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# HEARING THE WORD

## The Worldliness of Self-serving Oaths

D. Edmund Hiebert\*

*But above all things, my brethren, swear not, neither by the heaven, nor by the earth, nor by any other oath: but let your yea be yea, and your nay, nay; that ye fall not under judgment (James 5:12 ASV).*

The insertion of this injunction against swearing at this point in the Epistle of James has been much discussed. Some insist that "there is not the remotest connection between this verse and the section that has gone just before." Minear would explain this lack of connection as due to the fact that "we are dealing with an unorganized jumble of oral tradition which the editor felt no pressure to reorder into a smoother literary sequence." But such a view is unsatisfactory to those who hold to the authenticity and unity of this epistle.

Others hold that there is a close connection with what has gone before, but the intended connection is differently understood. Some see a connection with the preceding paragraph (5:7-11). It is held "to emphasize the preceding instruction to be patient" under adversity, or connected with verse 9 as warning against another evil that will bring God's judgment. Still others suggest a larger connection with the subject of speech in the epistle as a whole. Thus Smith sees this verse as an afterthought by James, who realized that "after writing so fully on the perils of speech he had said nothing adequate on the sin of profane swearing." But such an intended connection with varied prior portions of the epistle is not obvious.

We suggest that the strong opening expression of this verse, "But above all," is best understood as marking the conclusion of a line of thought which James has been pursuing and calls attention to this important concluding aspect. Having censured three different manifestations of the spirit of worldliness in 4:1-5:11, this verse calls attention to a final feature of worldliness. This evil of swearing reflects the spirit of worldliness in one of its most reprehensible forms. James has in view the self-serving attempt to hide the truth by appearing to

\*Dr. D. Edmond Hiebert, Professor of New Testament at the Mennonite Brethren Biblical Seminary, Fresno, is the guest writer. This is taken from his forthcoming commentary *The Epistle of James: Tests of a Living Faith*.

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appeal to God to establish the truth. Such duplicity is totally inconsistent with Christian honesty.

In the original the conjunction *de*, here rendered “but,” marks a connection with what precedes, but its precise force is not certain. It is rendered “but” when a contrast is intended. But contrast here is not obvious. When simple continuation is intended, it may be rendered “and” or “now.” This seems preferable here.

“Above all things” may be understood in two different ways. Some hold that its force is “temporal: before the readers do anything else they must cease using oaths.” Then the meaning is that James, aware that his readers have carried over this evil practice from their Jewish past, demands that they deal with this matter as their first duty. More probably the expression is to be understood as conveying the thought of importance, having the force of “especially” or “above all.” It is an evil about which James is especially concerned, perhaps because it was so prevalent among his readers.

Before giving expression to his demand upon his readers, James indicates his tenderness and personal concern for them by addressing them as “my brethren.” The fact of their common spiritual brotherhood justifies his insistence that this form of worldliness no longer be condoned in their midst.

James states his demand both negatively and positively: “Swear not, neither by the heaven, nor by the earth, nor by any other oath: but let your yea be yea, and your nay, nay.” His words are reminiscent of the teaching of Jesus (Matt. 5:34-37; 23:16-22).

“Swear not” demands that this evil practice be stopped. The prohibition is absolute, agreeing with the teaching of Jesus, “but I say unto you, Swear not at all” (Matt. 5:34). Two examples of the kind of oaths in view are immediately added: “neither by the heaven, nor by the earth.” It has been pointed out that these are Jewish oath formulae, “such as were in use among the Jews, not among the Greeks and Romans.” James is content to use only two of the four examples used by Jesus; nor does he mention the explanations which Jesus included (Matt. 5:34-36). “Nor by any other oath” is general, including all the other forms of oath used by the Jews. It is pointed out that in the original the word “other” is *allon*, “another of the same kind,” rather than *heteron*, “another of a different kind.” If this distinction is pressed, James is concerned to prohibit all forms of their subtle, self-serving oaths.

Modern interpreters are not fully in accord as to just what James has in view in saying “swear not.” Some assume that the reference is to profanity, the impious practice of taking God’s name in vain. But it is generally agreed that neither James nor Jesus had direct reference to cursing, the flippant and irreverent use of God’s name. The

reference is rather to the practice, in the ordinary relations of life, of confirming a statement with an oath. The swearing in view may thus be defined as making an appeal to God or to something held sacred to support the truthfulness of a statement, promise, or vow. The practice was common among the Jews, and oaths were used to support almost every statement in the daily relations of life. But they had developed subtle distinctions between oaths that were held binding and those that were not. In Matthew 23:16-22 Jesus emphatically condemned the Jewish leaders for making hair-splitting distinctions between binding and non-binding oaths.

In the Jewish *Mishnah*, a compilation of decisions by the rabbis on the interpretation of various points of the Law, a whole tract is devoted to the subject of oaths. In the discussion of binding oaths it is asserted that oaths made “‘by Shaddai’ or ‘by Sabaoth’ or ‘by the Merciful and Gracious’ or ‘by him that is longsuffering and of great kindness’, or by any substituted name, they are liable,” but oaths “by heaven and by earth” are exempt. Oaths in which the name of God was used were held to be binding, while those in which no direct mention of God was made were held not to be binding. Thus the force of an oath which to all appearances seemed binding could be evaded by minute inaccuracies in the formula used. They thus developed the fine art of hiding the truth behind their pious oaths. It was the use of such subtle distinctions to escape the binding obligations of their oaths that Jesus and James condemned. Such a practice of pretending to appeal to God to establish the truth while deftly framing an oath not considered binding was the worst form of worldliness. It was the hypocrisy of furthering personal advantage under the pious guise of appealing to God to establish the truth. Such verbal evasiveness is a close kin to the evil of profanity.

On the question whether the teaching of Jesus, here supported by James, forbids the use of the legal oath by the believer, views have been divided down through history. It is our conviction that this passage does not directly related to that situation. Improbably is the suggestion of Macknight that James forbade his readers “when brought before the tribunals of their persecutors, to deny their faith with oaths; which some of them, it seems, thought they might do with a safe conscience, if the oath was one of those which were reckoned not binding.” But it would be difficult to disagree with the comment of Williams: “The use of oaths in court, to add reliability to what is said, is just what should be unnecessary if the words of Matthew and James were obeyed.” Committed to the principle that his speech should be totally honest under all circumstances, the believer can consistently maintain that, as a follower of His Lord, court oaths become unnecessary. Clement of Alexandria (c. 150-c. 220) taught that a Christian should “maintain a life calculated to inspire confidence

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toward those without, so that an oath may not even be asked,” and felt that it was an indignity for a Christian to be placed under an oath. The fact that our courts find it necessary to place a witness under oath to tell the truth is an obvious confession that they recognize that men are congenital liars. A Christian’s reputation for rugged honesty in all relations of life should be such that no oath to tell the truth would be needed.

“But let your yea be yea, and your nay, nay,” the positive aspect of his demand, indicates that James was essentially concerned with total honesty in speech on the part of Christians. The present imperative, “let . . . be,” marks this as the unvarying duty of the believer. His affirmative statement, “yea” or “yes,” is to be so transparently honest that no further confirmation is needed, while his negative statement, “nay” or “no,” will need no oath to assure its truthfulness. The addition of a confirmatory oath to this statement is an acknowledgment that the individual is conscious that his word is weak and ordinarily unreliable. “The use of oaths is an index of the presence of evil.” A person known to be totally honest will have no difficulty having his plain declaration accepted.

“That ye fall not under judgment” denotes that their oaths were culpable. Failure to heed his demand exposed them to the danger of falling “under judgment,” the adverse judgment of God. The expression seems parallel in its force to “that ye be not judged” in 5:9. Their continued use of such frivolous and unnecessary oaths would be to persist in a form of worldliness which stands under the solemn judgment of God. The ultimate concern of James is the acceptable standing of his readers before God.

## FOOTNOTES

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4. H. Maynard Smith, *The Epistle of S. James. Lectures* (Oxford: B. H. Blackwell, 1914), pp. 315-16.
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8. Danby, *Ibid*, p. 415.
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