191 To Swear

Our Savior forbids swearing,[[1]](#endnote-1) Matt. 5[:34]: “Do not swear at all.” Where Augustine, *De Verbo Domini*,[[2]](#endnote-2) Christ said this that a man should not seek to swear and with a continuity of swearing he falls into injury. The reason[[3]](#endnote-3) is not the swearing, except with necessity urging, thus therefore [Matt. 5:37]: “Let your speech be yes, yes; no, no: and that which is over and above these, is of evil,” that is, from the evil of that one who is sworn, who otherwise does not wish to unless he dares an oath. Abraham offered himself for swearing to King Abimelech in a confederation between themselves on account of his incredulity, Gen. 20[:2]. Wherefore Chrysostom, *Homilia* 12,[[4]](#endnote-4) unless swearing is forbidden by anyone so ever, perjuries cannot be cut off. For no one swears frequently without he perjures himself, as he who frequently speaks it is necessary that sometimes he speaks impurely, and he who frequently strikes it is necessary that sometimes he strikes unjustly.

Therefore, it is said in Eccli. 23[:9; 12]: “Let not your mouth be accustomed … in it there are many falls.” And it follows, “A man that swears much, shall be filled with iniquity.” On account of which in James 5[:12] it is said, “Above all things, my brethren, swear not, neither by heaven,” etc. Wherefore Chrysostom, *Homilia* 12,[[5]](#endnote-5) by whatever a man swears in as much as is in him let him sanctify it. Therefore, in this he makes an idolatry by swearing, therefore oaths must be repaid to the Lord when, namely, one can swear in necessity, Deut. 6[:13]: “Thou shalt fear the Lord thy God, … and thou shalt swear by his name.” Therefore, an oath must be about things that are allowed and honest.

Wherefore Isidore says, *De summo bono*, book 3, chapter 31,[[6]](#endnote-6) an oath is not to be observed which is evilly permitted, and it follows there in the same place by whatever art of words it is sworn, God, who is the witness of the conscience, he accepts it thus, just as that one to whom it is sworn understands it. Such a one is said to be guilty because he has taken the name of God in vain and deceived his neighbor. Note therefore for this that for an oath to be permitted three things ought to concur: truth in the conscience of the one swearing. Second judgment in the case so that namely it is with due deliberation, and that that justice be in the matter judged, Jer. 4[:2]: “And you shall swear: As the Lord lives, in truth, and in judgement, and in justice.”

Again, note that Chrysostom, as above,[[7]](#endnote-7) by which whoever swears through anything than through God sins doubly because he swears and because he deifies that thing through which he swears in as much as it is himself.

Again, in the same place who swears through another than through God makes that better than himself.

Again, according to that of *De summo bono*, book 2,[[8]](#endnote-8) they are delinquent who force others to swear and greatly if they know the other will swear falsely. Wherefore Augustine says in a certain sermon,[[9]](#endnote-9) concerning perjury if he does not know one would swear falsely and forces him to swear it is a slight sin, but however it is a human temptation. If, however he knows he would swear falsely and forces him to swear it is homicide. Rather it is worse than homicide because he kills his soul and the soul of the one who perjures himself, Lev. 19[:12]: “You shall not swear falsely by my name.” Et Deut. 5[:11]: “You shall not take the name of the Lord your God in vain.” Note here concerning Marcus Regulus because he preserved his oath, according to Augustine, *De civitate* book one, chapter 16.[[10]](#endnote-10)

1. Cf. Hugh Ripelin of Strasburg, *Compendium Theologicae Veritatis* 5.70 (8:201a): Septimum consilium est de simplicitate verborum, ut ibi: *Sit sermo vester, est, est: non, non*. Cujus sensus est. Si affirmatio vel negatio est in ore, sit et in corde. Et ad hoc consilium reducitur illud Matthæi: *Audistis quia dic est antiquis non perjurabis Ego autem dico non jurare omnino.* [↑](#endnote-ref-1)
2. Augustine, *De Sermone Domini in Monte* 1.51 (PL 34:1255): Ita ergo intelligitur praecepisse Dominum ne juretur, ne quisquam sicut bonum appetat jusjurandum, et assiduitate jurandi ad perjurium per consuetudinem delabatur. Quapropter qui intelligit, non in bonis, sed in necessariis jurationem habendam, refrenet se quantum potest, ut non ea utatur, nisi necessitate, cum videt pigros esse homines ad credendum, quod eis utile est credere, nisi juratione firmentur. [↑](#endnote-ref-2)
3. Cf. Thomas Aquinas, *Summa Theologica* 2-2, quest. 89, art. 2, preaeterea: sit autem sermo vester, est, est; non, non. Quod autem his abundantius est a malo est. [↑](#endnote-ref-3)
4. (Pseudo-)Chrysostom, *Opus imperfectum in Mattheum*, Homilia 12 cap. 5 (PG 56:697): Nam nisi juramentum interdicatur, non possunt amputari perjuria. Ex juramento enim perjurium generatur. Nemo est enim, qui frequenter jurat, et non aliquando perjuret. … Sicut enim qui facit consuetudinem multa loqui, necesse est ut aliquando et importuna loquatur, et qui facit consuetudinem frequenter manu sua percutere, necesse est ut aliquando it injuste percutiat. [↑](#endnote-ref-4)
5. Cf. (Pseudo-)Chrysostom, *Opus imperfectum in Mattheum*, Homilia 12 cap. 5 (PG 56:699): Ecce enim in lege praecipitur, ut per nullum juretur, nisi per Deum: qui ergo jurat per caelum aut per terram, aut quidquid illud est, per quod jurat, deificat illud. [↑](#endnote-ref-5)
6. Isidore, *Sententiarum* 2.31.8-9 (PL 83:633): Non est observandum juramentum quod male incaute, aut quod malum in caute, aut quod male et incaute. Quacunque arte verborum quisque juret, Deus tamen, qui conscientiae testis est, ita hoc accipit, sicut ille cui juratur intelligit. Dupliciter autem reus fit qui et Dei nomen in vanum assumit, et proximum dolo capit. [↑](#endnote-ref-6)
7. (Pseudo-)Chrysostom, *Opus imperfectum in Mattheum,* Homili 12 cap. 5.34 (PG 56:698): Propterea idololatram se facit omnis, qui per aliquid aliud a Deo jurat, etiamsi jurare liceret; qui non reddit Domino Deo suo juramenta sua, sed elementis, et sic dupliciter peccat. Primum, quia jurat; deinde, quia deificat per quem jurat. [↑](#endnote-ref-7)
8. Isidore, *Sententiarum* 2.31.7 (PL 83:633): Sunt multi ad credendum pigri, qui non moventur ad fidem verbi. Graviter autem delinquunt qui sibi loquentes jurare cogunt. [↑](#endnote-ref-8)
9. Augustine, *De Scripturis,* Sermo 180.10.11 (PL 38:978): Et ipse qui exigit jurationem, multum interest si nescit illum falsum juraturum, an scit. Si enim nescit, et ideo dicit, Jura mihi, ut fides ei fiat; non audeo dicere non esse peccatum, tamen humana tentatio est. [↑](#endnote-ref-9)
10. Augustine, *De civitate Dei* 1.24 (PL 41:37): Regulus autem Poenos jam vicerat, imperioque Romano Romanus imperator non ex civibus dolendam, sed ex hostibus laudandam victoriam reportaverat; ab eis tamen postea victus, maluit eos ferre serviendo, quam eis se auferre moriendo. Proinde servavit et sub Carthaginensium dominatione patientiam, et in Romanorum dilectione constantiam, nec victum auferens corpus ab hostibus, nec invictum animum a civibus. [↑](#endnote-ref-10)