

נתיבות עולם

עמדו על דרכים וראו ושאלו לנתיבות עולם ירמיהו טז

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THE great object of these papers has been to compare Judaism, as it at present exists, with the religion of Moses and the Prophets, and thus to ascertain whether the Jews of the present day walk in the good old paths pointed out to their forefathers. We have endeavoured to give our reasons for believing that the Jews have been imposed upon by the inventors of the oral law, and have now got a religion diametrically opposed to that which was revealed to them by God. More than a year has elapsed since the first of these papers was published, and yet no answer has appeared. This silence may be attributed to one of three causes. Either there has been a want of sufficient zeal on the part of those who profess Judaism—or, prudence has suggested that the system would not bear discussion—or, these papers have been thought unworthy of notice. It is for the Jewish people at large to consider, which of these three reasons have influenced the champions of the oral law. The Jews certainly have a right to some explanation from those, whose learning and station point them out as the natural defenders of Judaism. Every reflecting man must be staggered by the fact, that a strong case has been made out against the oral law—that, contemporaneously with the publication of these papers, strong symptoms of dissatisfaction with certain parts of Judaism have been manifested in one of the most respectable synagogues in London—and yet, that nothing has appeared, either in the shape of defence or explanation. That this silence has not proceeded altogether from contempt is made probable by another fact, and that is, That it is confidently asserted that a public answer was given orally to the first number, and that this answer was satisfactory to those who heard it. It is much to be regretted that the answer was not made known generally, so as to afford the same satisfaction to others. For ourselves, we should have been most happy, if convinced of error, to have retracted any erroneous charge. We have, in the interval, frequently considered the subject which is said to have been answered; and now consider it our duty, before closing this series, to make known our reasons for still believing, that that one topic is in itself sufficient to prove that the religion of the oral law is a system of error. Our arguments were simply these. A religion

which despises and insults the unlearned cannot be from God. The oral law does despise and insult the unlearned, for it commands its disciples not to marry the daughters of the unlearned on the ground that they are no better than beasts. Therefore the oral law cannot be from God. Secondly, a religion which makes the murder of an unlearned man lawful, cannot be from God. The oral law does make it lawful, for, as we showed in No. 1, Rabbi Eleazer says, That it is lawful, even on the most solemn day of the Jewish year, to kill an unlearned man without observing any of the technicalities of the Rabbinic art of slaughtering; or, as another says, to rend him asunder like a fish. Therefore the oral law cannot be from God. We now proceed to show why we still think that that line of argument is valid.

The first step is, to establish the meaning of the expression עם הארץ עם *Amhaaretz*, which we translated "an unlearned man." The literal English of this expression is, "People of the land," it might therefore signify the inhabitants of Canaan, but in the Bible it is more commonly used of the mass of the Israelitish people, as for instance:—

וכל עם הארץ שמח ורועק בדוצרותיו:

"And all the people of the land rejoiced, and blew with trumpets." (2 Kings xi. 14. See also verses 18—20.) Here the expression is opposed to king and princes, and evidently means the mass of the population, or, as some would say, "The common people." And, again, to give an example from the Prophets.

ועתה חזק ורבלל נאום יהוה חזק חושש בן יחזקאל

הכין הגדול חזק כל עם הארץ:

"Yet now be strong, O Zerubbabel, saith the Lord; and be strong, O Joshua, son of Josedech, the high priest; and be strong, all ye people of the land." (Hag. ii. 4.) Here, also, the expression is opposed to the governor of Judah and the high priest, and plainly signifies the mass of the population. In the oral law, it has much the same signification; it stands for those who are not counted amongst the learned, nor the great men of the time, nor the almoners, nor the schoolmasters, as appears in the extract given in page 3, col. 2, with this difference, that in the oral law the want of learning is a prominent idea, and the expression may therefore be applied to a high

priest if he be unlearned. In further proof we might appeal to the common parlance of the Jews, even at this day, for they commonly call an unlearned man an *Amhaaretz*. We prefer, however, giving one or two extracts more from the laws, where the expression *Amhaaretz* is put in opposition to "The disciple of a wise man," that is, to a learned man. We read, for instance, that in a court of justice,

דין הלמד דחכם קודם לדין עם הארץ :
 "The cause of the disciple of a wise man takes precedence of the cause of an *Amhaaretz*." (Hilchoth Sanhedrin, c. xxi. 6.) Again, וכן אסור לו לנהוג בדין קלות ראש אע"פ שהיה עמי הארץ ולא יספיק על ראשי עם הקדוש אע"פ שהן דריוטתו ושטלים בני אברהם יצחק ויעקב הם :

"In like manner, it is unlawful for an elder to behave with levity to the congregation, even though they be *Amharatzin*. Neither let him behave haughtily to the holy people, for although they be common and humble persons, they are children of Abraham, Isaac, and Jacob." (Ibid., c. 25.) Again, לשיכר כשולמין אר הקמים ואר הנשים וכל עמי הארץ אין מלמדין אותן אלא לעבוד מיראה וכדי לקבל שכר וכי :

"Therefore, when children and women, and the whole genus of *Amharatzin*, are instructed, they are to be taught to serve God only from the motive of fear, and the desire to receive a reward until, &c." (Hilchoth T'shuvah, c. x. 5.) In these passages, and many, many more, may be added, *Amhaaretz* plainly signifies an unlearned man, and it does not appear from any one, that there is any crime to be laid to his charge. He may appear as suitor in a court of law; he is considered as a son of Abraham, Isaac, and Jacob; he is put on a level with the children and the women of Israel. The only disparagement is, that he has not been brought up at the feet of a learned rabbi, and, therefore, cannot be reckoned amongst the disciples of the wise men.

The next thing to be established is, that the oral law despises and insults those whose misfortune it is to be unlearned; and here, in addition to the compliment paid to their wives and daughters, noticed in No. 1, we bring, as a proof, the general rule which is given respecting their treatment.

הנו רבנן ששה דברים נאמרו בעמי הארץ אין מביטין ליהן ערות ואין מקבלין ממונו ערות ואין מבלין ליהן סוד ואין ממניין אותן אפסודתו על היתומים ואין ממניין אותן אפסודתו על קושה של צדקה ואין מהלוח עמיהן בדרך ו"א אין מביטין על אבידתו :
 "Our rabbies have banded down as a tradition, that six things are said with respect to *Amharatzin*. Testimony is not to be given to them, nor received from them. A secret is not to be revealed to them. They are not to be appointed as guardians to orphans, nor to

an alms-fund. One is not to bear them company in the way. And some say, that if they have lost any thing, and it is found, no public notice is to be given respecting it." (Pesachim, fol. 49, col. 2.) Here, then, the unlearned are branded as liars, whose word is not to be depended upon—as rogues, unfit to be trusted with property—as murderers, with whom it is unsafe to walk by the way-side. Can contempt or insult add more? Yes; Rabbinic contempt had one insult more galling than these, and that was to put them on a level with Gentiles, and this it has done by forbidding public notice to be given, if any thing which they had lost should be found. Now, we fear not to assert, that this one passage is fatal to the claims of the oral law. There is not a particle of resemblance in it to the merciful and just religion made known by Moses. It is the effusion of a mind intoxicated with self-conceit and arrogance. The authors of the oral law were determined, so far as they could, to lay it down as a maxim, not only that no wisdom, but no truth, no honesty, and no humanity, was to be found, except amongst themselves, and their disciples; they wished to have the monopoly of all moral virtue, as well as of all learning. We ask both the learned and the unlearned, whether it be possible that such a law could have emanated from the God of Israel? But there is not only excessive arrogance, there is also gross injustice in their law. It is ordained, first, that in a court of law, the cause of the learned is to be heard before the cause of the unlearned; this is in itself most unjust, but is not to be compared with what follows. The oral law forbids the appointment of an unlearned man as guardian to orphans; can any thing be more oppressive? Suppose that an unlearned man, on his death-bed, thinks of a guardian for his orphan children, and looks to a brother, or an intimate friend, as unlearned as himself, but whose worth, and honesty, and affection, he has long known and valued; the oral law forbids him to make such an appointment; and if he has no learned friend—and how, where such a law exists, is it ever possible that the learned and the unlearned should be friends?—he must die with the agonising thought, that his children must be left to the guardianship of a perfect stranger. Is it possible to conceive any thing more oppressive, unjust, or cruel? But the oral law is not content with this; it will not permit an unlearned man, even in his lifetime, to recover property that has been lost. Whoever finds it may keep it. The law for other people is, that if any thing be found, the finder is to have proclamation made in the city, or, if the majority of the inhabitants be Gentiles, in the synagogue, that the loser may hear of it. But the poor *Amhaaretz* is excluded from

the benefit of this command. It may, however, puzzle the reader, how the finder is to know whether the thing which he has found belongs to a learned or an unlearned man. One of the commentators has solved this difficulty in the following manner:—

וא"ז מאין יודע שהיה של ע"ה או של ע"ה אחר? כגון ששייך של ע"ה עוברת וחינו שגל מדין!

“If you ask, How is the finder to know that the thing found belongs to an Amhaaretz? R. Isaac says, It is in such a case as when a crowd of Amharatzin is passing, and we see that it fell from them.” (Ibid.) So that, according to this interpretation, the disciples of the wise men are positively allowed to retain what they know does not belong to them, if they only see that it does belong to an unlearned man; and yet these are the men who are so afraid of the dishonesty of the unlearned, as to forbid their appointment to the office of guardian to orphans, or treasurer to a charitable fund. Let any man of common sense decide, whether this law is honest or dishonest, and then let him decide, whether it can come from God, and whether such a religion is fit for an honest man?

The most important point, however, remains, and that is, the permission to kill an unlearned man, or to rend him like a fish. We have been told that this is merely figurative language, but the context is not such as to lead to this conclusion; on the contrary, the passage itself, and all that precedes and follows, leads us to believe that it was meant literally. In the first place, it is said, that it is lawful to kill an Amhaaretz without observing the rules of שחיטה slaughtering, and when the disciples ask the reason, R. Eleazar replies, Because these rules would require a benediction to be pronounced, whereas he would not have an Amhaaretz treated with such respect. Let any man explain the figurative meaning of all this. Secondly, R. Samuel, to take away all ambiguity, says, in the name of R. Johannan, that it is lawful to rend him as a fish. Now it is known that, with regard to fish, the rules of שחיטה, or slaughtering, are not observed. All ambiguity, therefore, as to R. Eleazar's meaning, is here removed. Thirdly, it is evident that the rabbies looked upon the unlearned as nothing better than beasts. They say, that the daughters of the unlearned are an abomination, and their wives vermin; yea, that their daughters are beasts. Now, when men are so wicked as to use such language concerning their fellow-creatures, are we to be astonished that they should draw the conclusion that necessarily follows from such premises, and that they should allow these beasts and vermin to be killed? When we see that these rabbies allow an unlearned man to be robbed with impunity of that which he

has lost, what principle of conscience or justice is there left to prevent them from killing him whom they have robbed? If all the other principles of these rabbies were just, honest, upright, and merciful, we might be tempted to suppose, that in these words they enveloped some mystical sense. But when we see that the principles which precede and follow are an outrage upon humanity, justice, and mercy, no such supposition is necessary.

But, after all, how did the commentators understand the passage. If we, as Gentiles, are accused of misrepresenting the sense, what did the rabbies, who succeeded, make of this passage? The commentary from which we have just quoted, after saying, that if a crowd of Amharatzin let any thing fall, it is lawful to keep it without giving public notice, adds, that this is to be understood strictly of what is lost, but that it does not warrant the learned to rob them by force; upon which the following difficulty is started:—

אמאי ממונו אסר' והשתא גרפו מותר שמותר לקרעו כדנב'!

“Why should it be unlawful to deal thus with his money, when it is lawful to deal violently with his body, for it is lawful to rend him as a fish.” (Ibid.) Now here this rabbi evidently interpreted the permission to kill literally, and he naturally asks, If it be lawful to take away a man's life by violence, why should it not be lawful to take away his money. If the words had been taken figuratively, there would have been no room for this question. We have, therefore, neither misunderstood nor misrepresented the meaning. The oral law allows the murder of an unlearned man, and that with as little ceremony as it permits the killing of an unclean animal, or a fish. We therefore repeat our assertion, that the oral law cannot be from God. One such passage is quite sufficient to discredit the whole, not only because of its intrinsic wickedness, but because it displays the character of those men with whom the oral law originated. Superabundant self-conceit, cold-blooded cruelty, and unrelenting enmity, are the striking characteristics of those men, who, by dint of force and fraud, gradually enslaved the minds of the Jewish people. It appears from these passages, and from the plain confessions of the rabbies in the context, that the common people struggled hard before they submitted to the yoke of the oral law. The attempt to impose such a burden, evidently produced the most bitter animosity between the rabbies and the people. The people were ready, as one of the rabbies says, to kill all the wise men, and these, in return, laid down the principles of retaliation which we have just considered, and which are a disgrace to the name of religion. These principles however, would not have triumphed, if

the rabbies had not got the whole power of the State into their own hands. By means of that unlawful and heathenish tribunal, the Sanhedrin, they were able to coerce the people, and to kill all who refused to submit. Judaism, therefore, as it at present exists, is a religion which was originally forced upon the Jewish people against their will, and therefore has no claims upon their reverence or gratitude. By the dispersion, God has removed the main difficulties in the way of their moral and spiritual emancipation. Christianity is in the ascendant, and will not permit any "wise men" to kill the unlearned without ceremony. The people may, therefore, assert their religious liberty in perfect security, and without any fear of the Sanhedrin. We tell the Jews, even on the admissions of the Talmud itself, that their present religion is not even the object of their choice, and much less the religion given by God, but that it was imposed upon the consciences of their fathers by force; and, therefore, ask the Jews, Whether they still wish to continue slaves to superstition and cruelty, when God has, in his providence, arranged the means of their delivery? The Jewish people have often had reason to complain of the injustice, contempt, and cruelty of the nations amongst whom they have been scattered; but we ask them, Have the most barbarous nations ever treated them with more contempt, injustice, and cruelty than that which we have just found authorised by the oral law? Ignorant and superstitious Gentiles have turned the holy name of Jew into a term of reproach, but where was it ever known or heard of, that the most ignorant and most superstitious called the Jews vermin, or compared the wives and daughters of Israel to beasts? It is Judaism, and Judaism only, that utters this foul and inhuman slander. In seasons of popular tumult, mobs have risen and plundered the Jews; but where is the nation, or the religion, which has made a law that it is lawful to keep the lost property of a Jew? Judaism, and Judaism alone, is guilty of this injustice. Prejudice has unjustly assailed the character of the Jewish people, but what sect or party of Christians ever thought of branding them as liars, whose evidence is not to be received; as rogues, unworthy to be appointed as guardians to orphans or property; as murderers, with whom it is unsafe to walk by the road-side? Yet this is the deliberate sentence of Judaism respecting the unlearned; that is, respecting the

great mass of the Jewish people. Just suppose that the Parliament of England was to pass a law, declaring that the Jews are to be considered incompetent to give testimony, or to be guardians of property, warning people to beware of walking with a Jew, and permitting men to kill them, or to rend them like a fish; would not the Jewish people perceive in a moment the injustice and the cruelty of such legislation? Would they not have just reason to complain of the blind prejudice which possessed the minds of the legislators? And yet, this is only what the rabbies have done. If Judaism be true, then the mass of the Jewish people are liars, rogues, and murderers; for this is what Judaism asserts; and if the Jewish people consent to its truth, they are stamping themselves, their wives, and their daughters with infamy. The truth or falsehood of the oral law is not simply a speculative question, or a question relating to their eternal interests in another world; it is a question deeply affecting their characters and their welfare at present. It simply comes to this, are all unlearned Jews, that is, the overwhelming majority of the people, to be considered as utterly destitute of truth, honesty, and humanity? If Judaism be true, the answer is, Yes. Let, then, every Jew, rich or poor, learned or unlearned, consider whether he will still profess a religion that defames and insults the mass of his countrymen. The character of the nation is foully attacked, defamed, and vilified, but not by Gentiles, not by Turk, Infidel, or Heretic, but by the Talmud and the Rabbies. The only way in which this calumny can be met and wiped away, is, by a renunciation of that system which has dared to utter it. If there live a Jew who has the slightest regard for the honour of the nation, he is bound to protest aloud against the falsehood of the oral law. That it is false, requires no great stretch of argument to prove. Every unlearned Jew, who is conscious that he is not a liar, a rogue, and a murderer, has the proof in his own breast, that Judaism is false. Every unlearned Jew, who duly honours and respects his wife and daughters, and believes that they are neither vermin nor beasts, is a witness against the truth of the oral law. Every one who believes that dishonesty is contrary to the will of God, and that the murder of the unlearned is unlawful, has the proof that that system which was imposed upon his fathers, is not from God.

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