

INTRODUCTION TO PARASHA

*In memory of Yakov Yehuda ben Pinchas Wallach
and Miriam Wallach bat Tzvi Donner*

PARASHAT NOACH

THE SANCTITY OF HUMAN LIFE

By Rabbi Yaakov Beasley

A. INTRODUCTION – THE GREAT SHIFT

Our *parasha* encompasses perhaps the most monumental shift in focus in human history, a shift not often noticed or appreciated by Torah readers. For the first 11 chapters of *Sefer Bereishit*, comprising last week's and this week's *parasha*, the Torah's narrative is been universal in focus. The text has chronicled the rise and fall of the first man and woman, the follies of their descendants, and their eventual destruction in the Great Flood. Noach, whose family *Hashem* chose to rebuild humanity, fails in his task, despite the opportunity handed to him. Finally, *Hashem* despairs of the redemption of the entire human race, at least for the present. Instead, He decides to create a relationship with one individual, with the hope that, through his descendants, *Hashem* will be able to bring blessing to the world.

As the range of the text narrows, focusing upon the ancestors of the Jewish people, the reader tends to forget that, originally, *Hashem's* plan included the entire human race. Lost in the retelling is another significant shift – the granting of a universal moral code.

Traditionally, rabbinic literature referred to the set of laws granted to humanity after the flood as the *Sheva Mitzvot Benei Noach*, the seven commandments of Noach's children or the Noachide code. The commandments include prohibitions against stealing, killing, eating the limb of live animals, acts of sexual immorality, idolatry, blasphemy, and a requirement to establish courts of law. Some commentators suggest that these prohibitions serve as category headings and that, in fact, these laws encompass many more commandments.[1]

According to the Midrash, these laws were alluded to in the first commandment given mankind, the prohibition against eating from the Tree of Knowledge of Good and Evil. The sages could not fathom that *Hashem* would have created humanity without the simultaneously production of a moral code of human behavior. In this week's study, we will speculate regarding what occurred after the flood that required that these commandments be explicitly stated, and we will concentrate on the nature of the central prohibition, the prohibition against taking another life.

B. AFTER THE FLOOD

Upon leaving the Ark, Noach's first act is to build an altar and offer sacrifices to *Hashem*. He does this without Divine instruction (although the commentators note the act was alluded to by the earlier command to bring seven of each of the "*tahor*" species on the ark, as opposed to only the pairs of the others). Presumably, he does so as an act of thanksgiving, and possibly in the hope of staving off further rain). However, given that God had commanded that the animals be fruitful and multiply, Noach's first act upon leaving the ark is a self-defining one – an act of violence against other living beings. Not having been told how to express thanks, Noach gave God a gift on the assumption that God enjoyed what he, a human being, enjoyed. The sacrifice says nothing about God's preferences, but reveals a great deal about Noach. The text is unclear whether the "sweet savor" that God smelled was indeed sweet in God's eyes, or in Noach's eyes alone. The ambiguous nature of Noach's act is confirmed by God's reaction:

And *Hashem* smelled the sweet savor; and *Hashem* said in His heart: "I will not again curse the ground any more for man's sake, for the imagination of man's heart is evil from his youth; neither will I again smite any more every thing living, as I have done. While the earth remains, seedtime and harvest, and cold and heat, and summer and winter, and day and night shall not cease." (8:21-22)

In response to the sacrifice, we do not hear praise for Noach's generosity. Instead, God realizes that "the imagination of man's heart is evil from his youth." Noach and his sacrifice clarify two critical issues. First, it is clear that no human being, following only his natural inclinations and without instruction, will be content to live as expected earlier – as a peaceful and non-violent steward of creation. Without an external law to guide him, humanity will fall once again. Second, through the sacrifice, Noach displayed a level of emotional and psychological separation from the animals, a distinction that the new law will formalize into near absolute permission to eat meat. Noach seeks a new relationship with God through sacrifices; in response, through laws, God demands justice of Noach.

C. PROHIBITION OR RETRIBUTION

As we noted above, the law allows almost unlimited dominion of humanity over the animal kingdom. Apparently, the hope is that by tolerating the eating of meat, man's ferocity will be sated. However, the purpose of these laws, as clearly stated, is primarily to protect human life:

And surely your blood of your lives will I require; at the hand of every beast will I require it, and at the hand of man, even at the hand of every man's brother, will I require the life of man.
Who so sheds man's blood, by man shall his blood be shed; for in the image of God He made man. (9:5-6)

These verses are long, complex, and repetitive. The Ibn Ezra interprets them as follows:

I permitted you to shed the blood of every living thing except your own blood, which I did not permit, for you are human, for I shall require it (require retribution for it) ... this text is a generalization, followed by its applications: if many slay a single person, or one individual another, I shall seek out the blood. I shall also seek it out from any beast, by commanding another to slay it ... (Commentary to 9:5)

Shmuel Luzzatto explained the additional "by the hand of every man's brother" homiletically, that "God himself would seek a reckoning for the life of his fellow, who is his brother, a human being like himself; and yet he had no pity on him." Rashi chose to interpret the additions based on their legal ramifications:

"And surely your blood of your lives" – Although I permitted you to take the life of a beast, YOUR blood I will seek from the hand of the person that sheds it ...

"At the hand of man" – from the hand of the deliberate murderer, in a case when there are no witnesses who can testify in court ...

"Even at the hand of every man's brother" – this refers to someone who slays someone he loves like a brother, i.e. inadvertently - I shall seek. If he will not forgive it and ask forgiveness (for even manslaughter requires atonement)... if he does not surrender himself, the Holy One Blessed be He will seek a reckoning with him ... (Commentary to 9:5).

However, verse 5 clearly does deal with one kind of offense – premeditated murder that the courts can now enforce. Suddenly, humans have become partners with God in dispensing justice. Verse 6's conclusion provides the rationale for this dramatic change, in which people now have the warrant to sit in judgment: "for in the image of God He made man." Which man does the verse refer to – the victim or the murderer? The Radak brings both possibilities:

Permission was not given to man to destroy even the most inferior of his kind, until the Divine command to Noach. A special command of *Hashem* was required even to allow Adam and Chava to make use

of the plants in the garden (which are lesser in importance than the animals) ... Similarly, *Hashem* commands the shedding of a man's blood if his sin warrants it ... since he was the first to destroy His image by violating his command...

For man is the highest of God's creatures, created in His image and enjoying the gift of intelligence. Other creatures must therefore fear him, and one man must not destroy the other, since by doing so man destroys the highest work of God, made in his image, and he went and destroyed it.

The Chizkuni creatively offers a third interpretation. The man the verse identifies as having been created in God's image refers to the judge:

That there be justice, and a [created in God's image] judge for men to fear (and not to disparage and curse).

However we interpret the verse's final clause, one final detail strikes us. The prohibition was not worded as a prohibition (you shall not murder), nor even as a negative commandment. Instead, the rule is implicit, while the Torah only demands a remedy once a murder occurs. It appears that God expects the bloodshed to continue. What God demands is that humanity no longer tolerate injustice around them. Indeed, if the blood of a human shed by an animal must be avenged, a fortiori, blood shed by a brother should be (an allusion to Kayin and Hevel). Humans must now accept the responsibility of the equal fair distribution of justice, and defend the inviolability of all human life.

Seen in this context, the murderer's life for the life that he stole exemplifies this fundamental principle of strict and fair justice: the violator receives exactly what he deserves. This point is illustrated beautifully by the language in the Hebrew:

A Whoever sheds (*shofech*)

B the blood (*dam*)

C of man (*ha-adam*)

C' by man shall (*be-adam*)

B' his blood (*damo*)

A' will be shed (*yeshafech*)

In this verse's chiasmic structure, the second half of the verse perfectly mirrors the first. In ideal justice, the act of retribution must precisely and equally mirror the original action, so that the second deed constitutes an undoing of the first. Like the structure of the verse, the cycle of bloodshed closes, so that no further action, no additional shedding of blood is required. The deed of retribution deliberately responds to the first (which has no justifying antecedent, and may not have involved any reflection). Man, created in the Divine image, is the central focus of the verse – for it is the protection of man, and the inviolable sanctity of human life, that must be protected against the bloodshed that surrounds it on all sides.

[1] See the entry for the Noachide code in the Encyclopedia Talmudit, which lists 52 separate commandments included in these categories.