

נתיבות עולם

עמדו על דרכים וראו ושאלו לנתיבות עולם • ירמיהו טז

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ACCORDING to the confessions of the rabbies themselves, the time for the advent of Messiah is long since past, what is there then that prevents the Jews from believing in Him, who came at the appointed time? The grand objection is, that the nation is still in captivity; they say that Messiah ought to have given them liberty. The answer to this objection is, that Messiah was willing, and is willing to this hour, to give them liberty, but that they will not have it. The very first condition of national liberty and independence is moral and intellectual emancipation. No nation was ever yet enslaved until the hearts and intellects of the people had first become the slaves of corruption or superstition—and no nation that hugs to its heart the chains of moral slavery, can ever be made free, nor could it retain its liberty if it got it. When Messiah came, therefore, as he found the Jewish nation already under the Roman yoke, the very first step was to endeavour to emancipate their hearts and minds, and to deliver them from that moral bondage, of which their national degradation was only a consequence. This first step Messiah immediately took—he protested against the superstitions of the oral law and pointed them to the perfect liberty of God's written Word. But the nation chose to retain the cause of their misfortunes, and to reject the overtures of deliverance. If therefore they are still in a state of national dependence, they must not cast the blame on God, and say that He suffered the time to pass away without fulfilling his promise; nor upon the Messiah when they themselves refused to receive that without which no national liberty can possibly exist. They chose to give themselves, body and soul, as bond-slaves to the oral law, there was, therefore, no possibility of national redemption. It would require an act of omnipotent coercion, such as God does not employ, to make a nation free against its will. But perhaps the Jews of the present day will deny that they are in a state of moral and intellectual slavery. We refer them, in reply, to the numerous proofs already given in these papers, and especially, the laws of *שחיטה* or *slaughtering*, upon which we have a few words to add. Where in all the world can a more wretched slave be found, than the man, who himself, together with his family, is ready to perish of hunger, and yet dare not partake of

wholesome food, offered by the providence of God, because his rabbinical task-masters say, No? But now take another instance:—

כל שבח שלא בדרך חכמה שלו ששחטו בה לפני חכם
ושחט לעצמו בדרך אורה • אם נמצא יפה וברוקה
מנדין אורו לפי שיימחק על עצמו שנים אחרות ורודיה
פגומה ושחטו בה • ואם נמצא פגומה מעבירין איתו
ומנדין אורו ומטריין על כל בשר ששחט שהוא מרסה:

“If a slaughterer, who has not had his slaughtering knife examined before a wise man [a rabbi], slaughters by himself, his knife must be examined. If it be found in good order and examined, he is to be excommunicated, because he may depend upon himself another time, when it has a gap in it and yet slaughter therewith. But, if it be found to have a gap, he is to be deposed from his office, and excommunicated, and proclamation is to be made, that all the meat which he has slaughtered is carrion. (Jad Hachazakah, Hilchoth Sh'chitah, c. i. 26.) Here we have the same slavery and the same cruel oppression. In the first place we see the intention to make the Jews entirely dependent upon the rabbies. The Jews are not to eat meat unless it be slaughtered as the rabbies direct, and the slaughterer himself is not even to do that, which he knows to be right according to the oral law, without the express sanction of the rabbies. All are to be in bondage, not merely to the oral law, but upon the rabbi for the time being. They are to have no mind and no judgment of their own. In the simplest concerns of life they are to be entirely dependent upon the will and judgment of another. In the second place, we see the determination to maintain this tyranny by the severest punishments. The man who has slaughtered without showing his knife to the rabbi, even though they have no fault to find with him, is to be excommunicated—but if a rabbinic flaw in the knife should be detected, then not only the man himself is to suffer, but those who employed him, and also the Israelites themselves to be deprived of food. All that he has slaughtered is to be declared unfit for use. Who can deny that those who think their consciences bound by such laws are in miserable bondage? Who, that has his senses and God's Word to guide them, can believe that a small gap in a knife is sufficient to make meat unfit for food? Who ever saw a knife, or even the finest razor that

ever was manufactured, without a series of such imperfections? Let a rabbi, who has just pronounced, concerning a knife, that it has no gap in it, apply a microscope, and he will soon find out that a knife without gaps never existed. He will be convinced that the oral law requires what is impossible, and therefore can not possibly be from God. Who then can deny that those who are bound by it, are the slaves of superstition? There never was, and never will be in the world, such a thing as a knife without the least possible gap, and consequently there never was, and never will be, any meat fit for the food of a Rabbinist. The Jews must therefore either give up the use of meat entirely, or they must give up the oral law.

If the oral law were uniformly severe, and everywhere required that its adherents should obtain the best possible evidence that their meat was properly slaughtered: or in case they could not obtain this evidence, that they should entirely abstain from meat, the consistency of the doctrine would in some measure justify, or at least excuse the credulity of the Jews. But this is not the case, its authors felt the inconvenience of their own doctrine, and therefore relaxed whenever it suited themselves. For instance, they say,

הר שראינו ישראל מדוקק ששחם הדק לו ולא ידענו
 אם ירע אם אינו ירע הר זו מותרת וכן האומר
 לשלחו צא ושחם לי ומצא הבהמה שחומה ואין
 ירע אם שלחו שחמה אם אחר הר זו מותרת
 שרוב המצויין אצל שחומה מוכחין :

"If we were to see an Israelite at a distance who had slaughtered a beast, and he was to go his way, and we were ignorant of the fact whether he understood the art or not, in that case the meat is lawful. And in like manner, if a man should say to his messenger, Go and slaughter for me, and should find the beast slaughtered, but it should not be certain whether his messenger, or another person, had slaughtered it, this also is lawful, for the majority of persons concerned in slaughtering are skilful," (*ibid.*, c. iv. 7). This relaxation shows how exceedingly inconvenient the doctrine was found, and how unwilling the doctors were to bear inconvenience themselves. No doubt cases often occurred in real life similar to those supposed. An Israelite travelling might come to a town in which lived a small congregation of Jews, and might wish to have some dinner, and would of course wish to have it of lawful meat. The only satisfactory way of obtaining it would be to go to the person who had slaughtered it, and examine him as to his competency, but he might be absent, if therefore he should be scrupulous, he would have to go without his dinner; and the same thing would happen to a rich man, who might send a messenger to a neighbouring town to have a beast killed for him. The messenger might

send back the meat by some one else, and thus the owner would not have satisfactory evidence, that the Rabbinic laws had been observed. Here again the man who was rich enough to do this, might have to go without his dinner, or to wait an inconvenient time. The oral law has therefore provided in this case that the meat is lawful for use without any further scruples. But this decision shows of how little real importance all these precepts about slaughtering are. If it be a sin to eat meat not properly killed, then it is also a sin to eat meat, when there is no satisfactory evidence of this fact. Whenever a man doubts about the right or wrong of any particular action, he is certainly wrong if he does it. But if it be certain that he may either do it or leave it undone without guilt, then that action cannot be sinful. And as the rabbies here affirm, that men may lawfully eat meat, concerning which they have no satisfactory evidence that it has been lawfully slaughtered, it follows that the Rabbinic art cannot be of much value. Why then should a poor man be starved if he does not eat, or flogged if he does eat, meat slaughtered by a Gentile, when, if he had money to send a beast to be killed, he might eat what was sent back, even though he had no proof that the laws were kept? Indeed how are the poor and unlearned ever to know, that they eat lawful meat? If they were even to stand by, and see the operation performed, still, as being ignorant of the Rabbinic laws, they could not understand, and must therefore take the matter entirely upon trust: and thus the mass of the nation, the unlearned and the women, are made the blind slaves of laws which they neither understand nor know; or rather of those who expound those laws, for how can it be said that a man transgresses that of which he does not know the right or wrong?

If the rabbies were all unanimous in their statement of what is and is not lawful, the unanimity might in some degree excuse the Jews for submitting to a yoke so grievous, and holding it fast round the necks of their brethren. They might urge the uniformity of the tradition as a proof of its genuineness. But this cannot be pretended in the present case. To this very hour the rabbies themselves are not agreed as to what is, or what is not the oral law. We have just seen that if a man send a messenger to have a beast slaughtered, and afterwards find it slaughtered, that he may eat of it without asking any more questions. This is the general principle, but as soon as it comes to be applied in detail the rabbies differ. The Baal Turim thus states the difference.

וכתב הרמ"ם דוקא שמיצאה בבית אבל מיצאה בשוק
 ואם שביית אחר וכן כתב בנל העשיר וה"א
 ו"ל התייר אפי' באשמה שבבית ולא אסר אלא באשמה
 שבשוק; וכן הרש"א :

"Rambam has written expressly, In case that it should be found in the house; but, if he find it in the street, or on the dunghill in the house, it is forbidden. The Baal Haittur has given the same judgment: but my lord my father of blessed memory says, the meat is lawful, even if it be found on the dunghill in the house, and has not pronounced it unlawful, except when found on the dunghill in the street; and Rashba is of the same opinion." (Jorch Deah., 1.) Here, then, we have the most learned of the rabbies, disputing as to what is the law; the one party pronouncing that to be unlawful which the other party declares lawful. What, then, are the unlearned to do in this case? Or how can it be said that there is an oral law which gives the true meaning of the written law? Or, if there be an oral law, what use is it, when it is itself a subject of dispute? Every one who has looked into the oral law knows that this difference of opinion is by no means a rare case; and that it cannot be said that the difference of opinion is in matters of minor importance. Let us, for example, consider the case of an Israelite who is accustomed to eat unlawful meat, and does so to vex Israel—is it lawful to eat the meat which he has killed?

כתב הרשב"א שאין מוסרין לו תחילה לשחוט אפי' אם ישראל עושה על גביו . ואם שחטו בדיעבד כשר על ידי בדיקה סתם תחילה או סוף או ה' או ה' ו' על שריתו כתיב :

"Rashba has written that it is not lawful to give him a beast intentionally to slaughter, even if an Israelite should stand by. But if he has slaughtered the beast, it may be declared lawful by means of examining the knife, either at the beginning or at the end; and my lord my father of blessed memory has written that in the case of such a person the law is the same as in that of a Gentile." (Ibid. 2.) Now the difference here is very great and very important. The one opinion says, that, under certain circumstances, such meat is lawful. The other, that it is unlawful as that killed by a Gentile—that is, what the one allows, the other pronounces to be so unlawful as to deserve the flogging of rebellion, as we saw in No. 49. Here, then, is a case involving severe corporal punishment, and yet the rabbies are not agreed as to which is the law. How, then, can men of sense and reflection give themselves up to a system, the doctors of which cannot agree upon a question so simple as this, What sort of food is lawful, and what is unlawful; and who, nevertheless, require unlimited obedience under the heaviest penalties temporal and eternal? The oral law does not suffer a wise man to be contradicted, and declares that all their sayings are "the words of the living God;" and yet here they contradict one another so widely, that if a man

follow the one, he will be sentenced to a flogging by the other—and if from fear of the flogging he should agree with the latter, he will then be contradicting the former, and thereby incur the sentence of excommunication, and even run a risk of losing his soul. But in every case he must give up his judgment and his reason, and submit to be led by those, who are still disputing about the right road: yea, and if he would obey the oral law, must confess that they are both in the right. If this be not moral and intellectual slavery of the worst kind, we have yet to learn the meaning of these words. It will not be a pertinent reply to say that Christians also differ in opinion on important points. We confess that they do, and will continue to do so, as long as they continue to be fallible men: but then these persons do not profess to have an oral law given by God in order to preserve them from a wrong interpretation. There is one Christian Church that has followed the example of the rabbies in this particular, and has therefore fallen into many of their absurdities. Difference of opinion amongst those who make no such pretensions is no argument against the truth of the original records, whence both professedly draw their religion. Two men may differ as to the sense of a verse in the law of Moses, and yet we know that the verse itself contains the truth. But when each of these persons tells us that his interpretation is an inspired tradition, and that both though contradicting each other are equally true and correct, then it is evident that they say not only what is false, but what is absurd, and that they are labouring under a delusion. If it be a mere speculative delusion it is to be deplored—but if it be a practical delusion, involving the happiness and welfare of thousands, it must be combated and exposed—and this is precisely the case with the oral law. The particular part of it which we have now been considering seriously affects the temporal comfort of many thousands of the poor in every part of the world. The general principles enslave the minds of the whole nation, and thus prevent the state of happiness and glory which the prophets have promised. The Jewish nation is in a state of dispersion, and in some parts of the world victims of a cruel oppression, simply because they are the willing slaves of superstition. Until an intellectual and moral change is effected, they never can appear as "the peculiar people, the kingdom of priests, the holy nation." High and holy is their destiny, and great is the providential mercy of God in still preserving them, when they refuse obstinately to fulfil it. But neither their destiny nor God's forbearance can be of any avail, until they reassert the glorious liberty of the children of God. The chains of Rabbinism

must be broken, and the mild yoke of Messiah taken upon their shoulders, before national independence and liberty can return. How could a nation exist, whose moral and intellectual energies are all cramped by the endless subtleties of the rabbies? How could a people maintain national liberty whilst they are such perfect slaves to superstition as to believe that traditions, which are the curse of the poor, and many of which flatly contradict others, all proceed from the God of mercy and truth? The temple must first be cleansed of all defilement before the glory of God can enter. It is therefore a matter of the first and highest importance, to every Jew who wishes well to his nation, to examine that system, whose constant companion for so many centuries has been misery; and if they are convinced of its falsehood, then to use every exertion to deliver their brethren, from that which is mischievous as well as false. We might urge its tendency to produce and perpetuate an unfriendly separation between the Jews and their neighbours: not that we are ignorant of God's declaration,

וְיָדָם לִבְדָּם וְיִשְׁכְּנוּ בְּאֶרֶץ זָרָה

“Lo the people shall dwell alone, and shall not be reckoned among the nations.” (Numb. xxiii. 9.) We know it and believe it, and are therefore fully convinced, that all the wit and power of man will never be able to effect, what some so ardently desire, an amalgamation with the nations where Israel is dispersed. We have no desire to contravene the declared will of God, and to degrade Israel from their position as a holy nation to the rank of an inconsiderable religious sect. But still we might urge against the oral law, that it goes beyond God's intention by producing an unfriendly separation and an estrangement between man and man, which is injurious to the welfare of both Jew and Gentile; we leave this, however, to the consideration of those Israelites, who feel, or profess to feel, a love and affection for all men; and content ourselves at present with the indubitable fact, that the laws concerning slaughtering are most oppressive to the poor and enslaving to the minds of all. It is not merely the bodily grievance of starvation to which we now allude, though that is wicked and vexatious to the last degree, and should therefore not be tolerated for a moment by the humane and the merciful. There is something that is worse than any bodily suf-

fering, and that is, to be tempted to do violence to conscience by professing what we do not believe, or by concealing our real sentiments. And yet in many a Jewish congregation this is frequently the case. It pleases God to give to the poor the power of reasoning as well as to the rich, and thus some of this class are occasionally led to see the absurdity of the oral law, and to detest those inventions which doom them and their families to starvation, but yet they would not dare either to avow or to act upon their conviction. To eat any other than Rabbinical food would at once cut them off from the bounty of the synagogue, and from the sympathy of its worshippers. To express their convictions would be sufficient to have them numbered with the profane and ungodly, and therefore they conceal their real sentiments, and pretend to be what they are not, that they may not deprive their families of the little assistance which an apparent conformity to Rabbinic usages may procure. Here then is another and more unequivocal badge of slavery. The oral law deprives the poor entirely of liberty of conscience. He not only must not eat, he must not think, at least he must not express a thought, no, nor even a doubt, about that system which is the cause of his misery. It is true, that those who profess or suppress religious sentiments merely to serve their temporal interests, are either very weak or very guilty. But we must make some allowance for the infirmity of human nature, and especially in the case of a poor man, who has no bread for his children, and whose mind has been debased from his youth by such bondage. It is to the system that we are to impute these debasing effects. It not only torments the body, but degrades the mind; and therefore every Israelite, who loves and respects liberty of conscience, should endeavour to procure it for his brethren. According to the law of the land they have it. They are free to worship and serve God as they think most agreeable to his will; but the oral law steps in between, and deprives them of the benefit. The Jewish poor dare not serve God according to their conscience, nor even express the convictions of their heart. All the legislators in Christendom could not set them free. The duty as well as the possibility of delivering them from this bondage rests with their brethren. But they, alas! whatever the motive, decline the glorious task.

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