



SERMON EREV CHAYYEI SARAH: NO MORE SMASHED CROCKERY

Student Rabbi Gabriel Kanter-Webber, Friday 13 November 2020
York Liberal Jewish Community's annual interfaith service

- 1 The entry in the *Encyclopedia Judaica* for Abraham's servant Eliezer¹ is rather amusing. After recording that Eliezer was both the spitting image of Abraham² and also a giant,³ it states: "He is the prototype of the loyal and selfless servant, fulfilling his master's wish even to his own disadvantage." And then: "Despite his admirable qualities, Eliezer still remained a member of the cursed Canaanite nation."⁴ So much for damning with faint praise!

- 2 This Shabbat, we read Parashat Chayyei Sarah, which includes the story of Abraham sending Eliezer out across the desert to find a wife for Isaac. But Eliezer's status as a 'cursed Canaanite' makes it rather difficult to understand why, when Abraham issued the instructions, he made Eliezer swear "by the Eternal One, the God of heaven and the God of earth".⁵ What would be the point of making Eliezer swear on the God of a different tribe?

- 3 Come to that, what is the point of oaths at all? We use oaths – and their close cousin, vows – for all sorts of things these days. New British citizens are required to swear an oath of allegiance. MPs swear (with greater or lesser sincerity) loyalty to the Queen. In January, Joe Biden will be swearing an oath of office. And, perhaps most famously, there is the oath to tell the truth, the whole truth and nothing but the truth, sworn by witnesses in court.



- 4 All of these ceremonies are little pieces of mini-ritual, almost theatre, designed to impress upon the oath-taker and their audience how solemn the moment is. And not just the moment: the Presidential oath is intended to convey a solemnity that will last throughout the entire term of office, and the witness's oath is there as a reminder that the truth must be told throughout their stint in the courtroom.
- 5 Whether or not this theatre achieves its purpose is entirely dependent on the person involved. Some people will be awed by the sombreness of the ceremony. Others will find it meaningless and maybe even old-fashioned or insulting.
- 6 Culture obviously plays a role here. And, indeed, oaths are often adapted for those with different backgrounds and traditions. Atheists aren't required to 'swear by Almighty God',⁶ because that would obviously be meaningless for them. Jews aren't required to swear on the New Testament⁷ for the same reason. A wonderful Victorian book called *Stringer on Oaths and Affirmations*⁸ describes all sorts of different options used by 19th-century courts: one for "Quakers and Moravians",⁹ one for "Mahomedan witnesses",¹⁰ "Portuguese witnesses",¹¹ "Lascar witnesses"...¹²
- 7 Most of these are just different combinations of books and substituted words for 'Almighty God', but there are some wildly creative ones reported as well, particularly involving witnesses of Chinese origin: burning pieces of paper, snuffing out candles, decapitating a rooster. One trial, involving a Chinese gang feud, used an oath ceremony which involved "breaking a saucer with the warning '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 the saucer.’ So many Chinese witnesses were called that by the time the last witness appeared he gave evidence standing ankle deep in smashed crockery.”¹³

- 8 This seems quite enlightened! These all took place in British courts. Victorian judges, making allowances for different religious traditions and cultures? Perfect! They could have just imposed the Christian oath on everyone, but instead they were accommodating. That’s brilliant.
- 9 But... no. It was all made up by the judges, who clearly got carried away with themselves inventing orientalist rituals for exotic witnesses. A contemporary reporter noted how “Chinese witnesses usually laughed or grinned” when asked to break a saucer ‘in accordance with their tradition’. “The Chinese have a strong sense of the ludicrous,” he added.¹⁴
- 10 In 1974, a Hindu woman giving evidence in court was so offended when the judge insisted that she swear “by the Holy Waters of the Ganges and by the Sacred Animal the Cow” that she complained to the authorities about how objectionable this imposed gibberish was.¹⁵ Worse still is the oath that was imposed on Aborigines appearing in Australian courts in the 1930s: composed in horrible made-up pidgin English, it included, “You tellum true fella all the time; what you bin see yourself alonga your own eye.”¹⁶
- 11 A somewhat similar cultural prejudice infects the whole story of Abraham sending Eliezer out in search of a wife for Isaac. Not only does he force his Canaanite servant to swear a Hebrew oath to the Hebrew God, what he made Eliezer swear to do was not to select a wife of Canaanite origin!



Abraham's insistence on a non-Canaanite daughter-in-law can only be chalked up to a very particular form of xenophobia. It wasn't that he was particularly keen on his son marrying a nice Jewish girl, because of course there were no Jewish girls at the time, nice or otherwise. It was just prejudice.

- 12 Equally, the oath was not a normal sort of oath. It wasn't a promise to tell the truth or to uphold the constitution or to serve the Queen, but a promise to do something that Abraham might have done himself. This is the real problem. Abraham treated Eliezer (The Other) as a surrogate for the self. He used Eliezer to do what he, Abraham, could and perhaps should have done – what Abraham wanted to do – and treated Eliezer as a mere extension or avatar, swearing him as if he was Abraham and instructing him to act according to the same prejudices as Abraham.
- 13 It is a delight, truly a delight, to welcome guests into our service tonight. (We can't welcome you into our space, but we're working on that!) To be joined by those from other faiths, and none, is so important. Learning about different people's cultures and religions is how we avoid stereotyping, how we avoid horrible mock-Aboriginal patois, how we avoid instrumentalising The Other and just using them for our own benefit. How we avoid needless piles of broken crockery. These encounters help us to live together as equals. Kein y'hi ratzon; may this be God's will.

Check against delivery.

GKW 13.11.20



¹ “Eliezer” in Michael Berenbaum and Fred Skolnik (eds), *Encyclopaedia Judaica* vol 6, (New York: Macmillan Reference, 2007; 2nd ed): 322.

² See Genesis Rabbah 60:7, which also mentions that Eliezer was the cursed Canaan (grandson of Noah) in person. Given the amount of Eliezer/ Canaanite mishigas which I’m about to delve into, I just don’t have the energy to address this idea.

³ His ‘giant name’ was Og: see eg m.Soferim 21:9.

⁴ The curse of Canaan was handed down in Genesis 9:25.

⁵ Genesis 24:3

⁶ Oaths Act 1978, s 5(1)

⁷ Ibid, s 1(1)

⁸ Edmund R Cook and A O Thomas. *Stringer on Oaths and Affirmations in Great Britain and Ireland, for the use of Commissioners for Oaths* (London: Stevens and Sons, 1929; 4th ed).

⁹ Ibid: 126-127.

¹⁰ Ibid: 165.

¹¹ Ibid: 168.

¹² Ibid.

¹³ Mark Weinberg. “The law of testimonial oaths and affirmations” 3 Monash U L Rev 25 (1976): 31.

¹⁴ Tony Radevsky. “Is the oath out of date?” 130 New L J 397 (1980).

¹⁵ Weinberg, *ibid*: 27.

¹⁶ Russell Goldflam. ““Silence in Court!’: problems and prospets in Aboriginal legal interpreting” 13 Aust J L & Soc’y 17 (1997): 45.