

# נתיבות עולם

עמדו על דרכים וראו ושאלו לנתבות עולם • ירמיהו טז

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It is certain that the Jews cannot appeal to the law or the prophets to defend their rejection of the old religion of Moses, and their preference for the new religion of the rabbies. Neither Moses nor the prophets knew any thing about the rabbies. They are quite a new order of men, never heard of until the Jewish polity was tottering to its destruction. There is, however, another argument to which they might appeal, in order to justify the reception of new religious teachers, and that is, the existence of the Sanhedrin. It may be said, that when the rabbies arose and taught, both they and their doctrines were approved by this great council, and that this approval is sufficient to establish the justice of their claims, and the truth of what they taught. Indeed, the Rabbinites do actually look upon the Sanhedrin as the great foundation on which the oral law rests.

בית דין הגדול שבירושלים הם עיקר תורה שבכ"ל זה הם עמודי ההוראה ומזה חק ומשפט יוצא לכל ישראל • ועליהן הנבמיהו תורה שנאמר על פי התורה אשר יורוך זו מצות עשה וכל המאמין במשה רבינו ובתורתו דייב לסמוך מעשה הרת עליהן ולשען עליהן: “The great council in Jerusalem is the foundation-stone of the oral law, and the pillars of the doctrine: and from them the statute and the judgment goes forth to all Israel. They have the warrant of the law, for it is said, ‘According to the sentence of the law which they shall teach thee,’ &c. (Deut. xvii. 11.); which is an affirmative precept, and every one who believes in Moses our master, and in his law, is bound to rest the practice of the law on them, and to lean on them.” (Hilchoth Mamrim, c. i. 1.) Here the indispensable duty of every Israelite to follow the decisions of the Sanhedrin is plainly asserted; it becomes, then, absolutely necessary for us to examine into the nature of the foundation on which claims so unlimited are based. One would suppose that, at the very least, the Sanhedrin was infallible, and could never say or do anything wrong; for if this council was liable to error, and yet undeviating obedience to its decisions required, whenever they went wrong, all Israel must have gone wrong also. But yet, strange to say, the infallibility of the Sanhedrin is not only not asserted, but plainly denied—yea, the possibility of error unequivocally intimated, and even provided for.

בית דין גדול שדרשו באותו מן חמדות כפי מה שטראה בעיניהם שהיה כן ודנו דין • ועמד אחריהם בית דין אחר לכתור אותו הרי זה כותר דין כפי מה שטראה בעיניו • שנאמר אל השופט אשר יהיה בימים ההם איך ללכת אלא אחר בית דין שבוודק: בית דין שגורו גורה או תקנו תקנה והנהיגו מנהג ושפט הדבר בכל ישראל • ועמד אחריהם בית דין אחר ובקש לבטל דברים הראשונים ולעקור אותה התקנה ואותה הנהגה ואותו מנהג • אינו יכול עד שיהיה גדול מן הראשון בזכותם ובמנין וכי’:

“When a great council has decided by one of the rules, and according to the best of their judgment, that the judgment is so and so, and has passed sentence; if there arise after them another council of a contrary opinion, the latter may reverse the sentence, and pass another according to the best of their judgment, for it is said, ‘Unto the judge that shall be in those days’ (Deut. xvii. 9.); thou art, therefore, not bound to follow any other but the existing council. But if a council decree a decree, or ordain an ordinance, or sanction a custom, and the thing has spread in all Israel; and there arise after them another council, which wishes to abrogate the former things, and to root out that ordinance, decree, or custom, it is not permitted, unless they excel the former in wisdom and in number.” (Ibid. c. ii. 1, 2.) According to this doctrine the Sanhedrin in one generation may teach one doctrine, and in the next generation another Sanhedrin may abrogate all the legislative acts of the former, and teach another doctrine, and yet, though one of the two must necessarily be in the wrong, Israel is bound to obey both; and thus the law is made to sanction disobedience to itself. Nay, more, the will of God is made actually to depend upon the wit and the will of man. Instead of being eternal and unchangeable truth, it must vary with each succeeding generation, so that what was truth to a father, might be falsehood to his son; and every new Sanhedrin would, in fact, have the power to make a new law. How, then, can the Jews pretend that the Mosaic law is unchangeable? Here it is asserted, that the Jews are to receive, as the law of Moses, whatever the Sanhedrin may think right to teach—and that every new Sanhedrin may overturn the doctrines of their predecessors, and teach the very opposite; so that, instead of being eternal, the law would be one of the most changeable things in the

world, and might never last the same for even two generations. But how can any man possibly believe, that a command so preposterous should come from God, or that he would deliver over his people Israel, bound hand and foot, into the power of seventy-one persons, and require unconditional obedience, no matter whether these persons were in the right or in the wrong? Pretensions so extravagant justly excite suspicion, and entirely destroy the credit of those that make them. They betray an inordinate lust of power, and savour far more strongly of ambition than piety. It was no doubt very convenient for the members of the Sanhedrin to be able to reverse the decisions of their predecessors. On these terms, the law could never stand in the way of their own schemes. No matter how it had been explained or understood before, they had the power of giving a new interpretation to suit their own purpose. It is truly wonderful how the Jews can suffer themselves to be deluded by an imposture so exceedingly coarse. A child ought to be able to see, that God could never require a man to renounce his understanding, and to receive two direct contradictions as true.

The manifest absurdity of this doctrine is sufficient to prove that the passage cited from Deut. xvii. is misinterpreted and misapplied; and a little consideration will show that it does not refer to the Sanhedrin at all. In the first place there is no mention of that council, nor any thing that even implies a reference to such a body. The command of God is, "Thou shalt come unto the *priests, the Levites*, and unto the *judge* that shall be in those days, and inquire." It is not said to the judges, but to the judge *השופט*. To these, and not to the Sanhedrin, Moses requires absolute obedience, and that for a just and sufficient reason, because, as we have shown in Number 2, they had the means of obtaining an infallible answer by means of the *אורים וותומים* Urim and Thummim. It was the privilege of Israel to be able to ask counsel immediately of God; and it was therefore only rational to expect unconditional obedience to the command of the Almighty. Such decisions were absolutely unchangeable as God himself, for "He is not a man that he should lie, nor the son of man that He should repent;" and no man in his senses would have thought of getting a sentence of this kind reversed. These words can therefore by no means apply to a tribunal fallible in judgment, and as changeable in its opinions as in the persons of which it was composed: but if this passage does not apply, there is no other in the Bible which requires us to receive the decision of the Sanhedrin as of divine authority, nor in the oral law either, for it supposes that this council was capable

of mistake. Consequently, the Sanhedrin's approval of the new order and new religion of the rabbies is of no weight whatever. The Bible does not command us to believe that they were always in the right; and they themselves tell us that they might be in the wrong, and therefore might be in the wrong in their approval of the rabbies.

But the truth is, that neither the Bible nor history gives us any warrant whatever for regarding the Sanhedrin as a Mosaic institution. In the first place, it is never once mentioned either in the Law or in the Prophets. The word *Sanhedrin* is Greek, and so far as it goes would lead us to suppose that this tribunal was not instituted until some time after the building of the second temple, and after the Greek occupation of the land, when the Jews had become acquainted with the Greek language. This Greek word would lead us even to suppose that the Sanhedrin was instituted by the Greek rulers, and that they gave the tribunal its name. If it had been an old Mosaic institution, the Jews themselves, who hated the Greeks, and that with good reason, would never have given it a Greek name: and even if the Greeks had assigned this name to a Jewish tribunal, which had previously existed, the Jews would not have adopted it. It is true that there is also a Hebrew name for this tribunal, *בית דין הגדול*, "The great house of judgment," but if this had been the original name, it is not at all likely that the Greek name would have supplanted it; whereas if it was a Greek institution, and therefore had a Greek name, it is not to be wondered at that that name should have obtained general currency, or that it should also be translated into Hebrew. The Hebrew name will not do more than the Greek to prove the antiquity of the tribunal, for it never once occurs in the Bible, and it would be very strange, if this council had existed from the time of Moses, that it should never once be mentioned. The High Court of Parliament does not hold a more important place in the history of this country, than the Sanhedrin must have done in the history of Israel, if it had really existed, how then are we to account for the fact, that neither the historians nor the prophets of Israel ever make the most distant allusion to its being? If the rabbies speak truth, the prophets, the high priests, and the kings of Israel, were mere cyphers compared with the Sanhedrin, for it had supreme power over them all, and could try, condemn, and execute them, and yet they are mentioned again and again, and the Sanhedrin passed by in mysterious silence! There are two books of Kings, and two of Chronicles, relating the history of the Royal rulers of Israel, but the supreme council of the nation, the rulers of kings and priests, the

foundation-stone of the law, the pillars of religion, have never obtained even a casual notice! Is this at all probable? Would it be possible to write a history of the British Constitution without ever once mentioning the existence of the Parliament? And yet this is what has happened, according to the rabbies, to the essential feature of the Constitution of Israel. Neither the lawgiver, nor the historians, nor the prophets, have said one word about it.

The rabbies have felt the necessity of finding something or other in the written law, that would look like the recognition of the Sanhedrin, and have therefore fixed on two passages which they think will serve their cause. One is that to which we have already alluded, "Thou shalt come unto the priests the Levites, and unto the judge that shall be in those days." (Deut. xvii. 9.) We have already said sufficient to show that this passage is totally irrelevant, and now add one remark more, which is in itself decisive, and that is, that the constitution of the Sanhedrin, as described in the oral law, is altogether at variance with the conditions laid down in this passage. The oral law says—

ומצדו להיות בסנהדרין גדולה כהנים ולימים  
שנאמר ובאת אל הכהנים הלימים ואם לא מצאנו  
אשלו היו כולם ישראלים הרי זה סותר :

"The command is, that there should be in the great Sanhedrin, priests and Levites, for it is said, 'Thou shalt come to the priests, the Levites.' But if they find none, yea, though they be all mere Israelites, this is lawful." (Hilchoth Sanhedrin, c. ii. 2.) According to this the Sanhedrin was to consist of three distinct classes, priests, Levites, and Israelites; but Moses does not say one word of the Levites, as distinguished from the priests. His words are, "Thou shalt come to the priests, the Levites." He does not say, "The priests and the Levites;" but simply, "The priests, the Levites;" from which it is plain that he was speaking only of that one class of the sons of Levi, who had the office of the priesthood; but not of that other class, whose only title was "The Levites." This is the first difference. The second is like it, inasmuch as it is also an unauthorized addition, and that is, that there should be Israelite members of this council, of whom Moses does not say one word more than he does of the Levites. Besides the priests, Moses mentions none but the judge *הדושה*, not the judges, so that if the judge was an Israelite, there could at the very most be only one Israelite amongst those whom Moses appoints as the highest court of appeal in Israel. But if the judge *הדושה* was himself a priest, then there was not even one Israelite; but the court was composed exclusively of priests. This court cannot, therefore,

be the same as the Sanhedrin, which was to be composed of all the three classes. Thirdly, the oral law says, That though the Sanhedrin should not reckon one priest amongst its members, but should consist entirely of Israelites, that still it is lawful; this court can, therefore, never be the same as that of which Moses says, "Thou shalt come to the priests, the Levites, and to the judge." The court which the rabbies have appointed might not have even one priest, and yet they ask us to believe that this is identical with that, which, according to the appointment of Moses, could never have more than one Israelite, but might, and in the days of Eli actually did, consist exclusively of priests. Truly the rabbies must have calculated upon disciples with a most inordinate measure of credulity. The man that would believe this, would believe that black is white; or as Rashi says, that his right hand is the left, and his left hand the right. And this is really what modern Judaism expects, and absolutely commands in so many words. In Rashi's commentary on the words "Thou shalt not decline from the sentence which they shall show thee, to the right nor to the left" (Deut. xvii. 11); which words, as we have seen, the rabbies apply to the Sanhedrin, he says—

אפי' אומר לך על ימין שהוא שמאל ועל שמאל  
שהוא ימין :

"Yea, though they should tell thee of the right hand, that it is the left, and of the left hand, that it is the right." Of course men that expected from their followers this perfect renunciation of reason, might say any thing they liked, and might therefore ask them to believe that a court consisting of all priests was identical with one from which priests were altogether excluded. But as we are not willing to give up that reason, which we consider a noble gift of God, we cannot help thinking that these two courts are as different as day and night, and that the appointment of Moses does not in the remotest degree serve as a warrant for the appointment of the Sanhedrin. Indeed, the sad perplexity of the rabbies to find out some passage or other on which to father their own inventions, and the desperate necessity which they felt of appealing to this passage, proves to us most satisfactorily, that the Sanhedrin is not a Mosaic institution at all. It is as impossible that there could be two supreme courts, as that a man can have two heads. Moses did appoint a supreme court, from which there was no appeal, as is plain from the words, "Thou shalt come to the priests, the Levites, and to the judge," and we have proved that this court is not identical with the Sanhedrin. But according to the rabbies, the Sanhedrin was a supreme court; if, therefore, it had existed, there would have been two supreme courts, perfectly independent

of each other, which is plainly impossible. It never entered into the head even of human lawgivers to be guilty of such absurdity, and it would be an affront to the wisdom of the Almighty to suppose that he had sanctioned it in his own law. This one argument is in itself sufficient to overthrow the doctrine of a Sanhedrin as taught in the oral law. It was not only unknown to Moses, but is directly opposed to his own institution.

This portion of the oral law is, however, most important for proving the total disregard, or rather contempt, which the rabbies had for the institutions of Moses, and the motives by which they were actuated. Moses ordained a supreme court of judicature, to consist exclusively of priests, together with the chief civil governor for the time being. The rabbies not only did not choose to obey the command of Moses, but actually abrogated his institution, and set up another instead of it. They were probably enabled to do this in the time of confusion which followed the Greek conquest. The Greeks, who cared nothing for Moses or his laws, naturally disregarded the priests and the lawful civil governor; and therefore when they conquered the land, set up a tribunal of their own, composed not of those whom Moses had appointed, but of any whom they could find. Indeed, to secure their own dominion, their natural policy was to exclude those who had previously held the reigns of Government. To this new tribunal they of course gave a Greek name, and called it in their own language, *συνεδριον*, or, as the Talmud pronounces it, Sanhedrin. The Jews, whom they appointed members, liked the power which it gave them, and therefore, when the Greeks were gone, endeavoured to perpetuate it; and as they could not find a warrant for it in the written law, declared that the institution was a part of the oral law; and thus, to gratify their own ambition, trampled upon the law of Moses. This is the probable history of the rise of the Sanhedrin; but however that be, it is certain that it is directly opposed to that supreme court appointed by Moses, and that it was

love of power which induced the rabbies to sanction it. They thereby depressed the authority of the priests and the civil governor, and in fact became the dictators of the Jewish commonwealth. A tribunal supported from such motives, and so directly subversive of the commands of Moses, cannot prove to any lover of the old religion the authority of the rabbies. Indeed, the approval of such a body would go far to prove that the oral law and the rabbies were Moses's enemies. The Mosaic law was first pulled down before the Sanhedrin could be built up, and it was founded on the ruins of the Mosaic institutions.

We have not space at present to enter into the other passage which the rabbies cite in proof of the authority of the Sanhedrin, but hope to do so in our next number—not that it is necessary to the argument, but simply because it is our earnest wish that the people of Israel should see how the rabbies are in difficulty to find even a semblance of proof for the foundation-stone of their whole fabric. That one passage from Deuteronomy—"Thou shalt come unto the priests, the Levites, and the judge," is quite sufficient to prove that Moses did not institute the Sanhedrin, but that, on the contrary, it must have been established by some determined enemies of the Mosaic law; and that it was perpetuated by those whose ambition led them to usurp power, which Moses had committed unto others. We have thus another proof that modern Judaism has demolished even the external form of the Mosaic constitution. The rabbies were not content with rejecting the religion of Moses, and casting out the religious teachers whom he had appointed, but have also revolutionized the national polity. Moses ordained a supreme council, consisting of the priests, the Levites, together with the judge, the chief civil governor; but the rabbies have preferred a tribunal established by idolatrous Greeks, because this Greek institution gave the power into their own hands. No wonder that the God of Moses destroyed their city, and put an end to that delusion with which ambitious and wicked men deceived his people Israel.

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