**Part I. What does it mean that the people kept the תורה before it was given?**

**To Highlight:**

**Paragraph 1**

- Quotes רש"י

 - Note the depth of רש"י; how each one of the terms in the פסוק neatly matches up with certain specific מצוות (רמב"ן below too)

**Paragraph 2**

- Deduces from רש"י that apparently, he held that the אבות kept the entire תורה before it was given

- Shows רש"י’s source in חז"ל

 - By יוסף הצדיק, they say he learned תורה with יעקב אבינו (עגלה ערופה)

 - [Thus, they clearly learned/knew the whole תורה]

 - [see discussion is not limited to the אבות; even יוסף הצדיק is included. See עמרם below as well].

 - And there, חז"ל explain the source that they learned תורה — this פסוק here, and say even the דקדוקי מצוות were kept

**Paragraph 3**

- If so, then a few historical incidents seemingly raise eyebrows:

 - a) How could יעקב אבינו establish a מצבה?

 - b) How could יעקב אבינו marry two sisters? (Or according to חז"ל, four sisters [since בלהה and זלפה were לבן’s kids too, from פלגשים])?

- c) How could עמרם (משה רבינו’s father) marry his aunt?

- d) How could משה רבינו establish twelve מצבות?

- [a) and d) both relate to מצבות; b) and c) both relate to עריות]

- (Why are these incidents problematic? Maybe some of them kept the whole תורה, but others didn’t?) If so,

- 1) How could they desert the heritage of their father אברהם אבינו?

- [i.e. his traditions, by dint of being his traditions alone, should be reason enough for his kids to cling to his ways]

- 2) (Moreover,) ה' condoned and validated אברהם אבינו’s actions; this was the reason he was rewarded!

- [Alternatively, רמב"ן might mean that since אברהם אבינו was rewarded for doing so, it would be foolish for them to desert his ways and forsake this reward].

 - 3) By יעקב אבינו himself, we have a מדרש חז"ל which says he kept the דקדוקי המצוות!

- [i.e. the answer that “maybe יעקב אבינו just didn’t keep the מצוות, even though אברהם אבינו and יוסף הצדיק did, is not available].

- רמב"ן then begins his first answer:

- א) Perhaps the מצוה of שבת was unique, in that it’s equal to the rest of the entire תורה and testifies to מעשה בראשית

- [This would avoid all four awkward historical incidents — none of those were about the שבע מצוות or שבת — and also explain the specific מדרשים, such as by יעקב אבינו, which refer to שבת].

- Included within this answer is that the other מצוות which they kept were all subcategories of the 7 מצוות that all the בני נח have (and the אבות fulfilled these details as well, in all of their minutia and complexities).

- [This fits neatly with רמב"ן versus רמב"ם in פרשת וישלח לד:יג, that דינים are much more far-reaching than just ensuring the upholding of the other 6 מצוות; עיין שם ודו"ק].

- [A weak point about this answer is that I would have thought marrying one’s aunt and two sisters would fall under עריות. Another weak point is that some of the מדרשים mention that they kept פסח, or learned about עגלה ערופה, which shows they upheld and learned even other areas of הלכה].

- A potential problem: what about how חז"ל say that יצחק אבינו gave מעשר — which of the 7 מצוות does that fall under?

- Defense: no, this too (like שבת) is an exception, since it demonstrates their generosity of spirit (i.e. something universally deemed as self-evidently good), by supporting the poor and the righteous.

**Paragraph 4**

- רמב"ן then says his second answer, which he thinks is more correct in the words of חז"ל:

- [These two answers are both dealing with explaining how to understand this פסוק in accordance with חז"ל’s interpretation of it and the seeming contradiction between this and other stories; the final explanation eschews חז"ל’s interpretation of the פסוק here and therefore raises no issues with those other events].

- ב) No, the אבות actually kept all of the 613 מצוות of the בני ישראל. However, they did so only under the category of those that are אינו מצווה ועושה (which thereby offered them additional flexibility). They only adhered to these when they were in א"י (this addresses the cases of marrying generally prohibited women).

- Why would they only keep them in א"י, and not elsewhere? Many of these are חובות הגוף!

- [In other words, if these are inherent truths and values, why does being in א"י matter?]

- Answer lies in סוד related to unique status of א"י (see in ויקרא יח:כה and דברים יא:יח, as well as elsewhere)

- What about מצבה? (יעקב אבינו’s building of a מצבה *was* in א"י!)

- The איסור of מצבה was “נתחדש” only at a later point in time.

- Proof: ספרי – מצבות were a good form of עבודת ה'; only disgusting after גוים misused (for עבודה זרה).

- As for יוסף הצדיק, he used שבת in specific as an important educational device (thus, kept even outside of א"י).

**Paragraph 5**

- רמב"ן then concludes with a third explanation of this פסוק according to פשט:

- [Different than חז"ל’s interpretation; these don’t refer to מצוות in the colloquial sense, but other things)

- ג) משמרתי = belief in ה'/denial of עבודה זרה/spreading these beliefs; מצותי = commands ה' actually gave them (לך לך, the עקידה, etc.); חקותי = to follow ה'’s ways and be merciful/do justice, and to instruct children in this path; תורתי = “their version of תורה” (i.e. colloquial מצוות), referring to the 7 מצוות of בני נח plus מילה