



Exodus 20:7, Its Implication For The Ghanaian Legal, Political And Social Institutions

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ABSTRACT:

The Commandment “You shall not misuse the name of the Lord your God, for the Lord will not hold anyone guiltless who misuses his name” Exodus 20:7, is the third of the Ten Commandments, which has its best interpretation from Leviticus 19:12- “Do not swear falsely by my name and so profane the name of your God. I am the Lord.

This text by implication prohibits the misuse of God’s name or mentioning the name of God in vain because the Lord will not allow any person who misuses His name in vain to go freely especially in swearing or taking oath in His name. It is emphasized that the name of God reveals His infinite power, authority, holiness, perfection and sovereignty. The name of God reigns supreme above all names, it is both transcendent and immanent. Using the Lord’s name in an oath directly appeals to him for involvement in the oath. As a result, any attempt to swear in God’s name and fails to keep the oath or fulfilling its obligation or commitment makes Him a liar which defiles His name. Oaths are made to be kept but this is not always possible with man. Because of the risk of breaking an oath taken in the name of God (for the Lord will not hold anyone guiltless who misuses His name), there were a number of admonitions against oath taking or false swearing in the holy name of God. It is emphasized that the mentioning of God’s must be with utmost reverence and seriousness.

The outline of this assignment begins an introduction which provides contextual background to the text (Exodus 20:7). Three biblical commentaries for this text were selected including Ellicott, Benson and Matthew Henry. Other sub-topics covered in this assignment include the meaning of oath, the name of God, oath of allegiance, implications of this text to the Ghanaian political, legal and social institutions.

INTRODUCTION:

God is relational and immanent. He keeps

relationship with his people and other creation.

For the Lord to live in peace with his chosen

nation Israel, he prescribed certain rules and regulations through Moses to govern their relationship. These rules and regulations are referred to as the Mosaic Law in the bible to serve as the basic standard of conduct for God's people. The summary of the Mosaic Laws constitute what is called the Decalogue (The Ten Commandments) as written in Exodus 20: 1 – 17. The "Law" was not intended to present the demands of the Holy God upon sinful people but also to make the theocratic system workable throughout Israel's history.

The "Law" is basically of two types – Casuistic and Apodictic. The Casuistic has the structure of "causes" and "effect" – if a man does so-and-so, then such-and-such will be the penalty. The Apodictic law formula is stated in terms of categorical imperative – you shall/shall not do so-and-so (the dos and don'ts). The best known and most outstanding example of the apodictic law in the Old Testament is the Ten Commandments, which prescribe man's responsibilities towards God as well as his proper relationship toward his fellow men (Exodus 20 : 1 – 17; Deut. 5 : 6 – 21).

The quotation in question "You shall not misuse the name of the Lord your God, (Exodus 20 : 7) is the third (3rd) in the Decalogue which has its best interpretation from Leviticus 19 : 12 – " Do not swear falsely by my name and so profane the name of your God. I am the Lord" (NIV)¹. This precept or commandment not only forbids all false oaths, but all common swearing where the name of God is used, or where God is appealed to as a witness of the truth. It also necessarily forbids all light and irreverent mention of God or any of His attributes and this, the original word לַשָּׁחַב "lashshav" particularly imports.

COMMENTARIES ON EXODUS 20:7

"You shall not misuse the name of the Lord your God; for the Lord will not hold anyone guiltless who misuses his name" (NIV).

According to Ellicott², most modern critics regard the phrase used as forbidding false swearing only, but some think that it forbids also "profane" or "vain swearing". Our Lord's comment in the Sermon on the Mount favours the

¹ NIV. The Devotional Study Bible, pp. 105

² <http://biblehub.com/commentaries/exodus/20:7.htm>

view that false swearing alone was actually forbidden by the law, since He proceeds to condemn profane swearing on His own authority: “But I tell you, do not swear at all; either by heaven, for it is God’s throne; or by the earth, for it is His footstool; or by Jerusalem, for it is the city of the Great King” (Matthew 5:34 – 35). Instead, “simply let your ‘yes’ be ‘yes’, and your ‘no’ be ‘no’..... (Matthew 5:37). Ellicott submits that false swearing is among the greatest insult that man can offer to God, and as being such, it is naturally forbidden in the “first table” which teaches us our duty to God. It is also destructive of civil society, and hence it is again forbidden in the “second table” (Exodus 20:16) which defines our duties towards our neighbours.

The laws of all organised States necessarily forbids it, and generally under a very severe penalty. The Jewish Law condemned the false witness to suffer the punishment which his evidence was calculated to inflict (Deuteronomy 19:19). The Egyptians visited perjury (breaking of oath) with death or mutilation. The Greeks were content to punish it with a heavy fine and ultimately with the loss of civil rights. The

Romans in the modern times inflicted the death penalty. It was generally believed, alike in Egypt, in Greece and in Rome, that the anger of the gods was especially provoked by this crime, and that a divine nemesis pursued those who committed it and made them suffer for their sin either in their own persons or in that their posterity.

“The Lord will not hold him guiltless”. Ellicott contends that punishment will assuredly overtake the perjured man (a man who wilfully delivers a false oath), if not in his life, then in another. Jehovah will vindicate His own honour.

Benson³ submits that the third commandment (Exodus 20:7) concerns the manner of our worship where we have a strict prohibition. Thou shall not take the name of the Lord in vain – supposing that haven taken the Jehovah for their God, they would make mention of His name, but this command gives a caution not to mention it in vain, and it still as needful as ever. According to Benson, people take God’s name in vain;

First, by hypocrisy – making profession of God’s name but not living up to that profession. Second,

³ <http://biblehub.com/commentaries/exodus/20:7.htm>

by covenant-breaking – if we make promises to God and perform not to the Lord our vows, we take His name in vain. Third, by rash swearing – mentioning the name of God or any of His attributes in the form of an oath without any just occasion for it, to no good purpose, or to no good. Fourth, by using the name of God lightly and carelessly – the profanation of the form of devotion is forbidden as well as the profanation of the form of swearing, as also, the profanation of any of those things whereby God makes Himself known. God who is jealous of His honour will not hold any one who misuses His name guiltless and will not connive at it, though the sinner may hold himself guiltless or innocent and think there is no harm in it, but God will Himself be the avenger of those that take Him name in vain.

Matthew Henry⁴ also contends that the third commandment (Exodus 20:7) concerns the manner of our worship, that it be with all possible reverence and seriousness. All false oaths are forbidden. All light appealing to God, all profane cursing is a horrid breach of this command. It matters not whether the word of God, or sacred

things, all such-like things break this commandment, and there is no profit, honour or pleasure in them.

MEANING OF OATH

According to Holman Bible Dictionary⁵, oaths are “statements by which a person promises or guarantees that a vow will be kept or that a statement is, in fact, true”. In the Old Testament, the name of God was invoked as the One who would guarantee the result or veracity of a statement. Oaths were often accompanied and evidenced by the raising of a hand or hands towards heaven or by placing the hands under the thigh (Gen. 14:22; 24:2 – 3; Daniel 12:7). In Israel, oaths were often announced at a sacred place and a prophet or priest would preside over the oath ceremony. If anyone violated the oath, its consequence was a serious matter. Using the Lord’s name in an oath directly appealed to Him for involvement in the oath. Therefore the Lord is hereby established as the Supreme Enforcer and Judge in the oath or the one to influence it. Those who violated oaths were considered to have defiled the name of the Lord (Lev. 19:12; Ezekiel

⁴ <http://biblehub.com/commentaries/exodus/20:7.htm>

⁵ Holman Illustrated Bible Dictionary, pp. 1204

17:13 – 18). Because of the risk of perjury – breaking an oath, there were a number of admonitions against oath (Exodus 20:7; Lev. 19:12; Jeremiah 34:18 – 20).

According to Longman Contemporary English Dictionary⁶, an oath is “a solemn formal declaration or promise to fulfil a pledge, often calling on God, a god or sacred object as witness. To swear is a verb used to describe the taking of an oath, to make a solemn vow. An oath must contain an appeal to a sacred witness. An oath which contains no appeal to a sacred witness is just a pledge or a statement of promise.

THE NAME OF GOD

According to Holman⁷, the name of God holds an important key to understanding the doctrine of God. The name of God is a personal disclosure and reveals His relationship with His people. His name is known only because He chooses to make it known. To the Hebrew mind, God was hidden and revealed, transcendent and immanent. Even though, He was mysterious, lofty

and unapproachable, He bridged that gap with mankind by revealing His name.

God reveals Himself as the Personal Creator and Lord of the Universe, the Redeemer of His people, the ultimate Author and Principal Subject of scripture and the subject of the church’s confession, worship and service. At the heart of the biblical presentation of God is that God alone is the personal Creator and Lord and that if He is to be known truly by His creation, He must take the initiative in making Himself known (1 Cor. 2:10 -11; Heb. 1:1 – 2). No doubt His existence and power are disclosed in the created order.

Three important statements can be highlighted here from the names of God in scripture. First, as the covenant Lord, God is both transcendent over and immanent in His world. God is presented as the Lord who is exalted above and over His world (Psalm 1:17; 9:2; Isaiah 6:1). Transcendence speaks of God’s distinction and separateness from His creation and thus, His complete lordship over it. Though He is transcendent, He is also immanent – actively involved and present in His world (Psalm 139:1 –

⁶ Longman Dictionary of Contemporary English, pp. 1128

⁷ Brent R. Kelly, Holman Illustrated Bible Dictionary, pp. 1171

10; Acts 17:28; Ephesians 4:6). Second, as covenant Lord, God is infinite, sovereign and personal. Third, as covenant Lord, He has the character of holy love and moral perfection. In all of God's dealings with His people and His creation, God displays the wonder, sovereignty, holiness, love, perfection and faithfulness of His character.

The truth of God's character is focused in His name. The name of God reveals God's power, authority and holiness. This accounts for Israel's great reverence for God's name which Exodus 20:7 prohibits its violation. God's name is great, powerful and exalted above every name that this universe could enlist. God's name is His promise to dwell with His people. Israel fought battles with that name and conquered, prophets and priests spoke with it in authority, and Satan bows and flees at the mentioning of God's name. Due to the fact that God is Almighty, His nature is sovereign, holy and sacred, and His power is efficacious, potent and exalted above all, His name must be highly honoured and not be misused. In this respect, oaths taken in God's name were considered binding and breakers of such oaths

were severely punished according the customs and traditions of the people. Using the Lord's name in an oath directly appeals to Him for involvement in the oath. Thus, He is established as the Supreme enforcer and Judge in the oath. Those who violated such oaths were considered to have defiled the name of the Lord (Lev. 19:12; Ezekiel 17:13 – 18).

OATH OF ALLEGIANCE

According to Wikipedia, the free encyclopedia⁸, an oath of allegiance is an oath whereby a subject or citizen acknowledges a duty of allegiance and swears loyalty to a paramount king, a monarchy or a country. In republics, modern oaths specify allegiance to the country in general or the country's constitution. For example, elected Presidents in republican nations take an oath of office that includes swearing allegiance to their nation's constitutions. In a particular instance, officials in the United States take an oath of office that includes swearing allegiance to the United States' constitution. However, in a constitutional monarchy such as United Kingdom and other commonwealth realms, oaths are sworn

⁸ <http://en.wikipedia.org/wiki/Oath>

to the monarch. A typical example of an oath of allegiance is that sworn by Members of Parliament in the Netherlands:

I swear (affirm) allegiance to the King, to the statutes for the kingdom

of the Netherlands, and to the Constitution.

I swear (affirm) that I will

faithfully perform the duties of my office lay upon me. So help me God

Almighty! (This I declare and affirm).

GHANAIAN POLITICAL INSTITUTIONS

In the Ghanaian political institution, the President as well as the Vice-President, the Members of Parliament, Ministers, MMDCEs, Diplomatic Corps, Speaker of Parliament, Presiding Members, Assemblymen, etc, having been elected or appointed to their various offices take oaths of allegiance to the nation's republican constitution and to their duties. For example, stated below is the oath of office of the President of Ghana and Members of Parliament:

Presidential Oath⁹

⁹ 1992 Constitution of the Republic of Ghana (abridged), pp. 194.

I (name), having been elected to the high office of the President of the Republic of Ghana do in the name of the Almighty God swear (or do solemnly affirm) that I will be faithful and true to the Republic of Ghana; that I will at all times preserve, protect, and defend the constitution of the Republic of Ghana; and that I dedicate myself to the service and well-being of the people of the Republic of Ghana and to do right to all manner of persons. I further solemnly swear (or solemnly affirm) that should I at any time break this oath of office, I shall submit myself to the laws of the Republic of Ghana and suffer the penalty for it.(So help me God)

The Oath of a Member of Parliament¹⁰

I (name), having been elected a Member of parliament do in the name of Almighty God swear (or do solemnly affirm) that I will bear true faith and allegiance to the Republic of Ghana as by law established; that I will uphold, preserve, protect and defend the Constitution of the Republic of Ghana; and that I will faithfully and

¹⁰ 1992 Constitution of the Republic of Ghana (abridged), pp. 198.

conscientiously discharge the duties of a Member of Parliament. (So help me God).

Again, Article 59 of the Constitution of Greece states that Members of Parliament shall take the following oath:

I swear in the name of the Holy, Consubstantial and Indivisible Trinity to keep faith in my country and in the democratic form of government, obedience to the Constitution and the laws and to discharge conscientiously my duties.

Article 33 of the Constitution of Greece states that the President of the Hellenic Republic must take the following oath:

I swear in the name of the Holy, Consubstantial and Indivisible Trinity to safeguard the Constitution and the laws, to ensure their faithful observance to defend the national independence and territorial integrity of the country, to protect the rights and liberties of the Greeks and to serve the general interest and the progress of the Greek people.

The 1992 Constitution of the Republic of Ghana¹¹ stipulates forms of oath including the

¹¹ 1992 Constitution of the Republic of Ghana, pp. 194 – 198

Oath of Allegiance, the Presidential Oath (as shown above), the Oath of the Vice-President, the Judicial Oath, the Oath of Members of Council of State, the Cabinet Oath, the Oath of Minister of State, the Oath of Secrecy, the Official Oath, the Speaker's Oath, etc. A critical study in all the oath statement reveals that all these oaths statements have portions that seek to invite God as a witness to the oath and portions that seek his help in keeping the oath. But the question is do the oath-takers keep the said oaths in reverence to the name of God used or dishonour the oath?

From the above oath sentences or statements, it is obvious that in the political institutions, this divine prohibition – “Thou shall not take the name of the Lord thy God in vain”, is to a large extent violated. This is because those who take the oaths (the political figures) do not live up to what they profess despite the fact that they take the oaths in the name of God (“..... do in the name of Almighty God swear,”), appealing to Him as a witness, and asking Him to help them keep the oaths (“So help me God”). Oaths are made to be kept, but that is not always possible with some of the oath-takers. In most

cases, our political leaders turn to forget that they have taken oath of office that binds them to behave and perform their duties in a responsible manner, but what do we see in this country and the countries around? Economic mismanagement, financial waste, corruption, power perpetuation, etc have become the practices of our political leaders. Oath-breakers can only redeem themselves from their guilt and punishment from God if only they remain faithful and truthful to the oath and its demand.

GHANAIAN LEGAL INSTITUTIONS

In law, oaths are made by a witness to a court of law (sworn testimony) before giving testimony and usually by a newly appointed government officer to the people of a state before taking office. In both of those cases, though, an affirmation can usually be substituted. A written statement, if the author swears the statement is the truth, the whole truth, and nothing but the truth, is called an affidavit. Wilfully delivering a false oath (or affirmation) is the crime of perjury.

Sworn testimony is evidence given by a witness who has made a commitment to tell the truth. If the witness is later found to have lied

whilst bound by the commitment, they can be charged often with the crime of perjury.

In the Ghanaian legal system, apart from the witnesses who are made to swear before giving testimonies, Judges, Lawyers, prosecutors, etc (those entrusted with the law), also take oath in the name of God binding them to discharge their duties in a truthful manner, but what happens in our courts – bribery, corruption, falsehood, lies, unfair hearing and treatment against the poor, etc. Both defendants as well as complainants swear in the name of God by using a book of scripture or a sacred object of their faith to tell the truth, the whole truth and nothing but the truth, but most of them end up in telling lies. Discussions I held with a court registrar and a lawyer revealed that the oath taken at the court is considered a mere formality and nothing religious. A case in point recently is when Ghana Football Association (GFA) President Mr. Akwasi Nyantakyi (a Lawyer) when appeared before the Sports Enquiry Commission used Quran to swear instead of the Bible (since he a Christian) to tell the truth, the whole truth and nothing but the truth. During his second appearance, the Commission requested

that he takes the oath again after realising that he lied to the Commission of his faith. It was also unveiled that the court doesn't deal with truth but evidence. If the alleged truth cannot be supported by evidence it becomes falsehood in the eyes of the court. On the other hand, if there is enough evidence to support the alleged falsehood, in the eyes of the court that is considered as the truth. In this respect, why do people take oath at the courts of law in the name of God, appealing to Him as a Divine Witness under such pretence? God's name is forever holy and shouldn't be defiled at the court with false swearing.

In the ancient world, taking an oath in the court of law was characteristically performed in the presence of the image of a god and the oath itself was pronounced in the name of that god. In Israel, there could be no question of oath-taking before an image of the Lord because of the prohibition found in the second commandment. Nevertheless, even apart from formal court procedure it was common practice for Israelites and, on occasion, non-Israelites (1 Kings 17:9, 12) to swear by the name of the Lord in order to confirm the truth of their assertions. It is clear,

then that the third commandment is more an injunction against perjury than against profanity. In addition, however, it was believed in ancient time to manipulate a name in any way was also to control, at least to some extent, the person who bore that name. To pronounce the name of a god, therefore, was to influence that god somewhat, whether for good or for evil. Swearing by the name by the one true God is thus always a hazardous proposition. This fact should serve to remind us of the solemnity of the oath taken by witnesses in our modern courts, an oath that concludes with the affirmation "So help me God." To be aware of the ever-present danger of showing disrespect for God's name is to take seriously Christ's commentary on the third commandment: "Do not swear at all, either by heaven, for it is the throne of God, or by the earth, for it is his footstool, Let what you say be simply "yes" or "no" (Matthew 5:34, 35, 37). From the bible ("A false witness will not go unpunished, and he who pours out lies will not go free" Proverbs 19:5; "Keep falsehood and lies far from me" Proverbs 30:8; "I hate and abhor falsehood..." Psalm 119:163; "Do not swear

falsely by my name and so profane the name of your God. I am the Lord” Leviticus 19:12)

GHANAIAN SOCIAL INSTITUTIONS

There are a number of social units where oaths-taking are crucial in certain undertakings. These include chieftaincy, marriage, traditional court system, inter-personal charts.

Among the Asantes, newly chosen kings take oath of allegiance to the Asantehene (Otumfoɔ) where they pledge their loyalty, faithfulness and commitment in a well organised traditional setting. Similar thing is done in the communities where newly selected chiefs and elders also swear oath of allegiance to their respective kings and paramount chiefs.

In marriage, especially christian marriage or Ordinance (Cap. 127), the man and woman who have agreed to be joined together in marriage vow to each other in the presence of the Officiating Minister or the Court Marriage Registrar and the witnesses to live as husband and wife so far as the two of them shall live, for better and for worse. The vow statements are

presented below as stated in the Methodist Liturgy¹².

Prayer by the Minister: “Almighty God, as you have brought A.B. and C.D. together in love and trust, mercifully enable them through the power of the Holy Spirit to make and keep the vows they are about to make through Jesus Christ. Amen.”

The Minister shall say to the man: “A.B. will you live together with this woman as your wedded wife according to the law of God in the holy estate of matrimony? Will you love her, honour and keep her, and forsake all others keep faithfully only to her so long as you both shall live?”

The man shall answer:

I will.

The Minister shall say same to the woman, and the woman shall answer; I will.

These marriage vows or oaths are made in the presence of God and human witnesses but in most cases, several marriages get dissolved on trivial issues. At certain times too, the parties don't remain faithful to each other, they do not live as wedded couple according the law of God who was

¹² The Methodist liturgy, pp. 119.

at the initial stage appealed to, to enable the couple keep the vows made in His presence. Vows or oaths made in the name of God or in the presence of God are meant to be kept, but in most cases, due to the weakness and unfaithfulness of man, such vows are not honoured and by so doing defile, misuse or profane the name of God.

Another area where the name of God is mostly misused is interpersonal communication. Communication is a major fibre of the society through which the society is built, heard and becomes active. Man as a social being communicates to and with each other. In most cases, when someone wants to prove that his/her assertion is the truth, he/she swears to God in heaven or to a sacred object for the audience to believe that it is the truth that is been said, but it may not be so. In our social conversions and interactions, misuse, careless and profanity of God's name is very common. For example, interjections such as; O God! My God! Good God! Good Heavens! etc are carelessly used in our daily expressions. If we cannot misuse or profane the names of gods around us or the names of our paramount kings/chiefs like Otumfoɔ the

Asante King, and remain guiltless, how much more the Lord God Almighty whose throne is heaven and the earth His footstool?

CONCLUSION

From the discussions, one could realise that this third commandment (Exodus 20:7) is against false swearing, blasphemy, irreverent use or misuse of God's name. The text doesn't prohibit the use of God's name but rather, the careless, misuse or profanation of God's name as use in oath-taking. God has said emphatically that anyone who misuses his name will be punished either in this life or posterity. Great care should be taken that a man swears to that which is true, and not false; for false swearing or perjury is a very grievous sin and as it is strictly forbidden, it is severely punished by God (Leviticus 19:12). The name of God should be treated with all the needed reverence. James 5:12 says "Above all my brothers, do not swear – not by heaven or by earth or by anything else. Let your 'Yes' be yes, and your 'No' be no, or you will be condemned" (NIV)¹³.

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<http://biblehub.com/commentaries/exodus/20:7.htm> (Ellicott's Commentary for English Readers; Benson's Commentary; Matthew Henry's Concise Commentary).