

# POLYHERETIC.NET

## TALMUD SOUNDBITE

### # 1

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*"A gentile who engages in Torah study is liable to receive the death penalty;" (Sanhedrin 59a:2)*

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#### **The claim as expressed by Rev. I. B. Pranaitis:**

Even a Christian who is found studying the Law of Israel merits death. In Sanhedrin (59a) it says: "Rabbi Jochanan says: A Goi who pries into the Law is guilty of death."

Source: Part 2, Chapter 2, Article 2. - CHRISTIANS ARE TO BE KILLED, page 77; The Talmud Unmasked - The Secret Rabbinical Teachings Concerning Christians By Rev. I. B. Pranaitis

#### **The claim as expressed by Elizabeth Dilling:**

##### **Kill the Gentile Who Studies the Torah**

"A heathen who studies the Torah deserves death ... it is our inheritance, not theirs ... he is as guilty as one who violates a betrothed maiden." (See Exhibit 60) This is sound Talmudic thinking, since knowledge of the anti-human criminality of the Talmud Torah must inevitably put non-Jews on their guard. The footnote explains:

"This seems a very strong expression ... it is suggested that Rabbi Johanan feared the knowledge of Gentiles in matters of Jurisprudence, as they would use it against the Jews in their opponents' courts ... the Talmud places R. Johanan's dictum ... immediately after the passage dealing with the setting up of law courts by Gentiles."

IV. JUDAISM — ANTI-GENTILISM AND EXPLOITATION OF NON-JEWS; The JEWISH RELIGION Its Influence Today [Formerly Titled THE PLOT AGAINST CHRISTIANITY] by Elizabeth Dilling

## The Context

As many Talmud apologists would rightly insist, the context surrounding a quoted text will ordinarily inform the interpretation of that text. I will therefore provide the relevant summary by Rabbi Adin Steinsaltz of Perek VII (Chapter 7) of the Tractate Sanhedrin, the chapter within which 59a is contained:

### Rabbi Adin Steinsaltz Summary of Sanhedrin Chapter 7 (49b – 68a)

The halakhot of the descendants of Noah, i.e., gentiles, are also discussed, because although they are unrelated to the specific topic of the chapter they are connected to its purpose. Tractate Sanhedrin, which deals with the framework of a full-fledged state built on halakha, could not have ignored the existence of gentiles living in the midst of such a state or those who are subservient to the state's laws in one way or another. Furthermore, Judaism has a fundamental approach to the religious and moral obligations of all people, Jewish or not.

Among the many mitzvot that apply to the Jewish people as “a kingdom of priests and a holy nation” (Exodus 19:6), there are several basic ones that apply to all of humanity. These are mainly the seven Noahide mitzvot, namely, the mitzva to establish courts of justice, and the prohibitions against cursing the name of God, worshipping idols, engaging in forbidden sexual relations, shedding blood, robbing, and consuming a limb from a living animal. The details of these mitzvot, as well as additional mitzvot that apply to gentiles as well, reaching a total of thirty according to some opinions, are enumerated in this chapter. The principles of the unique justice system that applies to these mitzvot are also specified.

**Koren Talmud Bavli . Sanhedrin Part Two · Summary of Sanhedrin Perek VII (49b to 68a) by Rabbi Adin Even-Israel Steinsaltz, page 123 (PDF version)**

[Sefaria.org - Summary of Sanhedrin Perek VII](https://sefaria.org/Summary_of_Sanhedrin_Perek_VII)

Folio Sanhedrin 59a where the claim I am exploring is found, is in the context of the "halakhot" (Rabbinic Laws) and "mitzvot" (Biblical Laws) as they apply to Gentiles, enshrined within what are known as The Noahide Laws. The hypothetical scenario is what are the laws that would apply to Gentiles within the framework of a state, as in a sovereign territory, ruled by Talmudic halakha. With this encompassing context in mind, I will now quote the typical Talmudic apologists' portion of Sanhedrin 59a whereby they, often with fallacious ad hominem such as "liars", "dishonest", "stupid", and the obligatory "antisemite", assert they have proven these ad hominem labels. Thus:

### THE WILLIAM DAVIDSON/KOREN BAVLI TALMUD – SANHEDRIN 59a:2-4

**59a:2** And Rabbi Yoḥanan says: **A gentile who engages in Torah study is liable to receive the death penalty**; as it is stated: “Moses commanded us a law [*torah*], an inheritance of the congregation of Jacob” (Deuteronomy 33:4), indicating that **it is an inheritance for us, and not for them.**

**59a:3** The Gemara challenges: **But** if so, **let** the *tanna* **count** this prohibition **among** the **seven** Noahide **mitzvot**. The Gemara explains: According to **the one who says** that the verse is referring to the Torah as **an inheritance**, this prohibition is included in the prohibition of robbery, as a gentile who studies Torah **robs** the Jewish people of it. According to **the one who says** that the verse is referring to the Torah as **betrothed**, as the spelling of the Hebrew word for betrothed [*me'orasa*], is similar to that of the word for inheritance [*morasha*], **the punishment of** a gentile who studies Torah **is like** that of one who engages in intercourse with **a betrothed young woman, which is execution by stoning**.

**59a:4** The Gemara **raises an objection** to Rabbi Yoḥanan's statement from a *baraita*: **Rabbi Meir would say: From where** is it derived **that even a gentile who engages in Torah study is considered like a High Priest?** It is derived from **that which is stated**: "You shall therefore keep My statutes and My ordinances, **which if a man does he shall live by them**" (Leviticus 18:5). The phrase: Which if **priests, Levites, and Israelites** do they shall live by them, **is not stated**, but **rather: "A man,"** which indicates mankind in general. **You have therefore learned that even a gentile who engages in Torah study is considered like a High Priest.**

<https://www.sefaria.org/Sanhedrin.59a.2?lang=bi>

## So, What's The Issue?

Some apologists pepper their "debunking" of such as "A gentile who engages in Torah study is liable to receive the death penalty" with invectives explaining that those who quote this text "knowingly out of context" are liars, lying, dishonest, motivated by hate, and are awarded the inevitable label of being an antisemite. Alternatively, those who simply repeat this text without due diligence are lazy and stupid. I suggest that this fallacious use of ad hominem proves nothing.

There is however more valid criticism when apologists assert a short, quoted text may not mean what it says when read in the context of the surrounding text. This is true of all quotes from all sources of course. In the context of this issue, the charge is that indeed context is ignored and quoters either deliberate ignore the context or are too lazy to read further. It is also suggested that contemporary Rabbinic opinion be consulted. I agree!

## The Apologists' Argument

**In Sanhedrin 59a:2** it is not disputed that Rabbi Yohanan says, as Rev. I. B. Pranaitis and Elizabeth Dilling quote: "A gentile who engages in Torah study is liable to receive the death penalty;". The rationale for this opinion of Rabbi Yohanan is that the Torah is the inheritance of the Israelites not the Gentiles using Deuteronomy 33:4 as the proof text.

**In Sanhedrin 59a:3** this view is challenged as apologists correctly highlight, and it is suggested that the *tanna* (teacher, repeater, singular of *tanna'im*) consider the prohibition of Gentiles studying the Torah to be among the Seven Noahide Laws. Taking the "inheritance" analogy, it is suggested that a Gentile who studies the Torah is "robbing" the Israelites of their property. This is then further compared to a one who has sex with a betrothed woman and that crime is punished by stoning. As apologists acknowledge, this adds "fuel to the fire" and reinforces the idea of a Gentile who studies the Torah is

indeed deserving of the death penalty. Bearing in mind Rabbi Adin Steinsaltz's summary it should be of interest that the Noahide Laws are mentioned.

**In Sanhedrin 59:4**, and as apologists again correctly highlight, the Gemara raise an objection about this punitive capital punishment view Rabbi Yohanan formed from a *baraita* (outside teaching). Using Leviticus 18:5, it is argued that Yahweh's statutes and ordinances apply to all mankind and the conclusion at this point in the debate is that: "... a gentile who engages in Torah study is considered like a High Priest."

## The Apologists' Conclusion

The apologists claim that the conclusion the Talmudic Rabbis reach is that contrary to Rabbi Yohanan's opinion that Gentiles who study Torah are deserving of death, Gentiles who study Torah are to be "considered like a High Priest."

## The Problem With This Conclusion

The analogy of a Gentile with a High Priest is somewhat improbable, but the sentiment certainly implies that it is commendable for a Gentile to engage in Torah study as apologists triumphantly emphasise. However, apologists suggest that anyone who reads the Talmud, or a make a negative claim about the Talmud, they should read on further, ensure the full context is understood, even consult a Rabbi, and take the time to discover contemporary opinion. I will now follow the apologists' advice and read further in folio Sanhedrin 59a and then "consult" a Rabbi or two.

The discussion of Gentiles who study Torah does not stop in Sanhedrin 59a:4. It proceeds to the next paragraph 59a:5 where the "answer" to the issue is found clarifying the apparent contradiction between Rabbi Yohanan's assertion based on a *baraita* that Torah studying Gentiles deserve death and the assertion a Gentiles who studies the Torah is commended.

It is enlightening to follow apologists' advice and go one paragraph further to Sanhedrin 59a:5 where the Gemara "answers", or rather clarifies the objection utilised from the *baraita* referenced in 59a:4:

### THE WILLIAM DAVIDSON/KOREN BAVLI TALMUD – SANHEDRIN 59a:5

**59a:5** The Gemara answers: **There**, in the *baraita*, the reference is to a gentile who engages in the study of **their seven mitzvot**. **It is a mitzva for a gentile to study the halakhot that pertain to the seven Noahide mitzvot, and when he does so he is highly regarded.**

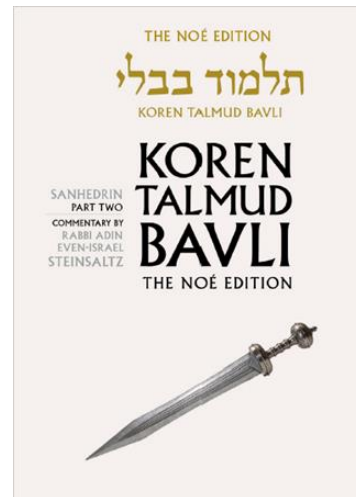
<https://www.sefaria.org/Sanhedrin.59a.5?lang=bi>

The solution to what appears contradictory at face value is provided with the explanation that a Gentile is "highly regarded" when they study the Rabbinic laws (halakhot) and Biblical laws (mitzvot) that are relevant to a Gentile, namely the Seven Noahide Laws. A moment of honest reflection may well raise the question:

**DOES THE PROHIBITION OF GENTILE STUDY OF NON-APPLICABLE TORAH, AS IN TORAH NOT PERTAINING TO THE SEVEN NOAHIDE LAWS, THEREFORE STILL APPLY TO THEM BEING "LIABLE TO RECEIVE THE DEATH PENALTY" AS ASSERTED IN SANHEDRIN 59A:2?**

**Guidance From Rabbi Adin Steinsaltz**

Following again the advice of Talmud apologists, I will now "consult" a Rabbi who arguably is best placed to guide in this matter as he is the one who magnificently and admirably provided the translation of the Talmud most now use which is The William Davidson Talmud (Koren). This is of course Rabbi Adin Steinsaltz, now deceased, who also provided highly informative commentary to his translation. There is a wonderful set of volumes called: "The Noé Edition Koren Talmud Bavli PDF Set Volumes 1-42" and they are invaluable for Torah study. I will now quote Rabbi Adin Steinsaltz's commentary on Sanhedrin 59a:2. First, his comments headed under "notes" (*See figure 1*):



**Notes to Sanhedrin 59a:2 by Rabbi Adin Steinsaltz**

**A gentile who engages in Torah study:**

This issue is explained in several ways by various commentaries. According to the Meiri, a gentile may not study Torah if his intention is to challenge Jews based on what he learns, but he may study Torah in order to observe mitzvot properly. The Rambam differentiates between teaching the Bible to Christians, which is permitted as they consider it to be true, and teaching it to Muslims, whom he holds do not. Others add that there is no reason to forbid a person from learning the truth, which might convince him to abandon his false ways.

**Robbs the Jewish people of it:**

Some commentaries ask how a gentile robs the Jewish people by studying Torah, as he does not in fact take anything away from them. One suggestion is that by reaching novel understandings of Torah before the Jewish people do, he is considered to have robbed them.

**Koren Talmud Bavli – Sanhedrin Part II · Commentary by Rabbi Adin Even-Israel Steinsaltz, [Sanhedrin perek VII 59a page 66] (PDF version)**

There is nothing in these notes by Rabbi Steinsaltz to confirm the claim that Gentiles who study Torah are worthy of death. They do show that there are different opinions as to what is permitted to be studied mainly based on the motive both of Jews who may want to teach Gentiles and the motive of Gentiles engaged in Torah study.

It is difficult when reading the Talmud, whether as soundbites, paragraphs, or whole folios, to pick out what may or may not be halakha (law), as opposed to mere opinion or simply wise recommendations

of action or behaviour. Fortunately, in this instance, Rabbi Adin Steinsaltz provides authoritative halakhah for the contested soundbite: "A gentile who engages in Torah study is liable to receive the death penalty;". Under the heading "halakha" he writes (See figure 1):

### Halakha to Sanhedrin 59a:2 by Rabbi Adin Steinsaltz

#### A gentile who engages in Torah study:

The only part of the Torah that a gentile is permitted to study is the seven Noahide mitzvot. A gentile who studies other parts of the Torah is liable to receive the penalty of death at the hand of Heaven. The court warns him of this and punishes him as it sees fit but does not sentence him to be executed (Rambam Sefer Shofetim, Hilkhot Melakhim UMilhemoteihem 10:9).

Koren Talmud Bavli – Sanhedrin Part II · Commentary by Rabbi Adin Even-Israel Steinsaltz, [Sanhedrin perek VII 59a page 66] (PDF version)

Perek VII  
Daf 59 Amud a

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**NOTES**

**A gentile who engages in Torah study – נְכָרִי שֶׁעוֹסֵק**  
**בתורה:** This issue is explained in several ways by various commentaries. According to the Meiri, a gentile may not study Torah if his intention is to challenge Jews based on what he learns, but he may study Torah in order to observe mitzvot properly. The Rambam differentiates between teaching the Bible to Christians, which is permitted as they consider it to be true, and teaching it to Muslims, whom he holds do not. Others add that there is no reason to forbid a person from learning the truth, which might convince him to abandon his false ways (*Hamra VeHayyei*).

**Robbs the Jewish people of it – מִגְנֹל קָא גְזִיל לָהּ:** Some commentaries ask how a gentile robs the Jewish people by studying Torah, as he does not in fact take anything away from them. One suggestion is that by reaching novel understandings of Torah before the Jewish people do, he is considered to have robbed them (*Ya'avetz*).

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**HALAKHA**

**A gentile who engages in Torah study – נְכָרִי שֶׁעוֹסֵק**  
**בתורה:** The only part of the Torah that a gentile is permitted to study is the seven Noahide mitzvot. A gentile who studies other parts of the Torah is liable to receive the penalty of death at the hand of Heaven. The court warns him of this and punishes him as it sees fit, but does not sentence him to be executed (Rambam *Sefer Shofetim, Hilkhot Melakhim UMilhemoteihem 10:9*, and *Kesef Mishneh, Lehem Mishneh*, and Radbaz there).

וְהָא דִּינִין קוּם עֲשֵׂה הוּא, וְקָא חֲשִׁיבֵי קוּם עֲשֵׂה וְשֵׁב אֶל תַּעֲשֶׂה נִגְדָּה.

וְאָמַר רַבִּי יוֹחָנָן: נְכָרִי שֶׁעוֹסֵק בַּתּוֹרָה חַיִּיב מִיתָה, שְׁנֵאמַר: "תּוֹרָה צִוָּה לָנוּ מֹשֶׁה מִוֶּרְשָׁה" – לָנוּ מִוֶּרְשָׁה וְלֹא לָהֶם.

וְלִיחֲשִׁבָה גְבִי שְׁבַע מִצְוֹת! מֵאֵן דְּאָמַר "מִוֶּרְשָׁה" – מִיגְנֹל קָא גְזִיל לָהּ. מֵאֵן דְּאָמַר "מִאִוֶּרְשָׁה" – דִּינֵהוּ כְּנַעֲרָה הַמְאִוֶּרְשָׁה, דְּבִסְקִילָהּ.

מִיתִיבֵי: "הֲיָה רַבִּי מֵאִיר אֹמֵר: מִנֵּיין שְׁאִמְלִי לְנְכָרִי וְעוֹסֵק בַּתּוֹרָה שְׁהוּא

The Gemara challenges: But the mitzva of establishing courts of judgment is a mitzva to stand up and take action, and nevertheless he counts it among the seven mitzvot. The Gemara answers: This mitzva contains a requirement to stand up and take action, i.e., the obligation to establish courts and carry out justice, and it also contains a requirement to sit and refrain from action, i.e., the prohibition against doing injustice.

And Rabbi Yoḥanan says: A gentile who engages in Torah study<sup>MI</sup> is liable to receive the death penalty; as it is stated: "Moses commanded us a law [*torah*], an inheritance of the congregation of Jacob" (Deuteronomy 33:4), indicating that it is an inheritance for us, and not for them.

The Gemara challenges: But if so, let the *tanna* count this prohibition among the seven Noahide mitzvot. The Gemara explains: According to the one who says that the verse is referring to the Torah as an inheritance, this prohibition is included in the prohibition of robbery, as a gentile who studies Torah robs the Jewish people of it.<sup>II</sup> According to the one who says that the verse is referring to the Torah as betrothed, as the spelling of the Hebrew word for betrothed [*me'orasa*], is similar to that of the word for inheritance [*morasha*], the punishment of a gentile who studies Torah is like that of one who engages in intercourse with a betrothed young woman, which is execution by stoning.

The Gemara raises an objection to Rabbi Yoḥanan's statement from a *baraita*: Rabbi Meir would say: From where is it derived that

Figure 1

It is clear according to Rabbi Adin Steinsaltz that a Gentile is indeed permitted to study Torah related to the Noahide Laws. However, he is also clear that a Gentile who studies other parts of the Torah is liable to the death penalty, but at the hand of heaven, not a terrestrial court. An established halakhic court will warn a Gentile who does this and then use discretion in the form of punishment. He says further the court will not sentence the Gentile to death. To endorse these comments as being the law Rabbi Steinsaltz gives a reference to the Mishneh Torah by Maimonides (Rambam). It remains therefore to read the contents of this reference:

## RABBI MOSES MAIMONIDE'S (RAMBAM) Mishneh Torah about Sanhedrin 59a:2

### SEFER SHOFTIM (*The Book of Judges*) MELACHIM uMILCHAMOT (*Kings and Wars*) 10:9

A gentile who studies the Torah is obligated to die. They should only be involved in the study of their seven mitzvot.

Similarly, a gentile who rests, even on a weekday, observing that day as a Sabbath, is obligated to die. Needless to say, he is obligated for that punishment if he creates a festival for himself. The general principle governing these matters is: They are not to be allowed to originate a new religion or create mitzvot for themselves based on their own decisions. They may either become righteous converts and accept all the mitzvot or retain their statutes without adding or detracting from them.

If a gentile studies the Torah, makes a Sabbath, or creates a religious practice, a Jewish court should beat him, punish him, and inform him that he is obligated to die. However, he is not to be executed.

[Sefaria.org - Sanhedrin 59a:2 with Mishneh Torah - King and Wars 10:9](https://www.sefaria.org/Sanhedrin_59a:2_with_Mishneh_Torah_-_King_and_Wars_10:9)

## Conclusions

- ✓ It is worthy for a Gentile to study Torah relating to the Noahide Laws.
- ✓ It is prohibited for a Gentile to study any Torah outside of the Noahide Laws.
- ✓ Gentiles who study Torah not related to the Noahide Laws are liable, as in legally required, to receive the death penalty.
- ✓ The death penalty is not enforced by a worldly court but by the "Hand of Heaven".
- ✓ An established halakhic court has the power to issue a warning to a Gentile studying Torah not related to the Noahide Laws.
- ✓ An established halakhic court can sentence a Gentile guilty of studying Torah not related to the Noahide Laws to a beating and punishment.
- ✓ An established halakhic court can inform a Gentile guilty of studying Torah not related to the Noahide Laws they are "obligated to die".

## Who Lied?

Considering the above conclusions, I will review the frequent Talmudic apologists' claim those who assert "Gentiles are liable to the death penalty" for studying Torah are liars, lazy or stupid. Many people and websites do quote Rev. I. B. Pranaitis and Elizabeth Dilling who wrote respectively citing Sanhedrin 59a:2:

*"Even a Christian who is found studying the Law of Israel merits death."*

*"A heathen who studies the Torah deserves death."*

The words "merits death" and "deserves death" are certainly an accurate Talmudic and halakhic description of what is due to Gentiles who study Torah not related to the Noahide Laws. Indeed, I suggest the use of "merits" and "deserves" are more nuanced than the legalistic "liable" used by Rabbi Steinsaltz in his translation and commentary and albeit perhaps unintentionally, allow for death at the "hand of heaven" rather than a sentence of death executed by a Rabbinic approved court. Mrs Dilling does provide some insight by linking her quote of 59a with its footnote referring to Noahide Law courts.

If there is any criticism of Rev. Pranaitis and Mrs Dilling it is that they do not highlight the small portions of Torah Gentiles are permitted to study and which they are commended for doing so. Consequently, those who quote such as Rev. Pranaitis and Mrs Dilling fall into the same trap by not informing their intended readers the exception to the rule. This allows Talmud apologists, knowingly or unknowingly, to promote their own "out of context", one-sided and misleading: **"You have therefore learned that even a gentile who engages in Torah study is considered like a High Priest."**

## Wry Note

Although I know of no instance where a Gentile who studies non-Noahide related Torah has been sentenced as being liable to a death sentence or punished with a beating, it is glaringly apparent that many who do so, have their character assassinated regardless of how true, factual or balanced their comments, analysis and conclusions.

I suggest this is a determined and deliberate application of the "spirit" of the law, if not the "letter" of the law. I therefore await my sentencing!

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**On reflection and based on studying and reading many apologetics in many subject areas that I have done; it is the norm that polarised authors and debaters either deliberately or carelessly commit the "sin of omission". It's an axiom of apologetics, debating, academia and life!**

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## Further Study

Sefaria.org is a wonderful source for researching Judaism and one modern day publication worth reading concerning the issue of Gentiles and Torah study is "Contemporary Halakhic Problems by Rabbi J. David Bleich (1977-2005). In volume II, Part II, Chapter XVI "Teaching Torah to Non Jews", Rabbi Bleich reviews the differing opinions and responsa about Gentiles studying and being taught Torah over the centuries. It has always been a contentious issue for the Rabbis.



A couple of quotes to whet your appetite for further study and sustaining the conclusions reached above:

5. The prohibition against teaching Torah to non-Jews is well known to students of Jewish law. Equally well known is the role of Abraham as the "father of the multitude of nations" entrusted with the sacred task of carrying the teaching of monotheism to idolatrous peoples. A person unfamiliar with the extensive rabbinical literature devoted to this topic may perceive a certain tension, and perhaps even contradiction, between a recognized need to disseminate religious truths and an almost xenophobic reluctance to share the greatest repository of such truth - the Torah. Yet even a cursory examination of the relevant sources dispels the notion that while the community of Israel jealously guards its spiritual wealth, it refuses to share these riches with others. On the contrary, it is unique among western religions in its willingness to share its teachings without seeking to impose its observances. This necessarily involves a vocation of teaching despite the stricture against teaching Torah to non-Jews. The latter, while based upon substantive philosophical considerations and of definite halakhic import, admits of sufficiently broad exclusions to assure that Israel remains true to its role as a lamp unto the nations. Judaism teaches that the study of Torah, whose essence is a covenant between God and the community of Israel, is a privilege reserved for adherents of Judaism. Non-Jews, who are not bound by the commandments of the Torah, are neither required nor permitted to study Torah. The Gemara, Sanhedrin 59a, declares that a non-Jew who engages in the study of Torah has committed an offense deserving of the penalty of death. Rambam, Teshuvot Pe'er ha-Dor, no. 50, followed by Kesef Mishneh, Hilkhhot Melakhim 10:9, explains that this punishment is to be meted out by Heaven but not by a mortal court.

12. Just as non-Jews are prohibited from studying Torah, so are Jews forbidden to teach Torah to gentiles. Tosafot, Haggigah 13a, declares that a Jew who causes a non-Jew to transgress in this manner is guilty of violating the commandment "You shall not place a stumbling block before the blind" (Leviticus 19:14).

Source: [Sefaria.org - Teaching Torah to Non Jews](https://sefaria.org/Teaching_Torah_to_Non_Jews)

### **About Contemporary halakhic problems, by J. David Bleich, 1977-2005**

Contemporary Halakhic Problems is a multi-volume book of halakhic (legal) reasoning on modern issues by Rabbi J. David Bleich, a distinguished bioethicist and professor of law and Talmud. Rabbi Bleich provides lucid summaries and analyses of classic halakhic questions alongside pioneering applications of Jewish law to current social, political, technological, and religious issues. The work is not a practical halakhic guide but is rather devoted to theoretical analysis.

## Sources

<https://www.sefaria.org/texts>

<http://talmud.faiithweb.com/articles/short.html>

[The Talmud Unmasked by Rev. I B Pranaitis](#)

[The Jewish Religion: Its Influence Today by Elizabeth Dilling](#)