחש שמא יאמרו וכו' וכן אשת אחי האב וכן כל הבאות מחמת אישות דכיון דלשמא יאמרו ליכא למיחש דקסבר לא נאסרו לבני נח ומשום קורבה נמי ליכא למיחש דכקטן שנולד דמי:</p>
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7. Rashi, loc. Cit

<p>"Any other relationship" - that would be forbidden in Jewish law because of marriage is permitted to a Noahide.</p>	<p>ושאר כל עריות - שבאות מחמת אישות מותרות לו:</p>
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8. Rashi, loc. Cit

<p>"If his wife died, he may marry his mother-in-law" – from the time that he converts, etc., for a convert is unrelated to his family members from before his conversion.</p>	<p>מתה אשתו מותר בחמותו - ואע"פ שקיימה לאשתו משנתגייר דכן נח לא הוזהר על חמותו דנימא באים מקדושה וכו' וחמותו ממש לא היא אע"ג דנתגיירו דגר שנתגייר וכו' ואין קורבות זה לזה:</p>
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9. Rashi, loc. Cit

<p>"And there are those who teach that he is forbidden to marry his mother-in-law" – This explains the difference in opinions between Rabbi Eliezer and Rabbi Akiva. It was taught: nevertheless, he may marry his father's wife, even though a Jewish court would put a Jew to death for such a thing, and with regard to his mother-in-law as well. And it was taught: he is</p>	<p>ואיכא דתני אסור בחמותו - התם מפרש במאי פליגי קתני מיהת מותר באשת אביו ואע"פ שב"ד של ישראל ממיתין עליה וכן בחמותו וקתני אסור באחותו ובאחות אביו ואחות אמו ואע"פ שאין ב"ד של ישראל ממיתין עליהם:</p>
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forbidden to marry his sister or his father's sister, or his mother's sister, even though a Jewish court would not execute a Jew for it.	
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10. Sanhedrin 57b

The Sages say: there are many types of forbidden relations that a Jewish court would not execute a Jew for transgressing, but that Noahides are forewarned against.	וחכמים אומרים הרבה עריות יש שאין בית דין של ישראל ממיתין עליהן ובן נח מוזהר עליהן
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11. Rashi, loc. Cit

"there are many types of forbidden relationships" – like all relations for which a Jew would be punished with spiritual excision ( <i>karet</i> ), that Noahides are forewarned against, for the Sages include Noahides in the prohibition based on the verse (Leviticus 18:6), while Rabbi Meir does not base his ruling on this verse.	הרבה עריות יש - כגון כל חייבי כריתות בן נח מוזהר עליהם דלרבנן אתרבו בני נח מאיש איש לכל האמור בפרשה ור"מ לא דריש איש איש לרבווי:
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12. Leviticus 18:6

None of you shall approach to any that is near of kin to him, to uncover her nakedness: I am the L-rd.	איש איש אל-כל-שֶׁאָר בְּשָׂרוֹ לֹא תִקְרְבוּ לְגִלּוֹת עֲרוֹנָה אֲנִי ד':
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13. Sanhedrin 57

The Rabbis taught: what is meant when the verse says (Leviticus 18:6), "no man, no man"? It comes to include non-Jews, who are forewarned against forbidden relations as the Jews are.	ת"ר איש מה תלמוד לומר (ויקרא יח, ו) איש איש לרבות את הכותים שמוזהרין על העריות כישראל
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14. Tosafot, loc. Cit

And the Sages say: Many forbidden relationships ( <i>arayot</i> ) - regarding which the category of <i>karet</i> applies according to Rabbinic law, the sons of Noah accepted upon themselves, based on "no man, no man" (Leviticus 18:6) for all that is stated in the Torah portion. However, Rabbi Meir does not interpret 'no man, no man' to include non-Jews, even though earlier (Sanhedrin, page 56:)	וחכמים אומרים הרבה עריות - פ"ה כגון כל חייבי כריתות דלרבנן איתרבו להו בני נח מאיש איש לכל האמור בפרשה ור"מ לא דריש איש איש לרבוויא אע"ג דלעיל (סנהדרין דף נו: ) גבי ברכת השם דריש ר"מ איש איש ומשמע דמאן דדריש חדא דריש כולהו דמתוך כך מסיק לעיל על שבע מצות בני נח נהרג התם משמיה דנפשיה והכא ר"מ אליבא דר' עקיבא כדמוקי לה בסמוך
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<p>regarding the blessing of the Name, Rabbi Meir does interpret 'no man, no man,' to include non-Jews, and this would imply that this interpretation would apply everywhere, etc. But here we have the explanation of Rabbi Meir according to the opinion of Rabbi Akiva, as it is established later. However, the prohibitions that are extended to non-Jews, based on the interpretation of "no man, no man", refer to forbidden relationships specific to Jewish law. But when it comes to <i>their</i> forbidden relationships (in the Noahide code) it seems to me that those are based on the verse (Genesis 2:16), "and the L-rd G-d commanded the man, saying..." If so, whether to Rabbi Meir or to the Sages, the interpretation of "no man, no man", works only to extend the prohibition of <i>our</i> forbidden relationships, to non-Jews, while <i>theirs</i>, it seems to me, are based on what is written (in Genesis 2:16). The sages interpret to them to mean all forbidden relationships. Rabbi Meir specified with regard to the sons of Noah, (Genesis 2:24) "therefore a man shall leave", that is, they are liable to death only for the forbidden relationships upon which they are warned.</p>	<p>מיהו הא דמרבין לעיל נכרי מאיש איש היינו בעריות דידן אבל דידהו נ"ל מדכתיב לאמר א"כ בין לר' מאיר בין לרבנן הא דדריש איש איש היינו בעריות דידן אבל דידהו מדכתיב לאמר ודרשי להו רבנן לכל עריות דידהו אבל לר"מ ס"ל כיון שפירש בבני נח על כן יעזב איש דהיינו חיבי מיתות הן הן העריות שמוזהרין עליהן ואין להרבות יותר:</p>
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The passage discusses the contrasting views between the Sages (Chachamim) and Rabbi Meir concerning the application of forbidden relationships (arayot) to non-Jews according to the Noahide laws. According to the Sages, the prohibition of arayot, derived from the phrase "no man, no man" in Leviticus 18:6, extends universally, encompassing non-Jews under the Noahide laws. This interpretation implies that non-Jews are bound by the same prohibitions and subject to the corresponding penalties as Jews. In contrast, Rabbi Meir's stance varies: while he initially interprets "no man, no man" broadly to include non-Jews in another context (Sanhedrin, page 56), he limits this interpretation specifically to Jewish law regarding arayot in the current discussion. Rabbi Meir argues that non-Jews are not universally bound by this interpretation under the Noahide laws. He asserts that the specific prohibitions for non-Jews are derived from Genesis 2:24, emphasizing that they are only liable for those arayot explicitly warned against in their own laws. This distinction reflects Rabbi Meir's narrower application of the prohibitions compared to the broader interpretation of the Sages, impacting how these laws are understood and applied within legal contexts concerning non-Jews observing the Noahide laws.