

נתיבות עולם

עמדו על דרכים וראו ושאלו לנתיבות עולם ירמיה ו' טז

"THE OLD PATHS."—Jer. vi. 16.

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A RELIGION which is plainly contrary to any of the Divine attributes, must necessarily be false. For instance, God is a holy God: a religion, therefore, which would promote unholiness, could not have the Holy One of Israel for its author. God is also a merciful and a just God: a religion, therefore, which is characterised by cruelty or injustice, cannot proceed from him; and for this reason, amongst others, we believe that the religion of the oral law cannot be that true religion which God gave to Moses and the prophets. The oral law is most unjust in its laws respecting Gentiles, slaves, and unlearned men, and most unmerciful in very many of its enactments. But if there be one attribute more than another, which is distinctive of the true God, it is truth. In the prophecies of Jeremiah, He is even identified with truth, as it is said—

יְהוָה אֱלֹהִים אֱמֶת:

"The Lord God is Truth." (Jer. x. 10.)

And in that prediction which he put into the mouth of Balaam, he says that it is by this attribute that he is distinguished from the sons of men. "God is not a man that he should lie; neither the son of man that he should repent: hath he said, and shall he not do it? or hath he spoken, and shall he not make it good?" (Numbers xxiii. 19.) Men may be wicked enough to promise what they do not intend to perform, or after promising, may change their mind, and refuse to fulfil their engagements; but God is too holy to deceive wilfully, or to alter what has proceeded out of his mouth. A religion, therefore, which in any wise tends to lessen our reverence for truth, or encourages men to alter a solemn engagement, or, what is still worse, teaches how to absolve from oaths, cannot proceed from the God of truth; and this is what the oral law does in certain cases. We do not mean to accuse it of teaching, as the religion of Rome does, that dispensation may be had from every kind of oath. On the contrary, the rabbies assume the power of dispensation only in the case of שְׁבוּעַת בְּסוּר, "rash oaths;" but we mean to assert, that even that assumption is contrary to the Word of God, and injurious to the cause of truth; and therefore, sufficient to overthrow the credit of the oral law, as a religion given by God. The doctrine itself is as follows:—

מי שנשבע שבועת במוי ונחם על שבועתו וראה שהוא מצטער אם קיים שבועתו וי' ונהפכה דעתו לדעת אחרת. או שגדלו לו דבר שלא היה ברעתו בשעת השבועה וניחם בגדלו היה זה נשאל להכנס אהרן או לשלש הדיוטות במקום שאין שם חכם ומתירין לו שבועתו. ויהיה מותר לעשות דבר שנשבע שלא לעשותו או שלא לעשות דבר שנשבע לעשותו והיו הנקרא דיתר שבועתו: ודבר זה אין לו עיקר כלל בתורה שככתב' אלא כך למדו ממה רבינו משי הקבלה שהיה הכתוב לא ידל דברו שלא ידלל הוא נצמרו דרך קלות ראש בשאש נפש כענין שנא' ודלת את שם אלהיך. אבל אם נחם וחרו בו חכם מחיר לו:

"If any man swear a rash oath, and afterwards repent of it, because he sees that if he keep this oath, it will cause him grief, and therefore changes his mind; or if something should occur to him, which was not in his mind at the time when he swore, and he repent on that account; behold, a person, in such circumstances, is to ask one wise man (rabbi), or three common men in any place where there is not a wise man, and they absolve him from his oath; and then it will be lawful to do a thing which he had sworn not to do, or to leave undone a thing which he had sworn to do: and this is what is called absolution from oaths. *This matter has no foundation whatever in the written law*, but it has been learned from Moses, our master, by oral tradition, that the Scripture, 'He shall not profane his word,' (Numbers xxx. 3, in the English Bible 2,) means, that a man shall not himself profane his word in a way of levity and with a contemptuous mind, according as it is written, 'Neither shalt thou profane the name of thy God' (Levit. xix. 12); but if a man repent and change his mind, a wise man is to absolve him." (Hilchoth Sh'vuoth, c. vi. 1, 2.) Here it is plainly taught, that if a man has reason to fear any personal inconvenience, or even if he changes his mind, he may escape from the most solemn obligation that can be laid upon the consciences of men; and that, after appealing to God in confirmation of his declaration to do or to leave undone some particular action, one or more of his fellow-sinners can remit his duty to his Creator, and give him a licence to do the very contrary of that which he had promised before and unto God, that he would do. Now let every Israelite reader first consult his own reason, and reflect whether this doctrine is agreeable to the character of God,

as set forth in the Scripture. The God of the Bible is a God of eternal and immutable truth. One of his peculiar characteristics, that he keepeth covenant and mercy. A man, therefore, who breaks his word, and still more so, a man who breaks an oath, is unlike God. Is it probable, then, that God would give a religion with a special provision for making men unlike himself? Again, God is a God of knowledge, and therefore knows that the children of men are in a great degree the creatures of habit; he knows also that by habit the evil propensities are strengthened, and that there is in men a strong propensity to shrink from their word, if it cause any trouble or damage: is it likely, then, that God would give a law, directly tending to strengthen that evil propensity by forming a habit of breaking one's word, even under the solemn circumstances of an oath? Reason decides that such a law cannot proceed from the God of Israel. Has it then any support in the written Word of God? It would be strange, indeed, if the Word of God should contain any thing contrary to reason. As revealing the nature of Him who is incomprehensible, it may contain things above our reason: but that in giving laws for man it should give him licence to do what his reason tells him is directly opposed to the character of God, is altogether incredible. The rabbies themselves, however, do not endeavour to justify the doctrine by a reference to Scripture. They say in plain terms, "*This matter has no foundation whatever in the written law,*" and thus acknowledge that it is altogether a matter of tradition, the argument against it, therefore, becomes doubly strong. Every one knows, that a story loses nothing by passing through many mouths, but that in the course of its progress it gets so many additions and undergoes so many changes as at last to be scarcely recognisable. This circumstance makes all oral tradition uncertain and unsatisfactory, but is particularly suspicious when it appears; not only opposed to the Scripture character of God, but also favourable to the evil propensities of man. If it had exacted a more scrupulous regard to truth and a willing submission to hardship and inconvenience for the sake of truth, then, as opposing the principles of self-interest, it would have been less suspicious; but when it actually tells men that to do what may save them from worldly trouble or personal disadvantage is a divine institution, one cannot help suspecting that it is an invention of men, who found it convenient occasionally to escape from the obligation of an oath. But after all, the great arbiter must be the written Word of God. The rabbies say, That it has been learned from Moses by oral tradition, that the words "He shall not profane his word" mean that a man

shall not himself profane his word in a way of levity, but that he shall go to a wise man and get absolution; let us then read the whole verse from which those words are taken.

איש כי ידור נדר ליהוה או השבע שבועה לאמר
אמר על נפשו לא ידור דבריו ככל דרובא משוי יעשה :

"If a man vow a vow unto the Lord, or swear an oath to bind his soul with a bond, he shall not break his word, he shall do according to all that proceedeth out of his mouth."

Now let any man of common sense and honesty say, whether if it had been God's intention to forbid all absolution from oaths, He could have employed words more to the purpose than these; or whether the plain simple grammatical meaning is not directly opposed to the Rabbinic doctrine? God says, If a man swear, he shall not profane his word. The rabbies say, he may profane his word. To prevent all mistake, God further adds, "He shall do according to all that proceeds out of his mouth." The rabbies say, he need not do what proceeds out of his mouth; and yet they have the face to tell us, that their doctrine is from Moses, and is the traditional interpretation of words which signify the very reverse of what they say. It is only wonderful that they should have referred to this verse at all, and the fact can only be accounted for by the supposition that this verse was too plain to be got over, and therefore they thought it best to take the bull by the horns, by selecting this very verse as the basis of their interpretation. That this verse in its grammatical construction is directly opposed to the oral law no one can doubt, for it forbids what the rabbies allow, and commands what the rabbies forbid. But the opposition is not found in this verse only. The other verse to which the rabbies also allude is equally plain against it. The words, "Ye shall not swear by my name falsely, neither shalt thou profane the name of thy God. I am the LORD," plainly forbid that absolution from oaths which the rabbies teach not only as lawful, but as of Divine authority. We know that the rabbies make a distinction between *שבועת שקר* a false oath and *שבועת רשע* rash oath; but the distinction, as made by them, is unfounded. A rash oath, according to their doctrine, is an oath concerning something which it is possible and lawful for a man to do or to leave undone; for as soon as it interferes with the fulfilment of a Divine command, it belongs to that class of oaths which they call *שבועת שוא* vain oaths. If, therefore, a man swears to do, what it is both lawful and possible for him to do, and afterwards draws back, and does it not, what man in his senses can doubt, that that individual, no matter what the pretext for not keeping the oath, is guilty of having sworn falsely? What is it to swear falsely, if voluntarily to

refuse to do what a man had previously sworn to do, constitute not that sin? A sinful falsehood is a wilful departure from truth; here there is that wilful departure: who, then, will dare to affirm, that such conduct is not contrary to the express command of God? Rabbinites sometimes say, that though the oral law sometimes commands more than is commanded in the Scriptures, it never allows what God has forbidden; but here we have a plain example of the contrary. Here the oral law allows false swearing, which God has positively forbidden. The doctrine of absolution from oaths teaches men to transgress three *חטאי* negative precepts. The man who swears to do anything and then does it not, because he has got absolution, violates, first, the negative precept, "He shall not profane his word;" he violates, secondly, the negative precept, "Ye shall not swear by my name falsely;" and, lastly, he violates a negative precept more important than either of the others; and that is, "Neither shalt thou profane the name of thy God." Any man, pretending to religion, who should act upon these principles, first swear and then obtain absolution from his oath, would expose his religion to the contempt and indignation of all honest men, and thereby do all that in him lies to profane the name of his God. Let, then, every Israelite who thinks that the negative precepts are more important than the affirmative, remember, that in this one instance the oral law teaches him to violate three such precepts; and let him reflect further, that the upholding such a law as this is to profane the name of the God of Israel before those who are ignorant of the Scripture.

But the Rabbinical doctrine does not stop at prospective absolution, it goes so far as to absolve from the guilt of perjury actually committed.

כי שנשבע בשבועת בשרי להבא ושקר בשבועתי
 כגון שנשבע שלא יאכל פת זו והאכלה ואמר שאכלה
 קודם שיביא קרבנו אם היה שונג או קודם שילקח
 אם היה מיד כהן ונשאל לחכם התורה לו דבר זה
 מסור מן הקיבין או מן החלקות ולא עזר אלא אם
 כפתרוו ללקות ונשאל התירו לו קודם שיחזילו
 להלקותו דבר זה מסור :

"If a man swear a rash oath concerning the future, but lies in that which he has sworn, as, if he should swear not to eat this bread, and afterwards should eat it; and if, after he has eaten it, before he brings his sacrifice, in case he did it ignorantly, or before he is flogged, in case he did it presumptuously—he repent and ask a wise man, and he absolve him, behold such an one is exempt from the sacrifice or from the flogging: and not only so, but if they had actually bound him in order to flog him, and he ask a wise man, and he absolve him before the flogging

has commenced, he is exempt." (Ibid. 18.)

In this Rabbinic decision there are two cases, and both contrary to the Word of God. First, we have the case of the man who has broken his oath ignorantly, and respecting whom God has decided in the following words: "If a soul swear, pronouncing with his lips to do evil, or to do good, whatsoever it be that a man shall pronounce with an oath, and it be hid from him; when he knoweth of it, then he shall be guilty in one of these. And it shall be, when he shall be guilty in one of these things, that he shall confess that he hath sinned in that thing: and he shall bring his trespass-offering unto the Lord for his sin, which he hath sinned, &c." (Levit. v. 4, &c.) Here God positively commands, first, that he should confess his sin, and secondly, that he should bring a sacrifice in order to obtain forgiveness; and, by the above law, the rabbies as positively declare that obedience to these commands is superfluous. A man need only say that he has changed his mind, and get a rabbi to absolve him, and then he can set the Word of God at defiance, he need neither confess his sin, nor bring the sacrifice. How can the men who profess such a religion pretend to have any regard for the law of Moses, or how can they with any consistency reproach Christians with the non-observance of the ceremonial precepts, when they themselves profess religious principles which unceremoniously subvert such plain commands? The second case is, however, far more flagrant. It supposes a man to have sworn that he would not do a certain thing, but afterwards wilfully to have done it—that is, it supposes a man to have been guilty of wilful perjury, and yet declares that he may be delivered both from the guilt and the punishment, by going to a rabbi and getting absolution. This oral law, which would flog a poor starving creature for eating Gentile food or meat and milk together, devises an expedient for delivering him who is guilty of the grave crime of perjury—that is, though cruel to the poor, it is merciful to the criminal. If this be not to violate the laws of God with a high hand, then we know not what sin is. Here both classes of the precepts, negative and affirmative, are treated with the same contempt; both equally trampled under foot. The guilty are absolved, not only from doing what God commands, but from the penalty of actual transgression. The rabbies presume not only to absolve a man from doing what he has sworn to do, but also to turn perjury actually committed into innocence. They have assumed the high prerogative of God, have abrogated his laws, and taught the guilty to set his threatenings at defiance. We verily believe that the mass of the Jewish people have been ignorant

of this gross contempt for the Mosaic law, or they could never have continued so long in such a system, nor so long have suffered the name of God to be profaned by the attempt to pass off such a religion as proceeding from Him. Now, then, we call on every reader of this paper to decide whether the oral law can really be from God? Has this doctrine of absolution from oaths any thing resembling the character of the Divine Being as a God of Truth? Is it possible that God should give an oral law directly subversive of that which he has given in writing; or will any one dare to say that the Almighty, when he wished to give a law permitting absolution from oaths, knew so little of the Hebrew language as to enunciate it in words which directly forbid it? Let no one misunderstand us, as if we applied the passages quoted from the oral law generally to the case of all oaths, or as if we attributed this doctrine of the oral law to all Israel. We do neither the one nor the other; in a future number we hope to consider the case of an oath between man and man, and at present our only intention is to show that the oral law is dishonouring to God, subversive of the commands given by Moses, and injurious to the best interests of the Jewish people; nay, that it is actually a libel on the children of Abraham; and that, therefore, if they have any love to God, any reverence for Moses, and any respect for themselves and their brethren, they are bound publicly to renounce the principles which it inculcates, and by which they have been deluded for so many centuries. It is possible to do one of two things—either to approve the doctrine of absolution from oaths, or to disapprove of it. Those who approve of it will, of course, endeavour to uphold it, and will thereby continue the profanation of God's name; and, so far as they can, stamp dishonour upon the religion of Israel. Those who disapprove the idea of a rabbi's absolving from a solemn oath, and think that oaths are not to be tampered with, are bound not only to protest against this particular abuse, but to reject the whole oral law. The rabbies

declare that this doctrine is not an ordinance of the Scribes, but an oral tradition from Moses; if then it be false, the rabbies are again convicted of passing off an invention of their own as an ordinance of God, and are therefore wholly unworthy of credit. The oral law depends altogether upon the validity of the testimony, and if the witnesses can be proved, in any one instance, to have spoken falsehood, the credit of the whole is destroyed. Now this is eminently the case, for not only have they said what is false, but have endeavoured to establish a principle subversive of all reverence for truth. It would be difficult for any man, who was known as one in the habit of getting dispensation from oaths, to find belief or credit in the world, and he would scarcely be admitted as a valid witness in a court of justice; but the man who propounds dispensation from oaths as a religious doctrine, and teaches it systematically as agreeable to the will of God, is a more suspicious person still, and such are the authors of the oral law. The former might be regarded as a deluded person, who only broke his oaths when he got dispensation, but the latter would be considered an artful underminer of principle, and a wilful despiser of truth; his testimony would, therefore, have no weight. Now, it is upon the testimony of such persons that the authority of the oral law entirely depends. It is confessed, that until the Mishna and Gemara were compiled, there was no written record of its contents, but that it was propagated from mouth to mouth. If, therefore, it appear that those who transmitted it were men whose love for truth was equivocal, we cannot be sure that they did not transmit a forgery. The doctrine which we have just considered, shows that they did not love truth, and that they have actually libelled the memory of Moses, the servant of God, by asserting that he taught them how to get absolution from oaths. It is for the Jews to consider whether they will still be deluded by such incompetent witnesses, and still, even silently, uphold a doctrine so dishonouring to their religion.

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