

THE OATH AND ITS ETHICS

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(WITH SOME ADDITIONS),

BY

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THE OATH AND ITS ETHICS

WHEN Christian Pharisaism was resisting the equal rights of Jews in Parliament, the Conservative leader just laid in his grave answered one who afterwards sat in his cabinet, and those with him—"You are influenced by the darkest superstitions of the darkest ages that ever existed in this country." The day of his burial was celebrated by an outbreak, led by his late followers, of the same dark superstitions. By its vote on the oath question Parliament has plunged back into the cesspool of medieval absurdities, and made the oath into a mill-stone heavy enough to sink in that pool every man who shall deliberately take it.

Hitherto, for a very long time, a man taking the oath has meant only to proclaim formally his purpose to fulfil an engagement. It was a foolish formula, but had been conventionalised to mean that, and it meant no more. The words "sunrise" and "sunset" are inaccurate, but even an astronomer may say "sunset" without falsehood, since it is a conventional word for the thing he means. The oath had as little pretension to exactness. But now it has been made into a creed. When a member of Parliament says

“So help me God” it is now declared he must mean just what he says.

I propose to-day to prove to you what that meaning is. But let me first remark that the present situation of the legislature in this matter is an illustration of the practical importance of studies often supposed antiquarian and unpractical. The archæologist, the philologist, the mythologist, often meet with persons who regard their researches as useless for the present time, and their results merely curious. But if either the member denied his right to take the oath, or his opponents had possessed full archæological knowledge of the subject, it might have been shown that the whole question is really as simple as it seemed complicated. If Mr. Tyler, the author of *Primitive Culture*, had been called before the Committee which decided some time since that an atheist could not take the oath, he could have proved to every member present that not one of them had any more right to take it. If one step be taken beyond the mere formality, the affirmation of a purpose, that step is into the original sense of the formula; and the original sense of it is what no educated man, however orthodox, believes or can believe.

There is nothing doubtful whatever about the oath. There is no room for theories: the facts are established; every letter and accent in the formula has been traced

through the history of law to the germ from which it came. The English oath is in form both Roman and Jewish ; in essence it belongs to the realm of barbarian superstition. Writers on the subject are unanimous in the opinion that the oath is of the nature of an ordeal. The natural development of an ordeal is illustrated in that used for witchcraft. In the early panic about witches it used to be the ordeal of those suspected to be thrown into the water : if they floated they were evidently witches ; if they sank they were human,—and if they could not be rescued the crowd held it sufficient compensation that they had gone to heaven. But some merciful man or men proposed the ordeal of weighing witches against the Bible. It was said that if one were a witch he or she could not outweigh God's word : so the Bible was placed in one scale, the suspected witch in the other ; and after that the poor creatures were saved, except in remote districts where the old fashion was preferred or the new not heard of. But in this new form of the ordeal there was the same soul of superstition as in the old.

The primitive ordeals bore unfairly against those subjected to them. They might be, as in some regions they still are, compelled to drink poison, in the faith that, if innocent, poison will not harm them. There was then a transition in which the accused had to invoke a judgment from the power of the sorcerers

or priests ; these would go through incantations and solemn ceremonies, which sometimes so wrought upon the nerves of the guilty that they would confess, fall sick, or die. Then when or where the priests and their incantations ceased to be dreaded, the authorities arranged means by which anyone, whose evidence they believed false or did not like, might be covertly punished. An old church at Rome is called *Bocca della Verità*, or, "Mouth of truth," from the legend that a large round stone-face, preserved in it, was used for swearing persons. The mouth at the centre is an aperture, through which it is said the oath-taker had to put his hand, and hold it there while giving evidence, in full faith that if he uttered a falsehood his hand would be smitten off by the Angel of Justice. The stone being large enough to conceal a man behind it, legend says the hand was cut off with a sword whenever the evidence did not please the authorities. This may be no more than a legend, but the tradition points to the path by which human sanctions of the oath superseded the divine. In the present day, the German, in swearing before a court, holds up two fingers, in accordance with the old belief that they will be smitten off if he perjures himself,—struck by lightning. But, as he takes care to hold his fingers up where he can see them, they are not often struck by lightning.

"In Samoa," says Farrer, "as at Westminster,

physical contact with a thing adds vast weight to the value of a man's evidence. Turner relates how, in turn, each person suspected of a theft, was obliged before the chiefs to touch a sacred drinking-cup made of cocoa-nut, and to invoke destruction upon himself if he were the thief: the formula ran—'With my hand on this cup, may the god look upon me and send swift destruction if I took the thing which has been stolen,'—it being firmly believed that death would ensue were the cup touched and a lie told. The physical act of touching the thing invoked has reference to feelings of casual connection between things, as in Samoa, where a man, to attest his veracity, would touch his eyes, to indicate his wish that blindness might strike him if he lied, or would dig a hole in the ground to indicate a wish that he might be buried in the event of falsehood."

"North Asiatic tribes have in use three kinds of oaths. The first and least solemn one being for the accused to face the sun with a knife, pretending to fight against it, and to cry aloud—'If I am guilty, may the sun cause sickness to rage in my body like this knife.' The second form of oath is to cry aloud from the tops of certain mountains, invoking death, loss of children and cattle, or bad luck in hunting, in the case of guilt being real. But the most solemn oath of all is to exclaim, in drinking some of the

blood of a dog, killed expressly by the elders, and burnt or thrown away,—‘If I die, may I perish, decay, or burn away like this dog.’ On the Guinea Coast recourse was had to a common expedient of priestly absolution, so that when a man took a draught-oath, imprecating death on himself if he failed in his promise, the priests were sometimes compelled to take an oath too, to the effect that they would not employ their absolving powers to release him. In Abyssinia a simpler process seems to be in vogue; for the king, on one occasion having sworn by a cross, thus addressed his servants—‘You see the oath I have taken; I scrape it clean away from my tongue that made it. Thereupon he scraped his tongue and spat away his oath, thus validly releasing himself from it.’”*

Such is the original sense of the oath, constant through all its forms, traceable in all its refinements and abbreviations. In Greek fable Orkos, god of oaths, is son of Eris, goddess of Discord, daughter of Night. The ancient Greek gave his oath by raising his hand towards heaven, and touching the altar, which stood in court, and saying, “If what I swear be true may I enjoy much happiness: if not may I utterly perish.” Perjurers were believed to be haunted by the Furies, who visited them every fifth

* Farrer’s *Primitive Manners and Customs*, p. 180 sq. (Chatto & Windus, 1879). See also Lea’s *Superstition and Force*.

day in the month. The ancient Roman held a flint stone in his hand and said, "If I knowingly deceive, while he saves the city and citadel, may Jupiter cast me away from all that is good, as I do this stone." The flint was symbol of the thunderbolt with which Jove stood ready to strike the perjurer. At a later period the Roman oath was by kissing the altar and touching the symbols of several gods upon it, and then saying, at the end of a declaration of veracity—"So help me Jupiter, and these sacred things!" This was the accepted equivalent of being cast away by Jupiter like the stone, and added to it a belief that every deity whose symbol had been touched or kissed would administer a special blow to the perjurer. Divine punishments, however, were anticipated, in the case of detected perjurers, by throwing them from the Tarpeian rock.

When the shrine of St. Peter was substituted for that of Jupiter, the relics of saints were placed on the altar to be touched, or kissed, and the formula now became "So help me God and these relics!" The form prescribed in Justinian is an oath by the chief sacred personages who are named, and by the four Gospels, closing with an imprecation of the curse of Cain, of Judas, and the leper of Gehazi. In the middle ages oaths were various: they swore by Sinai, by St. James' lance, by the brightness of God, by Christ's foot, by

nails and blood, by God's two arms;—as a verse runs they swore—

“ By the saintly bones and relics
Scattered through the wide arena ;
Yea, the holy coat of Jesus,
And the foot of Magdalena.”

The Jewish idea of an oath is suggested in phrases often met with in the Bible : “ The God of Abraham judge ! ” “ God do so to you and more also, ” —and the like. The formal judicial oath gave the full meaning of these phrases—that the curses written in the law should come upon the perjurer. The oath-taker held the scroll of the law, and said—“ Behold, I am accursed of Jahve, if what I say be not true.”

In the oath we have substituted the Bible for the ancient altar and its relics. We have substituted kissing the Gospels for invoking the judgment of the gods or saints. Instead of—“ So help me Jupiter and these relics,” it was in Catholic times—“ So help me God and these holy Gospels ; ” and now the Gospels are kissed instead of being named.

Every judicial oath consists of two elements : (1) a covenant or promise ; (2) an appeal to the Deity as able to see whether the promise is fulfilled, and a summons to Him as one who may be ceremonially *bound* to become a party to the covenant made, and as

a power pledged to guarantee oaths by special punishments.

In the words "So help me God" is also preserved the invocation of the ordeal by combat.* The deity was summoned by a formula of adjustment on both sides ; he is bound, as by a spell, to take part ; he will not hold that party guiltless which has invoked his name in defence of a falsehood. Each side affirms his case, and risks upon it the unsheathed weapon of the oath-guaranteeing God "So (*hac lege*) help me!" says one ; "so help me!" cries the other, God defend the right! says the tribunal. So, in the language of Sir William Staundford, a learned judge (1557), they "leave it to God, to whom all things are open, to give verdict in each case, *scilicet*, by attributing the victory or vanquishment to the one party or the other, as it pleaseth him."

Professor Worman (of Michigan State University), in his learned treatise on oaths† says:—"All nations, barbarous or just emerging from barbarism, have

* "The general principle on which the combat was conducted was the absolute assertion by each party of the justice of his cause, confirmed by a solemn oath on the Gospels, or on a relict of approved sanctity, before the conflict commenced" (Lea, *Superstition and Force*, p. 142).

† Cyclopaedia of Biblical, Theological, and Ecclesiastical Literature, New York. (Harper and Brothers).

resorted to the divinity for the decision of disputed questions with somewhat similar ceremonies, and undoubtedly with like success. Part and parcel with ordeals, whether of bread or of water, of poisons or of ploughshares, whether of Grecian, Jewish, Hindu or Scandinavian form and origin, based upon the same principle, involving the same leading idea, is the oath by which divine vengeance is imprecated upon falsehood, and by the use of which ceremony, if it be effective, the deity specially, and for that cause, bound to inflict the requisite and appropriate punishment in case of its violation."

Michaelis says :—"An oath is an appeal to God as a surety and a punisher of perjury ; which appeal, as he has accepted, he of course becomes bound to vindicate upon a perjured person irremissibly. Were not God to take upon himself to guarantee oaths, an appeal to him in swearing would be foolish and sinful."

We now perceive the implicit sanction of an oath. It has set in motion a power which must act. It is not a moral force, but one pledged to punish the profanation of a ceremony, however the infraction of it may be demanded by changed circumstances or considerations even of justice. Mohammed said, when you swear to do a thing, and afterwards find it better to do otherwise, do that which is better and make void

your oath. He provided certain ceremonies to commute the oath. But that modification of Semitic religion never came into Christianity. Jephthah takes an oath that he will sacrifice to Jahve the first who shall come from his house to meet him, as a burnt offering; and when it proves to be his daughter, she must be the burnt offering. Jephthah says—"I have opened my mouth to the Lord and cannot go back." Herod is very sorry Herodias has asked the head of John, but because of his oath to give her what she would, he beheaded John. These ideas, from the regions whence all our sanctities have come, imply a deity who, however much he might be sorry for Jephthah's daughter, or for John the Baptist, would be bound fast as by the law of gravitation to punish the violation of every oath in which his name had been appealed to.

What then does our honourable member of Parliament mean by his oath, if he means anything more than an atheist means? He is not at liberty to put what construction he pleases on the oath. An oath exists for the purpose of binding the man, not to be bound by the man. The words "so help me God," few as they are, carry with them the belief in a Deity who has written out in a certain volume certain definite penalties against perjury; an example of these being in the instant death alleged to have

fallen upon Ananias and Sapphira. The kissed volume engages his God to send upon him, if the oath be violated, the curses written in it. It is of the essence of the oath that God is bound to send such judgments. He cannot help it.

If our honourable member does not believe in that particular God it is all the same as if he believed in none. So far as the oath is concerned he is an atheist. It is the oath-guaranteeing God he must believe in ; the God who makes the perjurer's "belly to swell and thigh to rot" (Num. v.), sends "plagues and sicknesses" on covenant-breakers, and "all the curses written in this book" (Deut. xxix.), and who will strike down the perjurer as Ananias was struck : if that be not his God he might as well worship a stock or a stone, or have no God at all, so far as the oath is concerned. To say he believes he will be punished by God after death does not fulfil the conditions of the oath at all. The oath involves a present judgment, and a special one,—a heavier punishment for the smallest falsehood *after* uttering the words and touching the book, than for the basest, most harmful lie not uttered under oath. The oath, therefore, can not be regarded as a mere expression of theism. That were as much bending the oath as if one were to attack the throne unlawfully after swearing to support it, and then say that the best way to help

the throne was to destroy it. The meaning of the oath must either be discarded altogether—its use be that of a meaningless form by which an understood purpose is affirmed—or else the real historic sense of it must be accepted—the oath, the whole oath, and nothing but the oath. If a man say that when he says “sunset” he really means what he says he is bound to accept the cosmogony from which the word was coined; and if the phrase “So help me God” bear any religious sense at all, it must bear that of the faith and usages to which it is traceable.

Does any member of the British Parliament believe in a Deity such as is implied in the oath? They who are elected to a new Parliament are described as going up to be sworn in batches, chatting in the merriest way with each other. Would that be the case if they knew and believed that they were entering into a contract to which Almighty God is a party: that the Deity is invisibly present as a guarantor of the covenant, and that from the moment of that oath there is suspended over him, and over his children to the third and fourth generation, all those curses written in the Bible against those who swear falsely? Such, for instance, as those directed against an oath-breaker in Ezekiel (xvii.) :—“Seeing he despised the oath by breaking thy covenant, when, lo! he had given his hand, and hath done all these, he shall not

escape. And I will spread my net upon him, and he shall be taken in my snare." The sentence on this particular oath-breaker was "he shall die." A clergyman recently wrote to an evening paper advocating the abolition of the oath, mainly on the ground that the people generally looked for some kind of special judgment to follow false swearing, and as such judgments do not occur their faith is weakened. These simple people are without casuistry.

But even conceding that the punishments for perjury may be relegated by an orthodox believer to a future world, does he believe that the punishment there will be greater for the deviation from an oath than for an unsworn lie and for injury inflicted by a lie? If it is the lying that is punished, the oath is a meaningless form, in itself. If it be contended that God is more concerned to vindicate his own dignity against a false or inconsiderate appeal than to punish malicious lying, we may safely affirm that such is not the belief of educated Christians. We are not without evidence that such a view of the sanctions of the oath no longer exists except among the most ignorant and superstitious, and only among very few of them. The eminent writer already quoted, Professor Worman, says:—"The oaths of Oxford University have been taken by the most cultivated minds of Europe; by those who in after life attained the

highest dignities of the Church or the State ; by those who, from their station, their education and intelligence, would be least likely to disregard their obligation. These oaths required obedience to statutes framed centuries ago by and for a set of monks, and are about as consonant with the present state of society as the monkish costume would be to a general-in-chief at the head of his army. Consequently they are not merely not observed, but their observance would be a matter of astonishment to all, equally to those sworn to observe and those sworn to require their observation." An Oxford oath not to wear boots has been taken by gentlemen still living. Our judges and juries violate the oath, if the oath be considered as having an intrinsic meaning. Every time a jurymen who holds out stubbornly against the others is partially starved into agreement, or under any pressure yields, he technically violates his oath ; which he would not do if he believed that all the curses on violations of the oath written in the book he kisses must fall upon him and his children. In old times, when theft was a capital crime, juries continually found that the article stolen was of less value than it obviously was, in order that the offender might not be hung. And now juries find nearly every suicide to have been of unsound mind, in order to give the poor creature decent burial ;

which they could not do if they believed that, in case such had been of sound mind, all the curses written in the Bible against oath-breaking would be executed upon them for their humane verdict.*

* The *Newcastle Chronicle* describes, as follows a scene which occurred in a court-room, on May 9th, 1881 :—“The oaths taken by Chinamen in courts of law and in criminal proceedings are administered after a saucer has been broken, and the ceremony on Monday was witnessed in the Pilgrim Street Police Court by a crowded attendance of the public. Foreigners and Jews have often to be sworn, and a Hebrew Bible is provided accordingly amongst the properties of the Newcastle Bench ; but a Chinese witness appears to have been a rarity not even dreamt about in Pilgrim Street, and it was found that, simple as the furnishing for the affirmation is, not a saucer was to be discovered. A policeman was consequently sent to purchase two china saucers, and on his return one of them was placed in the hands of the young Chinese interpreter, who, kneeling down in the witness box, attempted to smash it on the edge of the box. British china, however, appeared to be of a much more endurable kind than Chinese, for the interpreter tried again and again, with all his force, for at least seven or eight times, without effecting a smash. When the saucer, however, did give, it was with a sound that went like the loud snapping of a pistol through the building. The pieces flew in a dozen directions, causing clerks, reporters, and policemen to bow their heads with a sudden and appreciable sense of self-preservation, and no little amusement for a time prevailed in court. The interpreter then repeated after the Clerk (Mr. Wilkinson) the following affirmation or Chinese oath :—‘ You shall tell the truth, and the whole truth ; the saucer is cracked, and if you do not tell the truth your soul will be cracked like

There is no reason to believe that the members of Parliament are more technically exact about their oath than the Oxford professors, or than the juries of the country. And, if not, they are no more believers in the Lord of the Oath than Mr. Bradlaugh. So far as that formula is concerned, the theist and the atheist are on one level. One can take the oath as honestly and honourably as the other.

An unjust measure has been used in dealing with Mr. Bradlaugh, not alone by the House of Commons, but by the liberal press, and by some liberal thinkers. It has been said even by those who defend his right that he is inconsistent with his avowed opinions in offering to take the oath. However unconsciously so, this judgment is unfair. It is also unfair to contrast his willingness to take the oath with the courageous refusal of the Jews to take the old oath "on the true faith of a Christian." The distinct creeds of the old oath,—both political and Christian,—have been

the saucer.' The second saucer was handed to the prosecutor, who went through the same form as his shipmate ; but, being a more powerful man, he succeeded at the second attempt in demolishing the article, though at the expense of a finger severely cut in the operation. The interpreter had also one of his fingers cut in breaking the article apportioned to him." But did the Newcastle magistrate believe that the Chinaman's soul might be cracked like a saucer? or did he regard the oath as a "meaningless form?"

abolished. The present oath is not Christian; it is not theistic in any ordinary sense. Let us hold the balances of justice with an unprejudiced and unwavering hand. If Mr. Bradlaugh happened to be in Samoa, and were witness in a case where his testimony might save an innocent man from death, he would be given a sacred cup to touch, and required to invoke swift destruction from a god supposed to be connected with the cup. That would be his form of swearing. In so doing he would be falling in with the Samoan superstition probably even more than if he said "So help me God" he would be sanctioning any English superstition. Suppose, being in Samoa he should refuse so to testify, not believing the literal meaning of the formality, and, as a consequence of his refusal, the innocent man were beheaded. What would be said by those who now censure him? They would call it pedantry almost amounting to murder. They would say he should have accepted the formula as a recognised means of proclaiming his veracity, and not to have allowed the wrong to triumph.

When the Jew refused to swear he was a Christian that would have been furthering the triumph of the wrong. And if the abolition of oaths had been the particular reform to which Mr. Bradlaugh had devoted his life, he would be wrong in taking one. Such, it seems, is not the fact. He has repeatedly taken oaths,

when not allowed to affirm, to further what he believed justice. His aim has been to secure other reforms chiefly, and abolition of oaths but incidentally. He has aimed to secure certain reforms by peaceful and legal means, so far as I can learn, through the national legislature; and though it was a duty that he should claim what he believed his right, to affirm instead of swear, it is difficult to see how it could have been his duty to let an oath, in itself meaningless, though for its purpose binding on his conscience as any other conventional form of promise, stand between himself and his constituency and the opportunity of advancing the practical cause they have at heart.

So, at least, to my mind, stood the ethics of the case when he offered to take the oath. But now that the House of Commons has voted that the oath is to be taken only in its religious sense, I do not see how any conscientious person can take it. Mr. Bradlaugh can, indeed, still take it with as much honesty as the rest. To single him out as the one member who ought not to take the oath were to confess that an atheist is expected to have a sense of honour and a sensitiveness about truth not expected of Christians. It is certain that the oath either means nothing in itself, but only in its intent to pledge the word and honour, or else it means what no man in Parliament really believes—not even in part believes; for the oath-guaranteeing

God it invokes is as distinct from the God of educated England as Bacchus is different from the Christ of liberal churchmen.

There is, indeed, an upper and a nether side of the Christianity of our time,—and the nether side lies in this region of oaths. The Bible in some parts represents a deity who swears by himself, because he can swear by none greater, and who is so bound by his oath that he cannot release himself from it, even though it binds him to a monstrous injustice. Having pronounced a curse upon the whole human race for the offence of their first parents, another deity had to be evolved,—one not so bound,—who could bless those his father had doomed to everlasting tortures, and also satisfy the curse. There is a Christ imagined in some dark corners of Christendom who has succeeded to the office of the oath-bound and oath-binding deity of Eastern tribes. A few English people seem still to believe in such a Christ. There was lately a strange account given in the *Times* of the seizure at Isvor by Christian brigands of two English Christians, Mr. and Mrs. Suter. When the brigands demanded of the terrified inmates their money, Mrs. Suter pointed to a box containing four lira, saying that was all the money in the house. The brigands declared this a lie, and threatened to cut her throat if she did not give them more money, Mrs.

Suter then said to the brigands—" You and I believe in the same Christ, and in his name I tell you I have no more money." This solemn adjuration of their common Jesus seems to have impressed the brigands. Had she invoked Christ to confirm a lie they no doubt supposed she would fall dead. She was spared. They led them to a certain point, and then they told Mrs. Suter that she might depart ; but they exacted of her a solemn pledge that she would proceed at once to Salonica, and not start the soldiers in pursuit. If the soldiers were seen they declared they would immediately kill her husband : if not they pledged themselves that he should be safe up to the time appointed for the ransom to be paid. The brigands then bound themselves to this by an oath called the *Bessabees*. I do not know what this formula may be, but it would seem to be so solemn that no brigand ever breaks it. There is something very droll in this English lady saying to robbers and murderers—" You and I believe in the same Christ." But there have been many ages when there would be nothing droll in it. Whenever a ferocious crusader struck down a Saracen he said—" In the name of Christ." In the name of Christ millions have been massacred and despoiled of their property. The old creed survives among us now in a bad temper. In the name of Christ,—himself, in his time, a denounced freethinker,

—men may to-day be loaded with curses and reproaches and deprived of civil rights for speaking their honest mind and following their sense of duty, smitten while bearing their heavy cross, by Pharisees—baptised and circumcised together. Yet the Christ of the brigands is not normally the Christ of English ladies. The Christ of the Inquisition is not the Christ of English Christians. Their dogmas may be in that region but not their minds. The cruel temper, too, is rather official than individual. Clerical lips may utter the curses of Athanasius, but clerical hearts could not endure to see an infidel burnt for ten minutes much less through all eternity.

The Parliamentary oath is a survival which really links Christian England to the Bessabees Brigands. And survivals may be very corrupting. In the case of the brigands one may see the exact fruits of the oath-superstition. God has nothing to do with their lives, unless they invoke him by a formula. Having done that they will never dare to incur his vengeance. But not having done that they may rob and murder as they like. In some parts of England it is said that witnesses try to kiss their thumbs instead of the book, in order that they may freely tell lies. It is also declared, that in Scotland the sheriff is continually interfering to make swearers in court hold up their right hand. They often try to hold up their left,

and if not caught will bravely tell any number of lies. So Robert of France withdrew the relics and substituted an egg that the souls of his subjects might not be endangered by their falsehoods. It is impossible to find room for realities in these Bessabees minds thus preoccupied with unrealities. It is vain to suppose that mankind can be fully impressed with the real sanctity of truth, and the intrinsic evil of falsehood, so long as a formula is preserved to teach them that lying is not so bad unless they have accompanied it with a certain motion of the hand and lips. "Greek faith" became a proverb for duplicity in the land where the oath was deified. It is the way of superstition to whiten the outside and rot the heart. The Oath, chiefly, has taught man the black art of paltering in a double sense, and how to "keep the word of promise to our ear, and break it to our hope."

The right rule of ethics is not to take an oath. There may be extreme cases where good men might deem it necessary in order to prevent some larger evil. But though there are exceptions to rules, rules are not to be framed upon exceptions. Happily, an oath is nowhere compulsory in England, except in Parliament,—and probably it will go out of that body also, though in great wrath. There is no real life in these false formulas. At the first severe test they crumble. It will one day be a show to see one of

two ancient gentlemen still taking the old-fashioned oath. And then it will be prohibited as wicked, even as other "ordeals" which have gone before. It is not so long (1818) since a defendant in an English court demanded of the judge that he should be allowed to settle the case with the plaintiff by single combat. The judge was compelled to decide that he had that right! A short bill was hurried through Parliament to end that remnant of barbarism. The judicial duel, where God theoretically defended the right, but practically the more skilled swordsman won the victory, was a method of obtaining justice akin to the oath as a method of securing truth. That defeated justice, as this defeats truth.

Oath-taking is a degradation of human nature. It is also profoundly irreverent to any ideal that an enlightened mind may worship. I remember the last time I took an oath: it was before a consul, when I was sending some small parcel to a foreign country. I afterwards found that there must have been about seven oaths sworn on that parcel before it reached its destination. Seven times the attention of God had been called to that wretched little parcel, and he had been summoned to act as an assistant agent of Customs, to see that a few shillings was enough duty on it and was fairly paid. I felt ashamed of that transaction. The dignified legislator defending this

childish spell, might well go to the new opera and see it ridiculed along with the revival of things called "early English." There are some early English things which Puritanism shattered, and which may well be recovered; but the incantation is not among them: Puritanism kept that. One of the opera heroes threatens to curse his rival: the threatened man falls upon his knees in great alarm: weeps; implores him to pause before resorting to this last fearful expedient. But the other refuses; is resolved; says he is adamant. Then the other says, I yield. I will comply with your wishes. You swear it! says the anathematiser. "I do!" That is a fair caricature of the "early English" which is seriously trying to defend itself in the Legislature while it is laughed at in the theatre. The supposed potency of the curse is identical with that of the oath. They have no honest habitat in this age of reality and reason. They take us back to the age of charms, spells, dooms,—all the nightmares of the dark ages. Beyond which, not only the reasoner, but the true Christian, ought to see and hear the great and wise teacher saying—"Swear not at all. Let your yea be yea, and your nay be nay!"