

# נתיבות עולם

עמדו על-דרכים וראו ושאלו לנתבות שלם. ירמיהו' טז

"THE OLD PATHS."—Jer. vi. 16.

NUMBER 21.]

FRIDAY, JUNE 3, 1836.

[PRICE ONE-PENNY.]

IF Moses or the prophets had any where recorded, that God had, along with the written law also given an oral law, our duty should then be to find out where it is: and to inquire whether that oral law, which now forms the key-stone of modern Judaism, is the one which was given by God. But neither Moses nor any other prophet has said one word on the subject. The words *תורה שבעל פה* "oral law" are no where to be found in the Bible, nor is there any mention of the thing itself. If the Bible had plainly alluded to the existence of the thing, we should not quarrel about the name, which might have been invented for the sake of brevity and convenience. But it is remarkable that when Moses commanded the law to be read publicly in the ears of all the people, he says not a syllable about the oral explanation, which if it existed must at least have been of equal importance; and still more so that the succeeding prophets should have observed such a profound silence about that, which now constitutes the main substance of Israel's religion, and is the key to the observances and prayers of the synagogue. This silence is in itself suspicious, and compels us to examine the evidence of its transmission. The first step here is to ascertain the character of the witnesses, who say that they received the oral law from their fathers and transmitted it to their posterity. If it appear that, in their general testimony, they were disinterested and truth-loving persons, who have never been convicted of distorting truth for their private advantage, nor of receiving and circulating fables as authentic history, their testimony in this particular matter will be of considerable value. But if it can be proved that either from a deliberate desire to deceive, or from an incapacity to weigh evidence and to distinguish between fact and fiction, they have transmitted a huge mass of foolish fables as authentic history, then their testimony is worth nothing, and the story of an oral law having no other evidence must be classed amongst the other fables which have come down to us on their authority. That the account of the giving and transmission of the oral law rests solely and exclusively on the testimony of the rabbies is clear from the account itself, as it is found in the *Jad Hachasakah*.

כל המצורת שיתנו לו למשה בסני בשרושה חננו

שנאמר והתנה לך את לחות האבן התורה המצוה תורה זו תורה שבעל פה המצוה זו מירושלם יצונו לעשות התורה על פי המצוה ומצוה זו היא הנקראת תורה שבעל פה:

"All the commandments which were given to Moses were given with their explanation, for it is said, 'I will give thee the table of stone and the law and the commandment.' (Exod. xxiv. 12.) 'The law,' this is the written law. 'And the commandment,' this is the explanation thereof. And he has commanded to fulfil 'the law' according to 'the commandment.' And the commandment is that which is called *The oral law*." Truly the rabbies must have been hard set when they chose this passage to prove the existence of an oral law. The keen and clear mind of the sagacious Rambam evidently felt the difficulty; he, therefore, to give some plausibility to the proof, omitted the concluding part of the sentence which he quotes from the Bible. He says, "As it is written 'I will give thee tables of stone and the law and the commandment,'" and there he stops, but let every Israelite open his Pentateuch and read the remainder, and he will find the whole sentence to be this, "I will give thee tables of stone, and the law and the commandment which I have written, to teach them." Not one word here about an oral law, but about that which God had written. It is true that the passage of the Talmud from which Rambam derived this doctrine gives the whole passage, but it appears from the process of abbreviation which he has applied, as if he were ashamed of the explanation there given and thought it would be more prudent to omit it. But as it is one of the main passages which support the doctrine of an oral law, it must be considered.

ואמר רבי לוי בר חמא אמר רבי שמעון בן לקיש מאי דכתיב והתנה לך את לחות האבן התורה המצוה אשר כתבתי לוחותם לוחות אלו עשרת הדברות תורה זה מקרא המצוה זו משנה אשר כתבתי אלו נביאים וכתובים ולוחותם זה במרא לממד שלם נטנו למשה מסיני:

"R. Levi bar Chama says, R. Simon ben Lakish says, what is that that is written 'I will give the tables of stone, and the law and the commandment which I have written to teach them?' 'The tables' are the ten commandments. 'The law' is the written law. 'The commandment' is the Mishna. 'Which

I have written' means the prophets and sacred writings. 'To teach them' means the Gemara. It teaches us that they were all given to Moses from Sinai." (Berachoth, fol. 5, col. 1.) Can any man of common understanding receive this interpretation, which throws all grammar and context to the winds, and gravely asserts that not only the law and its explanation, but the prophets and the whole Talmud, were given to Moses at Sinai? Will he give up his own reason and the word of the living God to the authority of R. Simon ben Lakish? There cannot possibly be any argument which would prove the falsehood of the narrative concerning the oral law so completely as this interpretation, which is regarded as one of its main foundations. The words of Moses which are here perverted plainly speak of that which God had written. "I will give thee tables of stone and the law and the commandment which I have written to teach them." Did God write the oral law, and give it to Moses? What became of it then? If it was written, how did it become oral? These words "Which I have written," have sadly puzzled the rabbinical commentators, who know not how to reconcile the plain and obvious sense of the words, with that interpretation which had been already put upon them in the Talmud. Rashi seemed to think that the difficulty might be got over by saying

כל שש מאות ושלש עשרה מצו' בגלל עשרת  
הדברים הן ;

"All the six hundred and thirteen commandments are comprehended in the ten commandments." (Com. in Exod. xxiv. 12.) But this, though true in one sense, will not obviate the difficulty. God promises to give Moses the law and the commandment which he had written. If the oral law had not been written, it was not included. Saadiah Gaon, as quoted by Aben Ezra, proposes another solution.

אמר הגאון כי אשר כתבתי דבק עם לחזרת האבן לא  
עם התורה המצוה כי השם לא כתב רק עשרת  
הדברים ;

"The Gaon says that the words 'Which I have written,' are to be connected with 'The tables of stone,' and not with 'The law and the commandment,' for God wrote only the ten words." But unfortunately Moses has so connected them, and we have no warrant for reversing his order. Aben Ezra hints: If, after giving the Talmudic exposition, gives it as his own opinion, that these words refer to the ten commandments. He says

ולש רשתי כי התורה הדבור הראשון החמישי והמצוה  
השמונה הדברים ;

"But, in my opinion, 'The law' refers to the first and fifth commandment; and 'The

commandment' to the other eight." (Aben Ezra, Com. in loc.) This is about the truth. God gave Moses the law and the commandment which he had written; but, as Saadiah admits, God wrote only the ten words, therefore the ten words are the same as "the law and the commandment." Some will say there is tautology here, that when God says, "I will give thee tables of stone," he means the ten commandments, and that therefore the additional promise "of the law and the commandment" is only an unnecessary repetition. But this is not true. By "tables of stone," God meant tables of stone. He might have given Moses the ten commandments without giving him stone tables, or he might have given him the tables of stone without giving him the ten words; but as He intended to give him both, He says, "I will give thee tables of stone, and the law, and the commandment." Neither is there any difficulty in the circumstance that these ten words are called both "law and commandment. Inasmuch as they were a revelation of God's will, they are justly denominated "law," *תורה* and as they were proposed as a rule of life, obedience to which was required, they are entitled, *המצוה* "The commandment." The simple meaning, therefore, is, that God promises to give the ten commandments which he had written. Every thing else, and therefore the oral law, is excluded. This passage, therefore, gives no support to the doctrine that Moses received an oral as well as a written law on mount Sinai. Indeed, the desperate perversion to which this text has been subjected, throws discredit upon the whole; and the necessity for such perversion shows that there was no plain text in the writings of Moses, to which the inventors of the oral law could appeal.

The authority, then, of the oral law must rest altogether upon the character of those witnesses who handed it down. But this is a very sandy foundation, for we have already seen that these men were guilty of inventing or propagating the most absurd fables: their testimony, therefore, is of no value. This has been proved abundantly already; but there is one story for which we had not room in our last number, and which, as being immediately connected with the giving of the law, must now be considered. Like the others, it comes before us authenticated by its introduction into the prayers of the synagogue, in which the following plain allusion is made:—

יקרא לציור ולמחזמו העזלי ובינו לבין עם שלישי עלו  
העממדי וגנש אל שפלי ופנים בפנים דבר לו יקרנים  
מיד לו ידודן דודון רעשו לו ידבר לפני צור ואמרו  
לו מה אנש כתיגדלו ומה חושבהו למקומנו להעלו  
קין שעשועים להחילו לו ;

“When he called the messenger (Moses) and made him ascend to heaven, and appointed him as the third person between him and his people, and caused him to approach and stand in the thick darkness, and spake to him face to face, and rays streamed from his hand to him, the angels were moved, and rushed towards him; and in the presence of the Creator they spake, saying thus to him, what is man that thou shouldst exalt him? and wherefore make such an account of him as to bring him up to our place and cause him to inherit the delightful possession (the law)?” (Pentecost Prayers, fol. 88.) Here it is plainly said, that the angels remonstrated with God at the favour shown to Moses. This circumstance is not to be found in the writings of Moses, but it is recorded in the Talmud, and the particulars are thus given:—

בשעה שעלה משה למרום אמרו מלאכי השורת לפני הקב"ה רבונו של עולם מה לילוח אשה בינינו אמר להן לקבל תורה בא אצור לפני המורה גמלה שגמלה לך מששת ימי בראשית חשע מאות ושבעים וארבעה דורות קדם שנברא העולם אחוה מבקש ליתנה לבשר ודם מה אנש כי תוכירו וכן אדם כי תסקירו ה' אדונינו מה אדיר שמך בכל הארץ אשר תנה הדין על השמים אמר לו הקב"ה למשה חזור להן תשובה אמר לפניו רבונו של עולם מחיירא אני שמא ירשוני בהבל שבפיהם אמר לו אחוה נבכס כבודי וחזור להן תשובה שטנבל מאדו פני כסא פשוט עליו עגנו ואמר רבי נחום מלמד שמשך שרי מזיו שכינתו עליו אמר לפניו רבונו של עולם תורה שאמרה נתון לי מה כתיב בה אבני ה' אלהיך אשר תוצאתך מארץ מצרים אמר להן למצרים ירחם לפניהם להשתעבדתם תורה למה תזא לכס שוב מה כתיב בה לא ידהי לך אלהים בין שלים אתם שרויין שיטובין ל' שוב מה כתיב בה וזכר את יום השבת לקדשו כלם אתם עושים מלאכה אתם צריכין שבת שוב מה כתיב בה לא תשא ומתן יש בניכ' שוב מה כתיב בה את אבך ואת אבך אב ואם יש לכס שוב מה כתיב בה לא תרצה לא תנאף לא תגנוב קנאה יש בנייכם יצר הרע יש בנייכם מיד והווי לו להקב"ה:

“In the hour when Moses ascended upon high, the ministering angels said before God, O Lord of the world, what business has he that is born of a woman amongst us? He replied, He is come to receive the law. They answered, this most desirable treasure, which has been treasured up from the six days of creation, six hundred and seventy-four generations before the world was created, dost thou now wish to give it to flesh and blood—what is man that thou art mindful of him, and the son of man that thou visitest him? O Lord our Lord, how excellent is thy name in all the earth, who hast set thy glory above the heavens. The Holy One said to Moses, Give them an answer. He replied, O Lord of the world, I am afraid, lest they burn me with the breath of their mouth. He said, Lay hold on the throne of my glory and give them an answer,

for it is said, ‘He that holdeth the face of his throne, he spreadeth his cloud over him.’ (Job. xxvi. 8, 9.) Rabbi Nahum says, this teaches us that the Almighty spread some of the glory of the Shechinalah and his cloud over him. He then said, Lord of the world, what is written in the law that thou art about to give me? ‘I am the Lord thy God that brought thee out of Egypt.’ He then said, Did ye ever go down into Egypt and serve Pharaoh—why, then, should ye have the law? Again, what is written therein? ‘Thou shalt have none other God.’ He then asked them, Do ye then dwell amongst the uncircumcised, that ye should commit idolatry? Again, what is written? ‘Remember the Sabbath-day to sanctify it.’ Do ye, then, do any work, so as to need rest? Again, what is written? ‘Thou shalt not take the name of the Lord,’ &c. Have ye, then, any business that would lead to this sin? Again, what is written? ‘Honour thy father and mother.’ Have ye, then, got any father and mother? Again, what is written? ‘Thou shalt not kill, thou shalt not commit adultery, thou shalt not steal.’ Have ye then got envy or the leading principle that would lead to these sins? Immediately they praised the Holy One, blessed be he,” &c. (Shabbath, fol. 88. col. 2, &c.) It is not necessary to prove that this account is a fiction. The absurdity of the whole scene is too palpable. To what purpose should the angels wish for the law of Moses, or be envious of men to whom it was given? Is it possible that the spirits that minister before the throne of God, were not able to see the unsuitableness of the oral law for them, until Moses pointed it out to their consideration? We think that if this scene had ever taken place, Moses might have given them other passages of the law much more to the purpose, but it is plainly a fable invented by the designing, and propagated by the credulous. These two stories then, that Moses received the oral law, and that he disputed with the angels in heaven, come to us upon one authority; they are both circumstances in one event; and the fabulousness of the one takes away all credit from the other. The oral law rests solely upon the testimony of its transmitters, but here these persons are convicted of transmitting palpable falsehood: their testimony to the oral law is therefore useless, and the whole fabric of tradition falls. This one fable is sufficient, but the readers will remember that this is only one of a considerable number selected from the Jewish Prayer-book. To extract all similar stories from the Talmud would be to make some folio volumes. The Prayer-book, however, gives enough to invalidate the testimony of the Scribes and Pharisees, and to incapacitate them for ever from

appearing as witnesses. Perhaps some one will say, But they are also the witnesses for the written law, and therefore, if we reject their testimony, we must give up the written law also. But this is not so. For *that* we have other testimony—we have that of the Jewish nation, of which the Scribes and Pharisees were at first only an inconsiderable portion. We have the testimony of Jesus and his disciples, the great opposers of the oral law. We have the testimony of the predictions which we behold still accomplishing. We have the whole internal evidence, so that if there never had been Pharisees, the evidence for the written law would be just as valid. As it is, the contrast which the written law presents, when compared with the oral law, furnishes in itself a strong evidence of its truth and authenticity. The written law is simple, sober, dignified. The oral law is multifarious, extravagant, absurd. The oral law is poison—the written law is the antidote. The oral law is a counterfeit, which proves the existence of the genuine coin. Men who receive both on the sole authority of the rabbies may, when they find the falsehood of the one, reject the other also, but this can never be the case with those who calmly compare and weigh the two in the balance of right reason.

We now dismiss these Talmudic fables for the present. We have proved by instances that the oral law abounds with such. We have proved by extracts from the Prayers of the synagogue, that these fables form a part of the faith of all rabbinical Jews. We have therefore, proved that the inventors of these fables attained their object. They have succeeded in deceiving the great majority of their countrymen. It is for the Jews of the present day to consider whether these extravagant fictions are still to be handed down to unborn generations—still to appear as a reproach upon Israel's understanding—still to disfigure and dishonour the public worship of the chosen people. Former generations may have handed them down in ignorance, and be therefore partly excusable. But in the present day

there is a large body of Jews here in England who are fully convinced that these legends are false; it is the duty, the sacred duty, of all such to protest against their further propagation. If they do not, they make themselves accomplices in the guilt of those who invented them, and responsible for all the injury, temporal and spiritual, which the propagation of such error may inflict upon their brethren and their posterity. But whatever course they may pursue, the existence of these fables shows that the oral law itself is altogether an invention of men, and proves that Jesus of Nazareth conferred a great and substantial benefit on the nation and on mankind, by vindicating and preserving for us the unadulterated truth of God's written Word.

These fables prove further, that there is neither weight nor value in the sentence which these men pronounce against the Lord Jesus Christ. It is the sentence of those who did not scruple to falsify and pervert the law of God; it is the testimony given by the notorious inventors and propagators of fables, and cannot be received by any one competent to weigh evidence. Fables of any kind will invalidate testimony, but religious fables utterly incapacitate their inventors and propagators from being admitted as witnesses at all. The man who will venture to tamper with sacred history, either by adding to, or diminishing from, its records, clearly shows that he has lost all reverence for truth, and all sense of the divine character, as a vindicator of truth and a punisher of falsehood. The man who trifles with sacred facts, cannot be regarded as a witness as all in those which he considers profane or common. When, therefore, the Talmudists, or the wise men of his time, bear witness against Jesus of Nazareth, whom they hated, we must remember that they have been convicted of false witness again and again in the case of Moses, whom they professed to love. Their testimony is therefore a nullity, and if we wish to examine the claims of Jesus of Nazareth, we must look elsewhere for the data which are to form the basis of our judgment.

---

London:—Sold at the London Society's Office, 16, Exeter-hall, Strand; by James Duncan, Paternoster-row; and by B. Wertheim, 57, Aldersgate-street. This publication may be had by applying at No. 5, No. 7, or No. 13, Palestine-place, Bethnal-green.

Macintosh, Printer, 20, Great New-street, London.