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Roy Johnson

A Comparison of the Use of the Oath in the Old Testament and the Book of Mormon

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Summary:

Roy Johnson examines the rituals and formulas of oaths, types of oaths, and the use of oaths in both the Old Testament and the Book of Mormon. Johnson compares the use of oaths, curses, and covenants in the Old Testament and the Book of Mormon to show that the relationship among those three acts is the same in both books.

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A COMPARISON OF THE USE OF THE OATH IN
THE OLD TESTAMENT AND THE BOOK OF MORMON

Roy Johnson

The oath was an integral part of the political, religious, social, and legal life of ancient society. Consisting of a covenant and a curse, it forms a conditional self-curse, the person who swears the oath expressing willingness for the curse to fall upon him if he fails in his pledge. Ancient Israelites, Babylonians, and the people of even earlier civilizations used oaths to give their words and promises a binding force and power.¹ The oath was irrevocable;² the swearer of the oath placed its enforcement in the hands of the divinity which he recognized as controlling his very life.³ Thus, the divine oath needed no social or civil enforcement; God Himself would punish the false swearer.⁴ For this reason, the Old Testament lists no civil punishment for one who swears falsely.

Oath, Curse, and Covenant

There is a strong connection between oath, curse, and covenant in the Old Testament. The words are used interchangeably, though curse and covenant designate only parts of the oath itself. In fact, according to one scholar, "the parallel between covenant and oath is widespread through the Old Testament and is by no means confined to one type of covenant or one period in Israel's history or one type of literature."⁵ The same may well be said of oath and curse, where the "term 'curse' ('alah) freely interchanges with 'oath.'"⁶ A possible relationship has also been seen between the Hebrew seven and to swear.⁷ Manfred Lehmann believes that swear developed from seven, since the number seven was an "essential feature" in oath ceremonies.⁸ He states that the "basic meaning of the oath was: seven animals killed in the presence of the parties to the oath, with the explicit or implicit meaning, 'may the fate of these seven befall the one who breaks the oath.'"⁹ J. Pedersen denies any connection between the two,¹⁰ and the Encyclopedia Judaica refutes Lehmann's

theory, but adds "the original sense might have been 'to lay (curses in) sevens on someone' or 'to take (curses in) sevens on oneself'."¹¹ The actual connection between the words, if any, is not clear, but the disagreements at least all show the acknowledged relationship between oath and curse.

Oath Rituals

The oath in its fullest expression might contain all of the following elements: invoking the name of deity to witness the oath and serve as guarantor, naming the full curse or punishment if the conditions are not met, performing a symbolic ritual or showing a token of the curse, covenant, or condition, specifying the object or extent of the curse, and using a gesture to seal or actually form the oath. Many oaths, of course, contain only some of these elements. A fine example of an oath ritual is found in the treaty oath between Ashurnirari V and Mati'ilu, from ca. 750 B.C. A ram is brought forth, its head severed, and its body cut into pieces. The words of the oath include:

This ram is not brought from his herd for sacrifice, nor (other rites). It is to make the treaty of Ashurnirari, king of Assyria, with Mati'ilu that he is brought out. If Mati'ilu (sins) against the treaty sworn by the gods, just as this ram is bro(ught here) from his herd and to his herd will not return (and stand) at its head, so may Mati'ilu with his sons, (his nobles), the people of his land (be brought) far from his land and to his land not return (to stand) at the head of his land.

This head is not the head of a ram; it is the head of Mati'ilu, the head of his sons, his nobles, the people of his land. If those named (sin) against this treaty, as the head of this ram is c(ut off) his leg put in his mouth, (...) so₁₂ may the head of those named be cut off. . . .

In this graphic ritual, the curse is specific, the parties to the curse are identified and the terms of the covenant or treaty have been clearly written out.

In the Old Testament a similar oath ritual is described:

Then I called the priests, and took an oath of them, that they should do according to this promise. Also I shook my lap, and said, So God shake out every man from his house, and from his labour, that performeth not this promise even thus be he shaken out, and emptied.¹³

Another oath ritual is described in the ordeal of the bitter waters.¹⁴ In this ritual the curse itself is not symbolized, but the bitter waters symbolize the power of God called upon in the curse. The water "causeth the curse," but it is the Lord who will "make thee a curse and an oath among thy people, when the Lord doth make thy thigh to rot and thy belly to swell." Note that oath and curse are used synonymously here. Horst points this scripture out as an example of the power the curse has within itself, but which becomes active only "when the workings of the curse, wished for by man, are put into order and placed in power by God."¹⁵ There are two powers involved, that of the bitter waters (the ordeal) and that of the oath; but the oath is the controlling power. DeVaux says, "The oath itself is therefore an ordeal, a judgement of God, in Nb 5:11-31, it is only one action of a fuller ritual."¹⁶

Oath Formulas

Such fully expressed curses as those accompanying the oath rituals are uncommon in the Old Testament. "As a rule," one scholar observes, "the condition alone appears in oath statements, the self-curse being omitted for superstitious reasons."¹⁷ In fact, most biblical oaths are only "fragmentary reflections of these patterns, and abound with idiomatic peculiarities."¹⁸ Therefore, a number of different oath forms appear in the Old Testament. Sometimes the curse will be unspecified, as in the case of Ruth, who said to Naomi, "The Lord do so to me, and more also, if aught but death part thee and me."¹⁹ Explicit or not, the curse remained an important part of the oath and seemed to have been present in the mind and wishes of the ancient oath-taker.²⁰

The most common Hebrew oaths are those framed in an inversed conditional clause, introduced by a conditional particle.²¹ The

Encyclopedia Judaica states, "A negative oath normally is framed as an affirmative conditional statement with aposiopesis."²² It then gives the following examples: "Swear to me by God, if you will kill me or if you will deliver me to my master. . . ." and "By YHWH's life! if guilt shall come upon you for this. . . ."²³ However, the King James Version of the Bible, as well as others,²⁴ translates this form as, "Swear unto me by God, that thou wilt neither kill me, nor deliver me into the hands of my master. . . ." and "As the Lord liveth, there shall no punishment happen to thee for this thing."²⁵ Lehmann looks in detail at this oath form and lists in Hebrew the formulas involved together with their biblical references. He theorizes that oaths originally contained blessings as well as curses but that since man was more easily and more powerfully motivated by curses than blessings, the blessing statement disappeared, while the curse statement usurped its affirmative form. This created the inversed conditional clause, common in "practically all oaths."²⁶

Though an oath curse itself always contained the power to punish the false swearer,²⁷ the Israelites normally would invoke the name of God or some powerful substitute, such as the king or priest, in their oaths, calling upon him to supervise its fulfillment. "The holy being or object was invoked not merely to witness the truth and sincerity of the statement, but chiefly to punish the swearer if he spoke falsely. To bring the abomination of a lie into contact with the sacred name of God could only bring the direst of consequences on the swearer. It is to make contact with the holy that one joins the name of God to his asservation. . . ."²⁸ One such oath formulation is "by the Lord" and variations thereof ("by the Lord, the God of heaven, and the God of the earth").²⁹ The Old Testament mentions "the oath of the Lord" or "the Lord's oath" in the context of an oath sworn by the name of the Lord.³⁰ The most common of these divine oath formulas is "hai YHWH", which most often is translated, "as the Lord liveth".³¹ Greenberg interprets this to mean "by the life of YHWH."³² In any event, it should be remembered that this formula, though sometimes rendered "truly as the Lord liveth," is not merely a comparison of truths but an invocation of the person named as a guarantor, witness, and avenger of the oath.³³

An oath may also be sworn by the life of the person to whom the promise is made, when that person is in a position of power over the oathgiver's life, e.g., by the life of the priest or the king.³⁴ Joseph in Egypt, unrecognized by his brothers, swore to them in the Egyptian manner, "by the life of Pharaoh."³⁵ Often, the earthly powers are coupled with the divine, increasing the strength of the oath (e.g., "As the Lord liveth, and as thy soul liveth, O king. . . .")³⁶

The Bible records numerous accounts of the Lord swearing to attest to the truth of his covenants by himself, or his attributes and titles: God swears by himself as "the pride of Jacob", by his soul, by his holiness, by his "right hand and the arm of [his] strength", and by his "great name".³⁷ The reason God may swear by himself and no other is found in the New Testament, "For when God made promise to Abraham, because he could swear by no greater, he swore (sic) by himself... For men verily swear by the greater: and an oath for confirmation is to them an end of all strife."³⁸ By calling on his own name, God becomes the guarantor for his own oath. "Given the monotheistic assumption of the Old Testament, this is the only guarantee a divine oath can have or needs."³⁹ In God's oaths, as in man's, "the most frequent and forceful formulae refer to the 'self' or 'life' of Yahweh."⁴⁰ God himself uses most often the "hai YHWH" form, translated as "as truly as I live", or simply "as I live".⁴¹

God swears by himself because there is no greater, however, this is not the case with man. Horst points out, "No man swears by his own life."⁴² He then notes three elements of the Israelite oath: it must call on a sphere of life the power and strength of which cannot be questioned, the oath is so formulated that this power becomes the assurance for the fulfillment of the oath, and the sincerity of the oathmaker is assured not only by a comparison to the immutability of that power but bound to it by his very life.⁴³ This analysis could not be applied to the oath of a person swearing by his own life. The Encyclopedia Judaica notes, however, that in later Hebrew formulas, "the swearer stakes something precious as a guarantee of his word."⁴⁴ It cites the "unique" adjuration "by gazelles and hinds of the field", and the Rabbinic oath "by the life of my head".⁴⁵ This

analysis changes the meaning attached to the oath-object from that of a witness or guarantor to that of a type of surity. In this type, an oath by one's own life becomes not only possible but powerful. It is notable, however, that nowhere in the Old Testament is there an example of such an oath.

Oath Gestures

The Israelites commonly used certain gestures to making their oaths. The most common of these oath gestures is the raising of the right hand or, sometimes, both hands.⁴⁶ A person is lifting his hands to God and heaven when he uses this gesture.⁴⁷ The phrase "lift up my hand" is synonymous with "to swear" in the Old Testament.⁴⁸ Even God lifts up his hand(s) in swearing.⁴⁹ The other oath gesture, mentioned only twice, was used by Abraham and Israel and consisted of placing the hand under the thigh or on the male genitals of the adjurer.⁵⁰ The Rabbis explained it as "an oath by circumcision."⁵¹ Pedersen, in somewhat more detail, explains that the gesture symbolizes present and future life and posterity. The gesture is still used among Arabs, where this meaning is expressly stated. Thus, Pedersen feels this gesture means that the oath-taker will be cut off from the tribe and family group. He notes that the oath is sworn to the head of the tribal group in both cases.⁵²

Types of Oaths

Oaths are either promissory or assertive, depending whether the statements they make concern the past and present or future.⁵³ The promissory oath is assurance that something will be done in the future. It is sworn in personal and religious covenants and in political treaties. Most of the oaths in the Old Testament are promissory oaths.⁵⁴ There are few restrictions on the use of promissory oaths, besides matters of usage with the exception of the use of oaths by women. The oath "[binds] her soul"⁵⁵ and so may be abrogated by her father or husband according to the procedure described in Numbers 30.

Assertive oaths are those "used in both criminal and civil procedure, by defendants to establish their innocence or by witnesses

to support their testimony."⁵⁶ Pedersen distinguishes between the Reinigungseid (oath of purification) and Bekraeftigungseid (oath of confirmation) depending on whether a person is the accused or the plaintiff.⁵⁷ He also finds that the witness oath is a type of confirmation oath.⁵⁸ The Encyclopedia Judaica similarly divides the assertive oath into two parts: the exculpatory oath and the adjuration to give testimony or information.⁵⁹ Though not as prevalent as the promissory oath, the assertive oath appears enough times in the Old Testament to give a picture of the procedure followed in its use.⁶⁰ The exculpatory oath was

exacted by the plaintiff from the defendant to back the latter's plea of innocence when no witness to the facts was available; the oath was taken at the Sanctuary (Ex. 22:7,10; the procedure is described in 1 Kings 8:31). If the defendant took the oath, the suit was decided in his favor (Ex. 22:10); if he refused to swear, his plea was automatically rebutted and he lost the suit, (referred to in Ecclesiastes 9:2 as 'he who is afraid of the oath')."⁶¹

The Use of Oaths

In biblical times, oaths were used commonly with few or no restraints. The Bible contains warnings only about swearing falsely and God himself, as we have noted, swears numerous times.⁶² Swearing in the name of the Lord was a sign of righteousness, and in the Old Testament is an actual commandment.⁶³ Because one showed his allegiance by the gods whom he chose to swear by, swearing by gods other than YHWH signifies apostacy.⁶⁴ Only the "preacher" warns against entering into oaths too rashly.⁶⁵ The later rabbinic period, however, sees Ben Sira warning that the seriousness of oaths means one should not enter into them lightly and Philo's advice to avoid them totally.⁶⁶ Ultimately, in some areas, oaths by the name of the Lord were prohibited except in judicial proceedings.⁶⁷

The Book of Mormon

The oaths contained in the Book of Mormon show that the ancient American civilizations gave the oath a position as important as their forefathers in the ancient Near East. For the most part, the

understanding of and formulas for the use of oaths in the Book of Mormon parallel those of the Old Testament. As in the Old Testament, oath and covenant are used interchangeably in the Book of Mormon.⁶⁸ In fact, Helaman uses the term, covenant in describing a complete oath ceremony that includes a covenant, a conditional curse, manifestation of agreement to these conditions, the calling upon of the name of God, and a token of the curse itself. He writes:

The people came running together with their armor girded about their loins, rending their garments in token, or as a covenant, that they would not forsake the Lord their God; or, in other words, if they should transgress the commandments of God, . . . the Lord should rend them even as they had rent their garments. . . . Now this was the covenant which they made, and they cast their garments at the feet of Moroni, saying: We covenant with out God that we shall be destroyed... yea, he may cast us at the feet of our enemies, even as we have cast our garments at thy feet to be trodden under foot, if we shall fall into transgression.⁶⁹

A token is associated with the oath-curse in only one other Book of Mormon incident, a spontaneous battlefield curse that is more threat than covenant: "Even as this scalp has fallen to the earth, which is the scalp of your chief, so shall ye fall to the earth except ye will deliver your weapons of war and depart with a covenant of peace."⁷⁰ As in the Old Testament, the express curse statement is rare in the Book of Mormon, found only in the two previously cited places, where the curses are also symbolically represented.

Power of the Oath

The power of the oath was well understood among the people of the Book of Mormon. Zoram stopped struggling when Nephi assured him with an oath that he wouldn't be harmed; and when Zoram swore an oath that he would go with Nephi and his family, their "fears did cease concerning him."⁷¹ The king of the Lamanites swore an oath to Limhi and his people that the Lamanites "should not slay them" and the Lamanites consequently "durst not slay them," but noting

the extent of the oath, "would smite them on their cheeks, and . . . put heavy burdens upon their backs, and drive them as they would a dumb ass."⁷² Zerahemnah, the leader whose army was surrounded by Nephite armies, chose to face almost certain death rather than swear an oath of peace which he knew he would break.⁷³ The Anti-Nephi-Lehis, who had sworn an oath never to take up weapons of war again, were about to break that oath and assist the Nephite armies in the protection of their homeland but "were overpowered by the persuasions of Helaman and his brethren . . . for they were about to break the oath which they had made. And Helaman feared lest by so doing they should lose their souls."⁷⁴ Clearly, throughout the Book of Mormon, the great power of the oath was respected.

Assertive Oaths and Oath Gestures

The Book of Mormon records no use of assertive oaths, perhaps because the Book of Mormon is primarily a religious and not a secular account. As we have seen, the Bible itself contains few. Book of Mormon trials with recorded details all use witnesses or miraculous signs; since the assertive oath was used "only when no witness to the facts was available," we find none in these settings. The Book of Mormon also leaves no record of oath gestures, similar to the raising of the hands in the Old Testament. Baptism is identified as a sign of the covenant made with the Lord to keep his commandments, and Kline might argue that this, as sign of the curse, is thus an oath gesture, but it is certainly no parallel to the biblical gestures mentioned earlier.⁷⁵

Oaths of Wickedness

An interesting category of Book of Mormon oaths is called variously the "oaths of the ancients" (Jaredites), or "'secret oaths and combinations of Gadianton", or "oaths and covenants of wickedness" (Nephites and Lamanites).⁷⁶ These oaths, originating with the devil, are reintroduced to several generations. They are also called the oaths of the ancients because they have existed since the time of Cain, the first murderer.⁷⁷ They are "had among all people."⁷⁸ The oath formulas are not given in the Book of Mormon; in fact, Alma specifically

commands Helaman to keep these oaths and covenants secret, lest his people "fall into darkness also and be destroyed."⁷⁹ Those who made them swore "that they would protect and preserve one another in whatsoever difficult circumstances they should be placed, that they should not suffer for their murders, and their plunderings, and their stealings."⁸⁰ These oaths were "kept up by the power of the devil," to keep people in "darkness," and "to help such as sought power to gain power and to murder, and to plunder, and to lie, and to commit all manner of wickedness and whoredoms."⁸¹ There is no similar category or group of oaths in the Old Testament, though evil people generally swear oaths against the forces of righteousness in both the Book of Mormon and the Old Testament.⁸²

Oath Formulas

A comparison between the oath formulas used in the Old Testament and in the Book of Mormon shows that the most widely used oath formula in both is "as the Lord liveth" or "as sure as the Lord liveth".⁸³ An interesting variation of this formula not found in the Bible and used only once in the Book of Mormon, is the oath "as sure as Christ liveth."⁸⁴ The Lord also swears by himself in the Book of Mormon: once, in a quotation from Isaiah, and once in Helaman ("as surely as the Lord liveth shall these things be, saith the Lord").⁸⁵ It may appear that the Lord is comparing the truth of his statement with the truth of his existence, but this is the same oath formula as that used in the Old Testament and should be regarded in the same manner. It is worth noting that these are the only two examples in the Book of Mormon of the Lord swearing an oath, and one of them quotes the Old Testament. The Book of Mormon has two uses of the oath formula "as thou livest," both made to a royal person, which fits well within Old Testament usage.

An interesting Old Testament-Book of Mormon comparison is an oath sworn, "as the Lord God liveth that brought Israel up out of the land of Egypt. . ."⁸⁷ An Old Testament oath form common at that time was: "as the Lord liveth that brought up the children of Israel out of the land of Egypt," and Jeremiah prophesied that this oath would eventually become: "[as] the Lord liveth, that brought up the children of Israel from the land of the north, and from all the lands whither he had driven them. . . ."⁸⁸ The people of the Book of

Mormon were apparently using, with minor deviations, the same formulas common in the Old Testament.

"Swear Not at All"

A further direct point of comparison between the Book of Mormon and the Bible is found in the sermon Christ gave while visiting the Americas after his resurrection.⁸⁹ In this sermon, the Lord repeated much of what he had previously said to the Jews in the Sermon on the Mount including his admonition to "swear not at all." (Matt. 5:33-37, 3 Ne. 12:33-37). The differences are minor and easily understandable. Matthew begins, "Again, ye have heard that it hath been said by them of old time" Nephi begins, "And again, it is written. . . ." Both passages continue, "but [verily, verily] I say unto you, swear not at all; neither by heaven, for it is God's throne, nor by the earth, for it is his footstool." Matthew adds "neither by Jerusalem; for it is the city of the great king." The two passages continue with only minor grammatical differences. Perhaps Jerusalem was omitted in the Nephite version because it was no longer used in their common oaths.

An added insight comes near the end of the Book of Mormon when the Nephites fell into great wickedness prior to their complete destruction. They "began to swear before the heavens that they would avenge themselves. . . . And they did swear by the heavens, and also by the throne of God, that they would go up to battle against their enemies, and would cut them off from the face of the land."⁹⁰ Immediately their leader Mormon "utterly refused" to lead them, for "they had sworn by all that had been forbidden them by our Lord and Savior Jesus Christ....I did even as the Lord had commanded me; and I did stand as an idle witness."⁹¹ Apparently he, at least, seems to have taken the Lord's admonition not to swear very literally. The Nephites had sworn "by the heavens," one of the specific oath formulas Christ had listed. A further indication of the ban on oaths may be the fact that after Christ's sermon the only oaths mentioned are the secret oaths of Gadianton, the above mentioned oaths, an oath sworn by Mormon discussed below, and two oaths by Moroni, one in the name of Christ.⁹² It is possible that the Lord's words were taken quite literally and with few exceptions, the righteous swore "not at all."

However, during this same incident, after refusing to lead them, Mormon says, "I did go forth among the Nephites, and did repent of the oath which I had made that I would no more assist them and they gave me command again of their armies."⁹³ What are we to make of this if the oath is assumed to be irrevocable?

The Old Testament provides trespass offerings for those who have sworn falsely and for those who have unknowingly broken an oath.⁹⁴ But Mormon seems not to be acknowledging or atoning for any sin committed by breaking his oath; he is merely "changing his mind with regard to" the commitment he had made.⁹⁵ Pedersen notes the ancient Arab custom that allows the person to whom the oath is made to release the swearer from his obligation, a procedure also allowed by the Talmud. Without such consent, "only those oaths that one places upon himself can be broken (or loosened), and the one involved must share with one learned person or three lay people, what the oath was and why he wishes to break it."⁹⁶

However, Mormon's case may be explained more readily by at least two other hypotheses. One is that Mormon's term oath is a misnomer. This is always a potentially dangerous method of analysis, especially when dealing with scriptural texts, but the descriptions of his utter refusal to lead the armies contains no hint of a public or ritual oath making and none of the awesome seriousness of an oath, a seriousness which Mormon himself recognizes in the immediately preceding verses of that chapter.⁹⁷ Surely Mormon would not take, make, or break an oath lightly. His "oath" may have been a publically announced decision or even a promise to himself; in which case he could change his mind if circumstances warranted, something highly out of character when dealing with oaths.

If Mormon had made a valid and binding oath, it is possible that the Lord himself released Mormon. Mormon ceased leading the army because "the voice of the Lord came unto me" and, he says, "I did even as the Lord had commanded me; and I did stand as an idle witness. . . ."⁹⁸ The Lord did not forbid Mormon to lead them; he assured the general that the people would be "cut off." Mormon's withdrawal may have been part of the events necessary for destruction and he may have thus made a valid oath to that effect. If so, then it may be assumed that Mormon broke that oath by the Lord's leave.

"As I Live"

A Book of Mormon oath formula not found in the Old Testament is "as I live." Nephi alone uses this formula, both times in oaths sworn while he is still in the Old World. On the first occasion, his brothers wish to abandon efforts to obtain the plates of Laban. Nephi swears to them, "As the Lord liveth, and as we live, we will not go down unto our father in the wilderness until we have accomplished the thing which the Lord hath commanded us."⁹⁹ Later, Nephi disguised as Laban, leaves the city with Laban's servant Zoram and the plates. To prevent Zoram's flight Nephi swears to spare his life "as the Lord liveth, and as I live."¹⁰⁰ Book of Mormon scholar Hugh Nibley observes:

To be most binding and solemn an oath should be by the life of something, even if it be but a blade of grass; the only oath more awful than "by my life" or (less commonly) "by the life of my head," is the wa hayat Allah, "by the life of God," or "as the Lord liveth," the Arabic equivalent of the ancient Hebrew hai Elohim. . . . So we see that the one and only way that Nephi could have pacified the struggling Zoram in an instant was to utter the one oath that no man would dream of breaking, the most solemn of all oaths to the Semite: "as the Lord liveth, and as I live...."¹⁰¹

This analysis seems unconscious of the meaning of the oath formula, "by the life of" (or "as X liveth"), and whether it is proper to swear by oneself. It also fails to note that nowhere in the Old Testament does one swear by his own life. However, Nibley seems to cite Arabic usage properly. Pedersen notes this same usage and compares it to the "oath of the fathers" in the Old Testament, a tribal oath in which the person swearing the oath is not calling on a guarantor for the oath but stating that he will be cut off from the tribe if he does not fulfill the covenant. The meaning of swearing "by my life" would be: "May my life be cut off if I break this promise." Pederson adds, "As among the Arabs, here [among the Israelites] one also swears by his life and his head." He notes a similar oath among the Babylonians, but the only Israelite references he can cite beyond

those demonstrating only the "oath of the fathers" are Jonathan swearing by his love toward David and a provision from the Talmud.¹⁰² Thus, although a case for an Israelite form of the oath is problematic, it seems to be a correct Arab formula. If Nephi had had contact with Arabian culture, he may have adopted this custom. The form occurs nowhere else in the Book of Mormon. One might argue that Nephi is swearing by that which is most precious to him; however, this would be a weakening of the traditional oath formulas unsupported by the subsequent usage of oaths in the Book of Mormon.

Conclusion

The use of oaths in the Book of Mormon is harmonious with Old Testament usage. The relationship between oath, curse, and covenant shown in the Old Testament is clearly seen in the Book of Mormon. Promissory oaths are in general usage in both. The lack of assertive oaths in the Book of Mormon makes procedural comparisons difficult. The oath formulas, however, are strikingly similar, with the form "as X liveth" predominant in both works. The only exceptions are Nephi's "as I live" and Moroni's "as Christ liveth." The Book of Mormon is also distinctive in its lack of gestures and in the infrequency of divine oaths. However, the power of the oath, and the power of God as guarantor of the oath are unquestioned in the Book of Mormon and reflect the significant place of the oath in the social and religious life of both ancient peoples.

FOOTNOTES

1. Helen Silving, "The Oath," Yale Law Journal 68 (1959):1330.
2. Friedrich Horst, "Der Eid im Alten Testament," in Gottes Recht (Munich: Chr. Kaiser Verlag, 1961), p. 293.
3. Ibid., p. 307.
4. Encyclopedia Judaica, s.v. "Oath".
5. G.M. Tucker, "Covenant Forms and Contract Forms," Vetus Testamentum 15 (1965): 498.
6. Encyclopedia Judaica, s.v., "Oath," see also Manfred Lehmann, "Biblical Oaths," Zeitschrift fuer die Alttestamentliche Wissenschaft 81 (1969): 83.
7. J. Pedersen, Der Eid bei den Semiten (Strassburg: Verlag von Karl J. Truebner, 1914), p. 4.
8. Lehmann, "Biblical Oaths," p. 79.
9. Ibid., p. 80.
10. Pedersen, Der Eid, pp. 4-6.
11. Encyclopedia Judaica, s.v., "Oath"; also for the use of seven in maledictions, see Lev. 26:18, 21, 24; Deut. 28:7; 2 Sam. 24:13; Job 5:19.
12. M.G. Kline, "Oath and Ordeal Signs," Westminster Theological Journal 27 (1965): 117. The translation given is from D.J. McCarthy, Treaty and Covenant (Rome: 1936) p. 195.
13. Neh. 5:12,13.
14. Numbers 5.
15. Horst, "Eid im alten Testament," p. 305, "Wenn die vom Menschen gewuenschte Fluchwirkung von Gott angeordnet und in Kraft gesetzt wird." Translation by the author.
16. R. DeVaux, Ancient Israel (New York: McGraw Hill, 1965), I: 157.
17. Encyclopedia Judaica, s.v., "Oath"; see also Horst, "Eid im Alten Testament," p. 303, "sie unterlaesst aus Scheu oder aus Konvention oder aus beidem eine Praezisierung der Verwuenschung."
18. Lehmann, "Biblical Oaths," p. 77.

19. Ruth 1:17; see also 1 Sam. 3:17; 14:44; 20:13; 2 Sam. 3:9,35; 1 Kgs. 2:23; 2 Kgs 6:31; for the plural, "so let the gods do to me," see 1 Kgs 19:2; and 20:10.

20. Horst, "Eid im Alten Testament," p. 303.

21. Ibid., p. 304; and Lehmann, "Biblical Oaths," pp. 87-91.

22. Encyclopedia Judaica, s.v., "Oaths".

23. 1 Sam. 30:15; 28:10.

24. The Luther Bible also modernizes the wording, "Schwoere mir bei Gott, dass du mich nicht toeten noch in meines Herrn Hand ubergeben wirst. . ." and "so wahr der Herr lebt: es soll dich in dieser Sache keine Schuld treffen."

25. 1 Sam. 30:15; 28:10.

26. Lehmann, "Biblical Oaths," p. 87; see also pp. 87-94.

27. Pedersen, Der Eid, p. 10; Horst, "Eid im Alten Testament," p. 305.

28. Moshe Greenberg, "The Hebrew Oath Particle Hay/HE," Journal of Biblical Literature 76 (1957): 34.

29. 1 Kgs 1:30; Gen. 24:3.

30. Ex. 22:10; 2 Sam. 21:7; See Hugh White, "The Divine Oath in Genesis," Journal of Biblical Literature, 92 (1973): 172; Encyclopedia Judaica, s.v., "Oath."

31. See, for example, Judg. 8:19; 1 Sam. 14:39; 25:34; 2 Sam. 4:9; 17:1; 2 Kgs 4:30; Job 27:2; Jer. 38:16.

32. Greenberg, "Oath Particle," pp. 34-39.

33. 1 Sam. 20:3; Horst, "Eid im Alten Testament," p. 306.

34. 1 Sam. 1:26; 17:55; 2 Sam. 14:19.

35. Gen. 42:15.

36. 2 Kgs 4:30; see also 1 Sam. 20:3; 25:26; 2 Sam. 15:21; 2 Kgs 2:2-6.

37. Gen. 22:16; Ex. 32:13; Isa 45:23; Jer. 22:5; 49:13; Amos 8:7; Jer. 51:14 (see note); Amos 4:32; Ps. 89:35; Isa. 62:8; Jer. 44:26.

38. Heb. 6:13-18; Paul goes on to note the immutability of oaths.

39. White, "Divine Oath," p. 173.

40. Ibid.

41. Num. 14:21; Isa. 49:18; see also Deut. 32:40; Jer. 22:24; 46:18; Ezek. 5:11; 14:16,18,20; 16:48; and 17:16.

42. Horst, "Eid im Alten Testament," p. 307, "Niemand dagegen beruft ein Mensch sein eigenes Leben." Translation by the author. Horst goes on to say, "Das ist beachtlich und duerfte es verbieten, dieser den eigentlichen Eidesformulierungen stets selbstaendig voraufgestellten Invokationsformel einen Selbstverwuechungs oder Pfandsetzungscharakter beizulegen."

43. Ibid.

44. Encyclopedia Judaica, s.v. "Oath."

45. Song 2:7; 3:5; Sanh. 3:2.

46. Gen. 14:22; Dan. 12:7.

47. Gen. 14:22.

48. Ezek. 20:5 (see note 2).

49. Ex. 6:8; Num. 14:30; Deut. 32:40; Ezek. 20:5.

50. Gen. 24:2-3,9; 47:29; Encyclopedia Judaica, s.v., "Oath"; Pedersen, Der Eid, p. 150.

51. Encyclopedia Judaica, s.v., "Oath."

52. Pedersen, Der Eid, p. 150, "Der Schwur bedeutet dann nicht, dass die Nachkommenschaft die Verletzung des Eides raechen werde, sondern dasselbe wie der Eid bei den Vaetern. Es ist ein Eid bei dem Geschlecht, von dem man im Falle der Verletzung losgerissen wird."

53. See Pedersen, Der Eid, p. 179; and Horst, "Eid im Alten Testament," p. 292.

54. Horst, "Eid im Alten Testament," p. 292.

55. Num. 30:2.

56. Tucker, "Covenant Forms," p. 491.

57. Pedersen, Der Eid, p. 179.

58. Ibid.

59. Encyclopedia Judaica, s.v., "Oath."

60. See, e.g., Lev. 5:1; Judg. 1:31, 1 Kgs 18:10; Prov. 29:24.

61. Encyclopedia Judaica, s.v., "Oath."

62. Mal. 3:5; Jer. 5:2.
63. Deut. 10:20; Ps. 63:12; Zeph. 1:5; Pedersen, Der Eid, p. 142.
64. Jos. 23:7; Jer. 5:7; 12:16; Amos 8:14.
65. Eccles. 5:1.
66. Sir. 23:9-11; Decal. 84.
67. Horst, "Eid im Alten Testament", p. 313-314.
68. Alma 51:10; 49:27; 24:18; 53:11, 14-17; 56:8; 44:8-20;
Mosiah 6:1-3; 5:5-7.
69. Alma 46:20-23.
70. Alma 44:14.
71. 1 Ne. 4:37.
72. Mosiah 19:25; 21:3.
73. Alma 44:8.
74. Alma 53:14,15.
75. See, for example, Alma 7:15; Mosiah 18:10; see also Kline, "Ordeal Signs," where he distinguishes circumcision and baptism rites as tokens of an oath we make with God.
76. Ether 9:5; 8:15; 11:33; 4 Ne. 1:42; Hel. 6:21-26,30; Alma 37:27-29; Hel. 6:30.
77. Eth. 8:15.
78. Eth. 8:20.
79. Alma 37:27-29.
80. Hel. 6:21.
81. Eth. 8:16.
82. 3 Ne. 3:8; Jer. 5:7; Amos 8:14.
83. Omni 1:26; Alma 10:10; 23:6; 54:10; Hel. 13:26; 3 Ne. 3:21; 5:24-26; Morm. 8:23; 2 Ne. 9:16; 27:31; Alma 23:6.
84. Moro. 7:26.

85. 1 Ne. 21:18; Hel. 15:17.
86. Alma 19:13; 22:8.
87. 2 Ne. 25:20.
88. Jer. 16:14,15; 23:7,8; Pedersen, Der Eid, p. 163.
89. See, for example, P.S. Minear, "Yes or No, the Demand for Honesty in the Early Church," Novum Testamentum 13 (1971): 1-13; and G. Dautzenberg, "Ist das Schwurverbot Mt. 5:33-37, Jak 5:12; ein Beispiel fuer die Torakritik Jesu?," Biblische Zeitschrift, 25 (1981): 47-66.
90. Morm. 3:9, 10.
91. Morm. 3:11; 14-16.
92. 4 Ne. 1:42; Morm. 8:23.
93. Morm. 4:23; 5:1.
94. Lev. 5:1-6:7.
95. Oxford English Dictionary, s.v., "Repent: "to change one's mind with regard to past action or conduct through dissatisfaction with it or its results."
96. Pedersen, Der Eid, pp. 174-175; p. 178, "Nur solche, die man sich selbst auferlegt, koennen geloest werden, und zwar muss der Betreffende einem Gelehrten oder drei Laien mitteilen, was er gelobt hat, und warum er es loesen will." Translation by the author.
97. Morm. 3:9-16.
98. Morm. 4:16.
99. 1 Ne. 3:15.
100. 1 Ne. 4:32.
101. Hugh Nibley, An Approach to the Book of Mormon, (Salt Lake City: Deseret, 1957), pp. 104-5.
102. Pedersen, Der Eid, pp. 140-141, 150; Ibid., p. 141, "Wie bei den Arabern, so schwuert man auch hier bei seinem Leben und seinem Leben und seinem Haupt." Translation by the author; Gen. 24:2ff; 31:53; 1 Sam. 20:17; Berakoth 3a:19.