

Levi Pennington

People

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### Why Not Swear?

Levi T. Pennington  
*George Fox University*

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## WHY NOT SWEAR?

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By Levi T. Pennington.  
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Not long ago, when a legal paper was to be executed, some of us who were Friends stated that we would take affirmation rather than oath; and another man in the party, a lawyer, a Ph.D., vice president of a great educational institution, and a man who has for many years been prominent in public life, stated that this was the first time in his life that he had found those who chose to affirm rather than to swear, and confessed that he did not know why Friends had a testimony against the taking of oaths, nor did he know the exact difference between oath and affirmation. And I have known not a few Friends who did not make a distinction, and did not know the ground for Friend-ly objection to the taking of an oath.

Many a man who is authorized to administer oaths and affirmations also fails to recognize the difference. Properly stated, an oath is usually in this form: "Do you solemnly swear that in the case now pending before this court you will tell the truth, the whole truth, and nothing but the truth, so help you God?" The affirmation in the same situation should be stated: "Do you solemnly affirm that in the case now pending before this court you will tell the truth, the whole truth, and nothing but the truth, as you shall answer to the State of Oregon under the pains and penalties of perjury?"

There are many who see no essential difference, except that the oath, as they understand it, contains a request for God's help in the telling of the truth (or whatever else in the way of promise the oath is supposed to make firmer and surer of fulfillment.) That this is not the case the whole history of oaths proves indisputably.

The oath is not a request for God's help; it is the invocation of a curse if the promise is not kept, the act performed or whatever the matter is that is confirmed by an oath.

Let us take examples from the Bible. When Jezebel swears that she will destroy Elijah, she put her oath into this form; "So let the gods do to me, and more also, if I make not thy life as the life of one of them (the priests of Baal, whom Elijah had slain) by tomorrow about this time." She was not asking the gods to help her; she was asking the gods to destroy her unless she destroyed Elijah according to her threats.

When Ruth swore to remain with Naomi, in that beautiful pledge of loyalty, she nevertheless expressed her oath in the usual form, "Jehovah do unto me, and more also, if ought but death part thee and me." She was not asking God to aid her in being true to Naomi; she was asking God to end her life if she deserted Naomi before the death of one of them.

In most cases the fact that the oath is a curse is not so clearly expressed, but the idea is there nonetheless.

William Shakespeare died only a few years before George Fox was born. In the play of Hamlet is clearly revealed the real nature of the oath. Hamlet asks Horatio and Marcellus to swear

that they will keep his secret. He requires them to lay their hands upon his sword, which with the guard for the hand made a cross, symbolic of the cross of Christ. "Never, so help you mercy.....to note that you know aught of me ..... so grace and mercy at your most need help you, swear." When will they need grace and mercy most? Doubtless at the final judgment. By taking this oath, these men were asking that at the day of judgment, if they did not keep their promise, grace and mercy should not help them, the sacrifice of Christ, typified by the sword-cross, should be of no avail to them.

And this is the real nature of the conclusion of the oath, "so help me God." The taker of the oath is asking, not that God may help him to do the thing he is promising, but that God may refuse to help him if he fails. The Quakers, and others who understand the real nature of an oath, are not willing to call down this curse of God upon them if they fail to fulfil a promise, perform a duty, accomplish a task that is given them to do.

There were other reasons why the early Friends objected to the oath. One of them was the fact that it seemed to make a distinction between statements made under oath and statements not so made; it seemed to imply that a man must tell the truth when speaking under oath, but might lie when not under oath -- and the Quaker told the truth at all times.

And of course to the thorough-going follower of Christ, His dictum was final. "Ye have heard that it was said to them of old time, 'Thou shalt not forswear thyself, but shalt perform unto the Lord thine oaths'; but I say unto you, swear not at all .....But let your speech be, Yea, yea; Nay, nay; and whatsoever is more than these is of the evil one."

To some Friends the traditional attitude of the Quaker toward the taking of an oath seems a matter of little or no consequence; a tradition no more significant today than the wearing of the old Quaker bonnet, the use of the "plain" language, the refusal to remove the hat, etc. But to others this seems a matter of real consequence. And since the affirmation is recognized everywhere in America, why swear? Why not take the affirmation instead?