**On the Meaning of *hē‘îd* in Biblical Hebrew:**

**Between Summoning Witnesses and The Imposition of Oaths**

**Orit Malka**

**Tell Aviv University**

The verb *hē‘îd* in biblical Hebrew is understood by most scholars primarily within the sematic field of *ēd,* witness. Indeed, in several biblical passages it clearly indicates summoning witnesses in legal settings, or the action of testifying in a judicial forum. However, at times it is impossible to square the uses of *hē‘îd* with this paradigm, and even metaphoric association with witnesses or their testimony seems forced. Scholars have therefore suggested a list of secondary meanings to be attributed to *hē‘îd**,* all of them departed from a legal context. One non-legal meaning that is frequently used is ‘to warn’. Additional central uses are ‘to solemnly assure’ and ‘to command’ or ‘to instruct’.

The paper will maintain that this fragmentary understanding of *hē‘îd* is incorrect, as it misses out a clear-cut legal subtext underpinning all uses of the verb in the Hebrew Bible. This legal subtext relates to the role played by witnesses in the establishment of an oath as a legal mechanism creating binding obligations. Summoning witnesses, weather explicitly or implicitly, is embedded in every oath; Due to that, I will argue, *hē‘îd* is homologous in many biblical usages with the imposition of an oath.[[1]](#footnote-1)

## *hē‘îd* : Legal Verses Non-Legal Uses

Biblical dictionaries and lexicons recognize oral report or the summoning of witnesses in judicial settings as the primary meaning of the verb *hē‘îd*.[[2]](#footnote-2) This recognition could be either implicit [[3]](#footnote-3) or explicit;[[4]](#footnote-4) however it seem to be shared by most commentators and interpreters. Indeed, some biblical verses adhere to this use. The summoning of witnesses is clearly indicated by the use of the phrase *hē‘îd ‘ēdîm* (*e.g.* Isa. 8:2; Jer. 32:10,25,44), and sometimes *hē‘îd is* understood as implying an oral statement of a witness in court (*e.g.* 1 kings 21:10).[[5]](#footnote-5) However, many times – in fact, most of the time[[6]](#footnote-6) - *hē‘îd* is used in association with oral statements that do not fall within the semantic field of witnesses and testimony. Those occurrences of the verb pose a challenge for interpretation.

The said challenge is especially prominent when the subject of the verb *hē‘îd* makes an oral statement that does not seem to have much to do with legal settings, and moreover, cannot be understood as a report of a fact, or something that had already happened. Rather, such oral statement relates to something that is *about* to happen, or even *might* happen, in the future. Often this future event is a negative one, and in such contexts *hē‘îd –* notably, with the proposition *be* -is interpreted as bearing a meaning of warning. [[7]](#footnote-7)

A classic example of the use of *hē‘îd* *be* as warning is found in Genesis 43:3, when Joseph’s brothers tell their father that they cannot return to Egypt without their young brother, Benjamin, lest they be severely punished by the Egyptian ruler: הָעֵד הֵעִד בָּנוּ הָאִישׁ לֵאמֹר לֹא תִרְאוּ פָנַי בִּלְתִּי אֲחִיכֶם אִתְּכֶם. Most English translations of the verse translate *hē‘îd* *be* as warning; *e.g* ESV: “The man solemnly warned us saying, ‘You shall not see my face unless your brother is with you’”.[[8]](#footnote-8) Similarly, while describing a forthcoming catastrophe, different prophets use *hē‘îd be*.[[9]](#footnote-9) So Moses in Deuteronomy 8:19: הַעִדֹתִי בָכֶם הַיּוֹם כִּי אָבֹד תֹּאבֵדוּן. The common English translation is “I solemnly warn you today that you shall surely perish”.[[10]](#footnote-10).

Scholars suggest different explanations for why *hē‘îd* *be* in used the sense ofwarning. Some think that since God is sometimes portrayed as a witness who can bring about punishment, *hē‘îd* *be* has come to be identified with a threat as a secondary meaning. [[11]](#footnote-11) Others suggest this phenomenon reflects the polyphony of the word, without any connection to the concept of witnesses[[12]](#footnote-12) (some think it is *the* original meaning of the verb[[13]](#footnote-13)), denying the attempt to draw an internal link between witnesses and what appears to be the meaning of the *hē‘îd be* as warning. The fact that the same Hebrew verb *hē‘îd* means both ‘to testify’, ‘to bear witness’ and ‘to warn’ is therefore seen as a linguistic coincidence.

In certain occurrences the future events which *hē‘îd* with the proposition *be* anticipates are positive rather than negative. So, for example, in Zechariah 3:6-7: “וַיָּעַד מַלְאַךְ יְהֹוָה בִּיהוֹשֻׁעַ: Thus says the Lord of hosts: If you will walk in my ways and keep my charge, then you shall rule my house and have charge of my courts, and I will give you the right of access among those who are standing here”.[[14]](#footnote-14) Here God’s angel is promising Joshua the high priest rewards and benefits for his loyalty. Of course, in this case *hē‘îd* *be* could not be understood as warning. Therefore, most commentators translate וַיָּעַד …בִּיהוֹשֻׁעַ here as ‘solemnly assured Joshua’.

Finally, in certain occasions the verb *hē‘îd - again* with the proposition *be* -introduces instructions and commandments. So, for example, in Deuteronomy 32:46: “he said to them:שִׂימוּ לְבַבְכֶם לְכָל הַדְּבָרִים אֲשֶׁר אָנֹכִי מֵעִיד בָּכֶם הַיּוֹם, that you may command them to your children, that they may be careful to do all the words of this law.”[[15]](#footnote-15) Not surprisingly, in these contexts it is assumed that *hē‘îd* *be* bears the meaning of instruction and command.[[16]](#footnote-16)

The diverse reading of *hē‘îd* as described above has the benefit of allowing for a sensitive, context-dependent analysis; however, this is achieved at a price of drastic semantical (and for some, also etymological[[17]](#footnote-17)) fragmentation. This is not only an esthetic problem: several biblical passages deny such fragmentation and imply an internal connection between the role of witnesses on the one hand, and threats, warnings, promises, commands and instructions, on the other. I will now demonstrate these connections through the serval uses of *hē‘îd be* in the book of Deuteronomy.

As quoted above, Deuteronomy 8:19 uses *hē‘îd* *be* as what is assumed to be warning: הַעִדֹתִי בָכֶם הַיּוֹם כִּי אָבֹד תֹּאבֵדוּן. However in Deuteronomy 4:26 we find a parallel threat, this time involving witnesses: “ הַעִדֹתִי בָכֶם הַיּוֹם אֶת הַשָּׁמַיִם וְאֶת הָאָרֶץ, כִּי אָבֹד תֹּאבֵדוּן soon from the land that you are going over the Jordan to possess. You will not live long in it, but will be utterly destroyed”. Here *hē‘îd* *be* clearly refers to thesummoning of witnesses; those witnesses are heaven and earth. Nevertheless, it is used to introduce the exact same threat as in 8:19: כִּי אָבֹד תֹּאבֵדוּן. These look like two versions of the same sentence and it is doubtful that adding or removing the direct refence to identity of the witnesses (heaven and earth( changes the meaning of the whole sentence.[[18]](#footnote-18)

Two other verses reinforce the involvement of heaven and earth as witnesses in imposing threats. In Deuteronomy 30:19 we find: “הַעִדֹתִי בָכֶם הַיּוֹם אֶת הַשָּׁמַיִם וְאֶת הָאָרֶץ:I have set before you life and death, blessing and curse. Therefore choose life, that you and your offspring may live”. Again, heaven and earth as witnesses are involved in introducing the risks of making the wrong choice and picking death and curse instead of life and blessing. They fulfill a similar function in Deuteronomy 31:28-29: “Assemble to me all the elders of your tribes and your officers, that I may speak these words in their ears וְהַעִדֹתִי בָּם הַיּוֹם אֶת הַשָּׁמַיִם וְאֶת הָאָרֶץ, for I know that after my death you will surely act corruptly and turn aside from the way that I have commanded you. And in the days to come evil will befall you [...]”.

Not only witnesses and warnings are connected through the different uses of *hē‘îd be*, but also instructions and commandments. In Deuteronomy 32:46 we find *hē‘îd* *be* in the sense of instruction: “He said to them, “Take to heart all the words that I am מֵעִיד בָּכֶם הַיּוֹם, that you may command them to your children, that they may be careful to do all the words of this law”. Notably, the instruction is accompanied by a reward for fulfillment (47): “By this word you shall live long in the land that you are going over the Jordan to possess”. However, this reward for fulfillment is the exact mirror of the threat on which we read in Dt. 4:26. In 4:26, while summoning heaven and earth as witnesses, Moses warns from the loss of the land הַעִידֹתִי בָכֶם הַיּוֹם אֶת הַשָּׁמַיִם וְאֶת הָאָרֶץ כִּי *אָבֹד תֹּאבֵדוּן מַהֵר מֵעַל הָאָרֶץ אֲשֶׁר אַתֶּם עֹבְרִים אֶת הַיַּרְדֵּן שָׁמָּה לְרִשְׁתָּהּ*). In 32:46-47 he makes an oral statement described by the phrase *hē‘îd* *be*, and in association with itpromises the longevity of the hold onto the land, using the exact same words: שִׂימוּ לְבַבְכֶם לְכָל הַדְּבָרִים אֲשֶׁר אָנֹכִי מֵעִיד בָּכֶם הַיּוֹם [...] וּבַדָּבָר הַזֶּה *תַּאֲרִיכוּ יָמִים עַל הָאֲדָמָה אֲשֶׁר אַתֶּם עֹבְרִים אֶת הַיַּרְדֵּן שָׁמָּה לְרִשְׁתָּהּ*.[[19]](#footnote-19)

A fragmented theory may see in the above merging meanings of *hē‘îd* merely a play of words. However it might also be read as a challenge for the fragmented model and an incentive for seraching a more satisfying account on how those supposedly disconnected meanings are in fact related. In what follows I will argue that, *contra* to the fragmented perspective, all the different meanings of *hē‘îd* mentioned above (notably all with the preposition *be*) could be accounted for *via* the legal background of this verb. I will now introduce this background through the lenses of the role occupied by witnesses in the legal mechanism of oaths.[[20]](#footnote-20)

## Witnesses and the Mechanism of Oaths

In the ancient world, every oath required (whether explicitly or implicitly) the presence of (mostly) divine witnesses. This is a well-established fact, however its implications for understanding the uses of the verb that designate the summoning of witnesses in biblical Hebrew - *hē‘îd* *-* has not yet been recognized in scholarship. In a nut shell, I argue that due to the vital role of witnesses in establishing oaths, the phrase *hē‘îd ‘ēdîm be* has become tightly associated with the imposition of oaths (‘*hē‘îd ‘ēdîm* *be* PN’ meaning ‘imposed an oath on PN’).[[21]](#footnote-21) In fact this is very clear where the identity of the witnesses is explicitly mentioned; In the verses from Deuteronomy where heaven and earth are called upon as witnesses, scholars agree that the *Sitz im Leben* is that people of Israel are being covalently sworn (Heaven and earth being the witnesses to this sworn covenant).[[22]](#footnote-22) However I argue that as a second phase, *hē‘îd* *be*in and of itself, also when used without the direct object ‘*ēdîm,* has gained a secondary meaning, signifying directly the initiation of an oath by the subject of such verb.

To show this, I will begin by describing the role of witnesses in the establishment of oaths. In the context of the Hebrew bible, this role most clearly emerges from the many parallels between biblical covenants (ברית) and Ancient Near Eastern political treaties.[[23]](#footnote-23) A vast body of scholarly literature written over the past seventy years has proved that Ancient Near Eastern treaties and biblical covenants consistently share legal structure and terminology.[[24]](#footnote-24) As I will demonstrate through several biblical passages, these shared structure and terminology reveal the juridical ties between witnesses and oaths.[[25]](#footnote-25)

Before we can delve into the biblical sources some background of Ancient Near Eastern treaties is in order. The texts of international treaties from antiquity that have come down to us, ranging from the second millennium BCE until the beginning of the Common Era, originate in the Babylonian, Assyrian, and Hittite empires, with parallels in Greek and Latin texts.[[26]](#footnote-26) Scholarship on treaties has discovered that, despite important variations, throughout this diverse cultural and historical context the basic legal structure and formulas of the treaties remain consistent.[[27]](#footnote-27) The parties to such treaties could be of equal or similar status, but often they were made in hierarchical context, involving a suzerain, a ruler of a regional empire, on the one hand, and a local vassal king on the other. In these treaties the parties undertake certain commitments; e.g., the vassal king commits to be loyal to the ruler of the empire, in return for the latter’s patronage or protection. These commitments were made in the form of an oath that contained a predetermined curse on the oath taker: upon failure to fulfill one’s undertakings, severe curses and sanctions will be suffered. Alongside these curses we often also find blessings and promises for prosperity that will be the reward for truly and faithfully keeping the oath. Most importantly for our context, the oath is declared in the presence of divine entities referred to as witnesses who are entrusted with the enforcement of the oath by imposing curses and granting blessings.

The Hebrew Bible makes extensive use of the same treaty format. This is true both with regards to agreements made between human beings, and covenants made between the People of Israel and their God. When the parties to the agreement are human, their deities are said to be the witnesses who will enforce the oaths and impose the curses on the parties to the treaty (e.g., Genesis 31:50). In the hierarchical covenant type between the Yhwe and the people of Israel, heaven and earth are often called as witnesses (e.g., Deuteronomy 30:19 quoted above). Here, in a variation on the Ancient Near Eastern model, the God of Israel serves a double role: on the one hand he is the ruler to whom the People of Israel swear loyalty, and on the other hand he is the one who inflicts punishment for the violation of the covenant and grants rewards for its fulfillment.[[28]](#footnote-28)

The role of witnesses is fundamental for every treaty or covenant because of the oath that rests in its core. There is no treaty without an oath,[[29]](#footnote-29) and there is no oath without divine witnesses: all oaths, explicitly or implicitly, assume a predetermined curse undertaken in the presence of divine witnesses.[[30]](#footnote-30) Indeed the role of these witnesses is neither passive observation, nor the provision of information of any sort; it amounts to active guaranty that the mutual undertakings be kept. [[31]](#footnote-31) Nevertheless this is a clear-cut legal function, as the role of these witnesses is essential for the validity of a legal mechanism.[[32]](#footnote-32) Given the role of witnesses in establishing the oaths that are the basis of all covenants, the references to summoning witnesses in many biblical verses is indicative of imposition of an oath.

Indeed, at least in one biblical passage *hē‘îd* *be* literally parallels the imposition of an oath. I refer to 1 Kings 2:42-43:

The king sent and summoned Shimei and said to him, “Did I not make you swear by the Lord וָאָעִד בְּךָ, saying, ‘Know for certain that on the day you go out and go to any place whatever, you shall die’? And you said to me, ‘What you say is good; I will obey.’ Why then have you not kept your oath to the Lord and the commandment with which I commanded you?”[[33]](#footnote-33)

Here King Solomon reminds Shimei that he (the king) has agreed to protect Shimei’s life, on the condition that Shimei doses not leave Jerusalem. The verse use *hē‘îd* *be* to describe an action taken by Solomon and affecting Shimei.[[34]](#footnote-34) In the words of Solomon, this seems to parallel הִשְׁבַּעְתִּיךָ בַיהוָה; making Shimei “swear by the Lord.” Meaning, *hē‘îd* *be* describes an imposition of an oath.[[35]](#footnote-35) King Solomon says further that when the obligation was first presented to Shimei, he accepted it and undertook to fulfill it by saying, “What you say is good; I will obey.”

If we return to the examples of the supposedly non-legal uses of *hē‘îd be* described above, we will see that they are all more efficiently explained by the assumption that an oath or treaty context lies in the background. Let us begin with the prophetic uses of *hē‘îd* *be* which are understood as warning. In Jeremiah 11:6-8 the prophet says to the People of Israel:

"Hear the words of this covenant and do them. הָעֵד הַעִדֹתִי בַּאֲבוֹתֵיכֶםwhen I brought them up out of the land of Egypt even to this day, הַשְׁכֵּם וְהָעֵד, saying: “obey my voice”. Yet they did not obey or incline their ear, but everyone walked in the stubbornness of his evil heart. Therefore, I brought upon them all the words of this covenant, which I commanded them to do but they did not.”[[36]](#footnote-36)

The covenantal context in these verses is clear: *hē‘îd be* serves as a call to fulfill covenantal undertakings. When this binding call is breached, the breach carries with it the divine sanctions that are part and parcel of the covenant.[[37]](#footnote-37) Therefore, the punishment in verse 8 is: “I brought upon them all the words of this covenant.” *hē‘îd* *be* here is not free-standing warning, but rather the activation of a covenantal obligation that by definition brings to bear prescribed sanctions upon violation.[[38]](#footnote-38)

If we return to the example of Joseph’s brothers in Genesis 43 that was mentioned earlier, it can be shown that here, too, when Joseph first talked his brothers, he did not only warn them but also bind them under oath. In Genesis 42:15, he either imposes an oath on them or takes an oath himself, saying: “By the life of Pharaoh (חֵי פַרְעֹה), you shall not go from this place unless your youngest brother comes here.”[[39]](#footnote-39) The phrase “by the life of the king”, in this case “by the life of the Pharaoh,” is a well-known oath formula.[[40]](#footnote-40) Therefore, when the brothers later report their conversation with Joseph to their father using the phrase הָעֵד הֵעִד בָּנוּ הָאִישׁ לֵאמֹר, what they actually say is that they were bound with an oath by the Egyptian ruler to bring Benjamin with them next time they come.[[41]](#footnote-41)

Thinking with the logic of the covenantal oath also explains the cases in which *hē‘îd* *be* results in a positive outcome, instead of the usual negative outcomes associated with warning, as in the case in Zechariah 3:6-7 quoted above. Let us recall the full paragraph:

And the angel of the God *hē‘îd* *be* Joshua (וַיָּעַד …בִּיהוֹשֻׁעַ):

Thus says the Lord of hosts: If you will walk in my ways and keep my charge, then you shall rule my house and have charge of my courts, and I will give you the right of access among those who are standing here.[[42]](#footnote-42)

In these verses Yhwe’s angel promises Joshua rewards for his loyalty. וַיָּעַד בִּיהוֹשֻׁעַ is often translated as ‘solemnly assured Joshua’; as noted, here *hē‘îd* *be* could not mean ‘warned’ given the anticipated positive outcomes. However, the promises made to Joshua have the same conditional structure as in covenants and treaties, where the oath mechanism not only includes sanctions for violating the parties’ undertakings but also rewards for loyally fulfilling them.[[43]](#footnote-43) Therefore, it seems that god’s angel is actually making some sort of covenantal promise to the high priest Joshua, whereby Joshua is being sworn to walk in god’s ways, and granted a conditional reword for keeping his word.

To sum up until here, understanding *hē‘îd* *be* as in imposition of an oath accounts to both the connotation of summoning witnesses (as those are part and parcel of every oath) as well as the anticipation of either good or bad forthcoming events, punishments or blessings, since every oath inherently entails conditional sanctions and rewards. Therefore, whenever *hē‘îd* *be* is traditionally translated within the semantic field of warning or solemn assurance, one should instead understand it as the imposition of an oath.

## *šāmā‘*: Obedience as an Archetypal Response

One of the most prominent characteristics of biblical uses of *hē‘îd* *be* (especially when understood as warning) is the typical verb which is used to describe the expected response: the one who is the object of this verb is called upon to hear, or to listen. This is the case in the reproach of Shimi mentioned above, where in response to the oath imposed on him he says: טוֹב הַדָּבָר שָׁמָעְתִּי (meaning: I will obey).[[44]](#footnote-44) The same requested response also appears in many prophecies of rebuke, including the one found in Jeremiah 11 quoted above:

“Hear (שִׁמְעוּ) the words of this covenant and do them. הָעֵד הַעִדֹתִי בַּאֲבוֹתֵיכֶםwhen I brought them up out of the land of Egypt even to this day, הַשְׁכֵּם וְהָעֵד, saying: hear my voice (שִׁמְעוּ בְּקוֹלִי). **"**Yet they did not hear(שָׁמְעוּ) or incline their ear. **[[45]](#footnote-45)**

This structure in which A *mē‘îd* *be* B, and B in turn is called to hear or to listen, appears also in Psalms 50:7:

Hear(שִׁמְעָה), O my people, and I will speak; O Israel, וְאָעִידָה בָּךְ: I am God, your God.[[46]](#footnote-46)

And in Psalms 81: 9-11:

Hear (שְׁמַע), O my people, וְאָעִידָה בָּךְ![[47]](#footnote-47) O Israel, if you would but hear me (תִּשְׁמַע לִי)![[48]](#footnote-48) There shall be no strange god amongst you; you will not bow down to a foreign god…

This phenomenon has many other examples.[[49]](#footnote-49) In order to fully understand its meaning it should be noted that in the legal world of the Ancient Near East ‘hearing’ is a technical term that represents an agreement,[[50]](#footnote-50) often in connection with a formal alliance, a treaty or a contract.[[51]](#footnote-51) For instance, in the transaction described in Genesis 23, where Abraham purchases the field of Machpelah from Ephron the Hittite, the verb ‘to hear’ is repeated four times.[[52]](#footnote-52) Thus the demand ‘to hear’, regularly presented when one is the object of the verb *hē‘îd be*, is yet another indication for the nature of the legal action that is taking place. An oath being presented requires the agreement and obedience on the part of the hearer. When *hē‘îd* *b*e is used in prophecies of rebuke, God or his prophet calls upon the people not only to hear a warning, but to (re)commit themselves to a sworn obligation and obey it.[[53]](#footnote-53) Moreover, the response of ‘hearing’ which signified obedience, hints also to an instruction or command implied in the scene when the verb *hē‘îd* *be* is being used. To this additional layer of meaning I turn next.

## *hê‘îḏ ‘ēdwôt* : Instruction, Command and the Imposition of Oaths

In many biblical verses the direct object of the verb *hē‘îd* is not witnesses but rather words (דברים), instructions, commandments or laws. Recall, e.g., Deuteronomy 32:46 quoted above: “Take to heart all the words by which I am מֵעִיד בָּכֶם הַיּוֹם, that you may command them to your children, that they may be careful to do all the words of this law.”

On the face of things, it is not easy to point a clear connection between witnesses and testimony and these uses of *hē‘îd be* in the sense of instruction or command. Indeed, in an influential article Timo Veijola argued that this use has a different etymology that does not go back to *ēd*, as other uses of the verb, but rather is connected to the Aramaic loanwords *ēdôt* (עדוֹת) and *‘ēdwôt* (עדווֹת).[[54]](#footnote-54) This argument is based on two biblical verses in which we find the phrase *hê‘îd ‘ēdwôt be*. The first verse is 2 Kings 17:15:

They despised his statutes and his covenant that he made with their fathers andעֵדְוֹתָיו אֲשֶׁר הֵעִיד בָּם, and they went after false idols and became false, and they followed the nations that were around them...[[55]](#footnote-55)

The second, very similar verse is in Nehemiah 9:34:

Our kings, our princes, our priests and our fathers have not kept your law or listened to your commandments וּלְעֵדְוֹתֶיךָ אֲשֶׁר הַעִידֹתָ בָּהֶם.[[56]](#footnote-56)

Here and in other places ‘*ēdôt / ‘ēdwôt* are synonymous with laws and commandments. [[57]](#footnote-57) It has been established in scholarship that ‘*ēdôt* and *‘ēdwôt* (and also the more common ‘ēdūt, which is sometimes used interchangeably[[58]](#footnote-58)) are not derived from the stem ‘*WD*, but rather are based on a loan from Aramaic *‘DN* (עדן). [[59]](#footnote-59) The original meaning of this Aramaic word is in the semantic field of treaties and covenants (a point to which I will come back to), and it bears the meaning of covenantal laws. Therefore, Veijola thinks that *hē‘îd be* in the sense of instruction is denominative of the Aramaic loanword. In sum, Veijola’s analysis suggests that there are two independent etymological origins for the verb *hē‘îd* in the Hebrew bible: whereas *hē‘îd ΙΙ* is denominativeof Hebrew ‘ed,[[60]](#footnote-60) and includes the meaning of testifying or summoning witnesses, *hē‘îd I* is denominative the Aramaic loanword ‘*ēdôt* /*‘ēdwôt,* and includes the meaning instruction or command.[[61]](#footnote-61)

This analysis was preferred by some, because alternative etymological explanations for how *hē‘îd* in the sense of instruction was related to *‘ed* seemed forced.[[62]](#footnote-62) Again, the price of adopting this hypothesis is the fragmentation of the various meanings of *hē‘îd,* which seems alien to the biblical uses of the verb, as shown above. In what follows I would like to propose a different explanation that supports a unified etymology for the two uses, based on the understanding of *hē‘îd be* asimplying the imposition of an oath.

Swearing to do a certain deed or to act in a certain way creates a rule that compels oath-takers and requires that they behave accordingly. However when A imposes a promissory oath on B, as in the uses of *hē‘îd* *be* discussed above, A in fact binds B to the expected behavior. An aspect of instruction or command is therefore imbedded in all oaths that are imposed by one person on another, and even more so when the oath is imposed by a divine entity on human beings. Therefore once the secondary meaning of *hē‘îd* *be* as the imposition of oath, as suggested in the previous parts of this paper, is sufficiently substantiated, it naturally bears also the meaning of instruction and command.

Therefore, understanding *hē‘îd be* as the imposition of an oath provides the missing link between the two semantic worlds: that of witnesses and testimony and that of law and instruction. This reading results in the conclusion that, contra *Veijola’s Hypothesis*, *all* biblical uses of *hê‘îd* relate *to ‘ed*. This analysis holds even if ‘*ēdôt* /*‘ēdwôt* are *not* relate *to ‘ed* but rather derived from Aramaic.

However, the phrase *hê‘îd ‘ēdwôt be* requires further attention. According to the reading suggested above that what looks like a cognate object is in fact etymologically hybrid: the verbal part of the phrase is derived from Hebrew *‘wd* whereas the object noun does not. Nevertheless, I believe the formation of this relatively rare phrase may in fact be satisfyingly accounted for, again through attention to some details in the legal context of treaties and oaths.[[63]](#footnote-63)

First off, let us return to the original meaning of the Aramaic ‘*dn* ((עדן from which ‘*ēdôt* / *‘ēdwôt* - and also the more common *‘ēdūt* -are derived. This word is documented very rarely in Aramaic,[[64]](#footnote-64) and therefore its meaning is deduced mostly from the comparison with the Akkadian parallel *adê*. Aramaic *‘dn* and Akkadian *adê* are used as the technical terms for political alliances, allegiances and vassal contracts starting from the eighth century BCE, in the area that was under Assyrian influence.[[65]](#footnote-65) At the same time, most scholars hold that the plain meaning of Aramaic *‘dn* and Akkadian *adê* (both are in the plural form) is ‘oaths’. [[66]](#footnote-66) Indeed these words denote both the sworn treaty as a whole as well as its specific terms and conditions, which are sworn obligations. In Biblical Hebrew we have a parallel situation, albeit with somewhat clearer dichotomy between the treaty as a whole and its specific terms and conditions. On the most part, *‘ēdūt* bears the technical meaning of covenant, [[67]](#footnote-67) whereas *‘ēdôt / ‘ēdwôt* indicated the laws that are the sworn obligation on the human part of the covenant.[[68]](#footnote-68) Therefore ‘ēdôt / ‘ēdwôt should also be understood within the semantic field of ‘oaths’. Being the provision of a covenant that it imposed by a suzerain on a vassal king, or by God on human beings, these oaths are in fact laws.

This analysis suggestes a condensed albeit coherent account of the use of *hē‘îd* as a verb with *‘ēdwôt* as its direct object. [[69]](#footnote-69) If *hē‘îd be* means to impose an oath, then the object of this action could easily be *‘ēdwôt* in the sense of oaths, or provisions of a sworn covenant, as in the phrase *hē‘îd* *‘ēdôt be*. Truly *hē‘îd* and *‘ēdôt* are not etymologically related to each other, however, what looks like a cognate object is likely to be a mirror translation (Calque) created in Hebrew under the influence of parallel phrases in all other Ancient Near Eastern languages. In the context of creating treaties and establishing vassal contract we find similar idioms in other languages*: riksa rakāsu* in Akkadian, *išhiul išhija* in Hittite, קַיָּמָה קְיָם in Aramaic. In all these cased the phrase means binding a bond in the sense of making an alliance which is founded on an oath. A similar form exists also in Hebrew, as a synonym for undertaking an oath or a vow: לֶאְסֹר אִסָּר (Numbers 30: 2). The phrase *hē‘îd ‘ēdôt* is therefore a natural construct in this semantic space.[[70]](#footnote-70)

## Conclusion

In this article I have argued that the different meanings attributed to the biblical verb *hē‘îd* in scholarship are all encompassed in the meaning of this verb as denoting the imposition of an oath. Warning is implied in the imposition of an oath, as the violation thereof results in grave consequences; Fulfillment of the oath assures certain future reward; and finally, imposing a promissory oath creates a strong demand to follow the sworn obligation, and therefore indicates command or instruction. However, understanding the legal structure of an oath not only ties together all different meanings of the verb; it also allows for a richer understanding of each one of them in its context. When we say that A *mē‘îd* *be* B, A not only warns B, but also establishes the mechanism that would set the grave consequences into motion; similarly, A not only instructs B, but rather erects the legal mechanism that makes the obedience to the instruction mandatory and enforceable; And finally, A not only assures B regarding a future state of affairs: he creates a legal link between B’s fulfillment of obligations and the future reward.

In this paper I did not discussed another meaning often attached to the verb *hē‘îd* by several scholars*:* that of reproach or admonition. Indeed, certain translations occasionally prefer reproach or admonition instead of warning or command. However, this meaning seems to be some sort of middle ground between warning and command, including in it some of both. Therefore, it appears to me that this meaning as well is covered by the suggested analysis.

Notably, in the Septuagint all occurrences of the *hē‘îd* are translated using the verb *marturew* and its variants (μαρτυρέω /διαμαρτύρομαι /επιμαρτύρομαι). This translation was perceived as too literal by most scholars, given the meaning of this verb in the sense of warning, instruction etc.[[71]](#footnote-71) however the analysis suggested in this paper may shed a new light on this evaluation. Surely the Greek translators of the Hebrew bible worked in an era where the legal structure of oaths described in this paper is perfectly familiar and relevant; therefore they might be accurately using *marturew* or *marturomai* in a secondary sense which means “to impose an oath”, similar to the Hebrew *hē‘îd.* The analysis suggested in this article is founded on the legal structure of the oath, and therefore it may be adaptable to the Greek scriptures as well.

Moreover, future research should examine the ramification of the argument developed in this paper for understanding certain uses in *marturew* and *marturomai* in the New Testament, as well as in non-biblical Greek literature. It is possible that in those other contexts too the varied uses of the verb could be accounted for through the legal mechanism of oath and the involvement of witnesses in this mechanism.[[72]](#footnote-72) The broad scope of these findings reinforces the importance of acquaintance with ancient legal mechanisms to philological study of the Bible in particular, and ancient literature more generally.

1. The link I would like to discuss between oath and witnesses in antiquity should not be confused with the modern tradition of sworn testimony, in which the witnesses themselves take an oath to speak the truth. In the ancient model I will present herein the witnesses themselves do not take any oath; rather, they impose an oath on others. [↑](#footnote-ref-1)
2. The leading assumption is that *hê‘îd* is denominative from *‘ēd*, witness: *HALOT* p. 795; *BDB* p.729, C. van Leeuwen, "עד", *TLOT* 2:838-846, p. 839. Timo Veijola, "Zu Ableitung und Bedeutung von He'id I im Hebräischen", UF 8 (1976): 343-5, and following him also H. Simian-Yofre, "עוד", TDOT 10: 495-516, p. 510-512, divide the occurrences of *hê‘îd* into two categories, one is denominative of *‘ēd* and bears legal implications, the other operates at the semantic field of *‘ēdôt / ‘ēdwôt* (synonyms for commandments, decrees; on that second category see more herein). As Simian-Yofre writes, the first category encompasses the semantic filed of *‘ēd* “in either a juridical context… or a religious context in which a court situation is imitated” (508). [↑](#footnote-ref-2)
3. Αs suggested by the order of discussion in the dictionaries, see above. [↑](#footnote-ref-3)
4. P. Bovati, *Re-Establishing Justice:* *Legal Terms, Concepts and Procedures in the Hebrew Bible* (JSOTSup 105; Sheffield, 1994), 263: "The term *‘ēd* is used first of all to describe a person who acts as witness in a court of law". [↑](#footnote-ref-4)
5. The most consensual example is in the trial of Naboth :"Seat two scoundrels opposite him, and let them testify against him (וִיעִדֻהוּ): ‘You have reviled God and king!’ Then take him out and stone him to death" (NJPS; Cf. KJV: bear witness against him). However even this example is problematic. Several translation negate the reading of *hê‘îd* here in the sense of oral report , and rather translate it in the sense of accusation or bringing charges; See *e.g.* ESV, NRSV, NIV. Part of the problem is the proposition *et,* which in the context of witnesses seems to suggest that Naboth himself is witness. For additional examples see Simian Yofre,00. Notably, on the most part, witnesses’ testimony in court settings is described throughout the HB using the verb *‘ānâ* with the preposition *bᵉ*, as in Deuteronomy 19:16 : כִּי יָקוּם עֵד חָמָס בְּאִישׁ לַעֲנוֹת בּוֹ סָרָה. [↑](#footnote-ref-5)
6. Out of 35 occurrences of the verb in the HB, only 11 are classified within the semantic field of *‘ēd* by Simian-Yofre, 508-510. [↑](#footnote-ref-6)
7. Simian-Yofre, p. 511 points to the meaning of *‘hê‘îd* as ‘to threat’, which includes various shades of warning; see also van Leeuwen, p.843; *BDB* p. 730. [↑](#footnote-ref-7)
8. And similarly NJPS,NRSV, NIV,. Cf. KJV: The man did solemnly protest unto us.

cf. N.M. Sarna, Genesis (JPS Torah commentary; Philadelphia 1989), 297; V.P. Hamilton, *The Book of Genesis Chapters 18-50* (NICOT; Grand Rapids: Eerdmans, 1995), p. 538: “the man adamantly warned us”. Cf. LXX: διαμαρτυρίᾳ διαμεμαρτύρηται ἡμῖν ὁ ἄνθρωπος. [↑](#footnote-ref-8)
9. See *e.g.* Exod. 19:21, Deut. 4:26, 8:19, 1 Sam. 8:9, 1 Kgs. 2:42, Jer. 11:7; 42:19; 3 Am. 13-14, Neh. 13:21 and more. [↑](#footnote-ref-9)
10. ESV, and similarly NJPS, NSRV. Cf. NIV, KJV: “I testify against you this day that ye shall surely perish.” [↑](#footnote-ref-10)
11. van Leeuwen, p. 843: “the assertion of god’s testimony functions either as a conditional self -curs in which the partner speaking invokes god’s punishment upon oneself in the event that one does not keep the agreement ) as in the oath, e.g., Gen 31:53b) or as a threat of God’s punishment upon the other in the event of unfaithfulness (Gen 31:50). From this invocation of God as a witness as a threat of punishment *‘ud hi* may have developed the more general meaning of “to warn” or to exhort”.” [↑](#footnote-ref-11)
12. Simian-Yofre, p. 00, following Veijola, classifies warning under the category of the uses of the verb that are related to the semantic field of *‘ēdôt / ‘ēdwôt* (see note 00 above) rather than the semantic field of *‘ēd*. He explains that all uses in this category – threat and warning among them - have something to do with an “authoritative standard or law” being posed, but refrains from explaining how the different meanings in this group are formed or related to one another. [↑](#footnote-ref-12)
13. see e.g I. L. Seligmann, "Zur Terminologie für das Gerichtsverfahren" *VTS* 16 (Leiden, 1967 ) pp . 251-278 (265-266); Thompson, 00, 265-266; S. Yefet, *The Ideology of the Book of Chronicles and its Place in Biblical Thought*, (New York, 1997), [p. 155, 163]; M. Kister, "Two Formulae in the Book of Jubilees" 70 *Tarbiz* (2001): 294-300, p. 296 (Hebrew) [↑](#footnote-ref-13)
14. ERV and similarly NRSV. Cf. NJPS, Anchor bible: charged [C.L. Meyers and E.M. Meyers *Haggai,* *Zechariah 1-8* (Anchor Bible 25B)1987, p 178 . Cf. NIV: gave charge; KJV: protested; M.J. Boda, T*he book of Zechariah* (NICOT; Grand Rapids, Eerdmans, 2016): warned. However in his commentary Boda notes the following: “The nuance of ‘wd Hiphil followed by the prep. Bet is negative, most often employed when God (or his emissary) is warning or rebuking the people… the darker nuance to this verb stand in contrast to the largely positive tone of the vision report in 3:1-5… this address announces a bilateral agreement which makes the promise depend on the fulfilment of demands.” (pp. 242- 244). [↑](#footnote-ref-14)
15. Cf. NJPS: I have warned you; ESV: warning you; NIV: solemnly declared to you; KJV: testify among you; NRSV: the words that I am giving in witness against you. [↑](#footnote-ref-15)
16. see 00 [↑](#footnote-ref-16)
17. 00 above. [↑](#footnote-ref-17)
18. Cf. Simian -Yofre, p.509-510, who classifies Deuteronomy 8:19 and 4:26 under two separate etymological origins. [↑](#footnote-ref-18)
19. additionally, the phrase “the words (הַדְּבָרִים) that I am מֵעִיד בָּכֶם הַיּוֹם“ in 32:46 seems to somehow parallel the similar phrasing in 31:29: “so I may speak these words (הַדְּבָרִים הָאֵלֶּה) in their ears, וְאָעִידָה בָּם אֶת הַשָּׁמַיִם וְאֶת הָאָרֶץ “; albeit in 32:46 *hē‘îd be* bears the meaning of instruction whereas in 31:29 it clearly refers to summoning heaven and earth as witness. [↑](#footnote-ref-19)
20. For oath in the Hebrew Bible see: I. Kottsieper, "שבע", *TDOT* 14: 311-336. The role of witnesses in establishing the oath is not mentioned in this entry even once, although the author comments on the connection between oath and covenant (318). On the role of divine witnesses to oaths see Y. Ziegler, *Promises to Keep: The Oath in Biblical Narrative*. (VTSup 120; Leiden, 2008), 10-11, 43-44 and the references there. [↑](#footnote-ref-20)
21. The translations of such phrases often use the preposition ‘against’ (“to summon witnesses against PN”); however the imposition of oath is not clearly *against* the one being sworn, and the use of the proposition *be* seems toindicated somethingelse. [↑](#footnote-ref-21)
22. 00. The phrase ‘*hē‘îd et* PN1 *be* PN2’ is in fact analogous to ‘PN1 being an*ēd be* PN2’. Cf: Gen. Jer. 42:5. 00 [↑](#footnote-ref-22)
23. Although this is true also for oaths that are not part of a treaty (see Ziegler, note 00 above), in the biblical uses the witnesses are more prominent in treaty contexts. [↑](#footnote-ref-23)
24. The literature on this subject is very broad. See e.g. Amnon Altman, *Political Treaties in the Ancient Near East* (Jerusalem, 2018); Noel Weeks, *Admonition and Curse: The Ancient Near Eastern Treaty/Covenant Form as a Problem in Inter-Cultural Relationships* (JSOTSup 407; London/New York, 2004), and the literature cited there. For a study that focuses on the comparison between the ancient near ester treaty and the biblical covenant see Dennis J. McCarthy, *Treaty and Covenant* (Rome, 1978); M. Weinfeld, "ברית", TDOT 2:253-259. [↑](#footnote-ref-24)
25. The importance of the context of covenant and treaty for understanding several uses of *hē‘îd* was already stressed by Veijola, Simian –Yofre, and also DJ McCarthy, "Covenant and Law in Chronicles-Nehemiah." The Catholic Biblical Quarterly 44.1 (1982): 25-44, p.38. However the explanation these scholars suggest relay merely on the morphological affinity between *hē‘îd and ‘ēdūt* (which means covenant, see discussion herein), and overlooks the legal mechanism that includes the involvement of witness in establishing a covenant or an oath. Understandings this legal mechanism provides a fuller understanding of the different uses of the verb, and stands at the heart of the novel reading suggested in this article. [↑](#footnote-ref-25)
26. see M. Weinfeld, “The Common Heritage of Covenantal Traditions in the Ancient World,” in L. Canfora, M. Liverani, and C. Zaccagnini(eds.)*, I Trattati Nel Mondo Antico: Forma, Ideologia, Funzione* (Saggi di storia antica 2; Rome:“L’Erma” di Bretschneider, 1990), 175–91. [↑](#footnote-ref-26)
27. The reason for this uniformity has been the subject of a scholarly consideration: see Altman, 9-10; Weeks, 7-8, Weinfeld, the common heritage, 00; Tadmor, 00. [↑](#footnote-ref-27)
28. Especially striking is the affinity between biblical theological covenants and the *adê* agreements, which are loyalty oaths made in the framework of hierarchical relations. See H. Tadmor, “Alliance and oath of allegiance in the ancient Near East: The Approach of a Historian”, *The Yearbook for Biblical and Ancient Near East Studies* (1982) [149-173]; M. Weinfeld, "Traces of Assyrian treaty formulae in Deuteronomy", Biblica 46.4 (1965): 417-427. For a list of researches that have discussed this term see Altman, p. 24 n. 55. [↑](#footnote-ref-28)
29. In the Hebrew bible covenant and oath are synonyms and used interchangeably (e.g., Gen 21:31-32; 26:28; Josh 9:15, cf. 16-20; 2 kgs 11:4, Ezk. 17:13, 16, 18-19 and more); See Tucker, Gene M. "Covenant forms and contract forms", VT15.Fasc. 4 (1965): 487-503; pp.488-489. This is not only a matter of terminology but also of legal structure (492-497). Tucker notes that a similar phenomenon of identifying covenant and oath is typical of many Near-Eastern treaties (489-490). Even a more minimal approach would be bound to recognize that all covenants are “relationships established on oaths”, and it has already been hypothesized that this in fact is the reason for the close resemblance between treaties throughout the ancient world. See; see Weeks, p. 177. [↑](#footnote-ref-29)
30. That an invocation of divine entities as witnesses is indicative of an oath has been established by many, see e.g,00. This is true not only for Near-Eastern oaths but also for Greek and Roman oaths that similarly contain an appeal to the dieties to act as witnesses, see e.g., A. H. Sommerstein and I. C. Torrance (eds.), *Oaths and Swearing in Ancient Greece* (Berlin, 2014), p. 1-3, see e.g. Oath and Searing in Ancient Greece, pp.1-3, and more elaborately pp. 76-130; S. Connoly, “Ὀμνύω αὐτὸν τὸν Σεβαστόν: The Greek Oath in the Roman World”, in A.H. Sommerstein and J. Fletcher (eds.), Horkos: The Oath in Greek Society. Exeter, UK 2007, pp. 203-216 F.V. Hickson, *Roman Prayer Language: Livy and the Aeneid of Vergil*. (Belin 2015), p. 00. Cicero, in *De Officiis*, III.104 declares that “An oath is an assurance backed by religious sanctity; and a solemn promise given, before God as one’s witness, is to be sacredly kept.” (translation00) [↑](#footnote-ref-30)
31. Cf. Polinskaya, I., “‘Calling upon gods as witnesses’ in ancient Greece”, 10 *Mètis* (2012): 21‒35. Polinskaya claims that it was possible to call deities to witness in “situations where no oaths [were] sworn”, and that gods could be invoked “as simple observers, not as executors of justice. Sommerstein explains the implausibility of this analysis (ibid). [↑](#footnote-ref-31)
32. This is implied also by legal formulations used to describe the function of the witnesses in treaty forms, Deities are called upon to stand (“*lištemū u lū šībūtu lizzizzū*”, “εφιστηκασιν επι τουδε του ορκου”.) In human contracts the witnesses are similarly invited to stand )*uzzuzu*(. Weinfeld 00 (שבועת אמונים 69-70), von dassow00 [↑](#footnote-ref-32)
33. On the classification of this occurrence under the meaning of a warning see *BDB*, p. 730, and also the translations offered by various scholars: M. Cogan, 1 Kings (Anchor Bible 10: New York, 2001), p. 7; " M. J. Mulder, Kings, vol. 1: 1 Kings 1-11 (Historical Commentary on the Old Testament: Leuven 1998), p. 126. [↑](#footnote-ref-33)
34. Τhe Hebrew phrase wā’ā‘id běkā is also preserved in the Greek version “ἐπεμαρτυράμην σοι”. [↑](#footnote-ref-34)
35. In his commentary, p. 00, Milder points to a connection between this formulation and an oath albeit he does not clarify it: "When God is witness, a person may, upon a failure to keep the oath, bring down the malediction upon himself. He may also call forth God's punishment as a threat upon himself. Van Leeuwen thinks that from this line of thought the meaning 'to warn', 'to admonish' can be developed ... This meaning is somewhere too weak here. We prefer: to state under oath ". Cf. McCarthy, 38. [↑](#footnote-ref-35)
36. ESV. The translation of *hê‘îd* in these verses as warning is very common: NRSV, NJPS and also W. McKane, Jeremiah I (ICC), Edinburgh 1996, p. 236; J. Bright, Jeremiah (21 Anchor Bible; New York 1965), p. 81; R. Carol, Jeremiah, a Commentary (OTL; London 1986), p. 266. Cf. KJV: For I earnestly protested unto your fathers; W.L. Holladay, Jeremiah 2 (Hermeneia; Minneapolis 1989), p. 346 who prefers “for I really have admonished your fathers”, and J. Lundbom, Jeremiah 1-20 (Anchor Bible 21A), New York 1999, 614 “for I told your fathers emphatically”. Jeremiah 7 verses 7 and 25 are close parallels, but the root דבר is used in the stead of עוד. [↑](#footnote-ref-36)
37. The commentators elaborate on the connection between these verses and the Deuteronomist covenant theology; See, for example, McKane, p. 236-246; Carol p. 267; Holladay, pp. 349-353; Y. Hoffman, Jeremiah, Introduction and Commentary (Hebrew), Mikra Leyisra'el, Tel Aviv, 2000, p. 309-310. Nevertheless, in this context too *hê‘îd* is regularly interpreted in a general sense of warning and not as a matter of engagement with the covenant, as Carol writes (p. 269): "It is preached to those living after the disaster and is intended to warn them about the consequences of disobedience ... the fathers so warned and destroyed by the curses of the covenant are in fact the generation of Jerusalem's destruction .. "". Hoffman, p. 314, suggests a hybrid version that combines testimony and warning: ": העד העידותי “throughout the generations I warned and warned that the covenant should be obeyed, and you are witness to that." And cf. McCain, p. 238; Veijola, p. 349. [↑](#footnote-ref-37)
38. This reading is also supported by the parallels between verses 7-8 in chapter 11, whose content is missing in the Septuagint, and verses 4-5, which deal with oaths that God swore to the patriarchs. See, for example McKane, p.346-347; Hoffman, Jeremiah, p. 309; and the position of parallels by Lundbom, Jeremiah, p. 615-616. Deuteronomy 8, 19 should be read the same way: it is not merely a warning, but an imposition of an oath that is part of the covenant. [↑](#footnote-ref-38)
39. Some commentators note a certain connection between the two verses, however they don’t suggest a clear explanation for this connection it. See Hamilton, p. 540: “Nowhere in 42:15ff does Joseph say as much to his brothers. Judah may be offering a loos paraphrase of Joseph’s words in 42:18-20… or Judah’s words could be a deliberate embellishment. Or perhaps they are exact remarks of Joseph to his Brothers to which we, the readers, do not have access.” [↑](#footnote-ref-39)
40. On this formula see, e.g., M. Greenberg, ‘The Hebrew Oath Particle Ḥay/Ḥē,’ Journal of Biblical Literature (1957): 34-39. Ziegler, p.105; סגל, משה צבי. "לבנית פסוקי השבועה והנדר בעברית." Lĕšonénu: A Journal for the Study of the Hebrew Language and Cognate Subjects35.3 (1928): 215-227‎, pp. 222-223. [↑](#footnote-ref-40)
41. Truly, not always the oath underlying the testimony is clearly formulated. Cf. Exodus 19:21, 1 Samuel 8:9. [↑](#footnote-ref-41)
42. For the different translations see note 00 above. Again, the connection to the world of witnesses is maintained in in LXX: διεμαρτύρατο ὁ ἄγγελος κυρίου πρὸς ᾿Ιησοῦν. [↑](#footnote-ref-42)
43. On blessing and oaths see e.g.: M.R. Lehmann, "Biblical Oaths" Zeitschrift für die alttestamentliche Wissenschaft 81.1 (1969): 74-92 (in the biblical context); C. Faraone, "Curses and blessings in ancient Greek oaths." Journal of Ancient Near Eastern Religions 5.1 (2005): 139-156 (In Greek context). [↑](#footnote-ref-43)
44. שמעתי is often translated as “I will obey”, see discussion herein. Cf. Icc, Montgomery, 1951, 97: "the expression, *I have heard*, means *I am witness*, and so the south Arabic of the root". [↑](#footnote-ref-44)
45. ESV, and similarly (hear=obey) :NRSV NJPS, KJV. [↑](#footnote-ref-45)
46. ESV. Similarly in NIV, NRSV, KJV: I testified against you. Cf NJPS: I will arraign you. [↑](#footnote-ref-46)
47. ESV. Similarly NRSV: I admonished you. Cf. KJV: I will testify unto thee; NIV: I will warn you. [↑](#footnote-ref-47)
48. ESV, NRSV, NIV: Listen to me. [↑](#footnote-ref-48)
49. See e.g: 2 Kings 17:13-16; Jeremiah 6:10, 42:5-6; Micah 1:2; Nehemiah 9:29, 34; 2 Chronicles 24:19. [↑](#footnote-ref-49)
50. See e.g: Genesis 37 26-27; Exodus 24:7, proverbs 00. On the meaning of hearing as obedience in wisdom literature see Nili Shupak, *Where can wisdom be found? the Sage's language in the Bible and in Ancient Egyptian literature* (University Press Fribourg Switzerland, 1993), 51-55, 85. The variant meanings of hearing are beautifully played upon in the *Instructions to Ptahhotep*. [↑](#footnote-ref-50)
51. See e.g.: Judges 11:17. And see also M. Cogan, 1 Kings, Anchor Bible, 179. [↑](#footnote-ref-51)
52. G.M. Tucker, "The Legal Background of Genesis 23", *JBL Literature* 85.1 (1966): 77-84. [↑](#footnote-ref-52)
53. In the Sefire inscription the treaty undertakings are also formulated in terms of obligation to hear. See Sf I B 21-23 and Sf II B 2-4. [↑](#footnote-ref-53)
54. Veijola, followed by simian Yofre. [↑](#footnote-ref-54)
55. LXX: τὰ μαρτύρια αὐτοῦ, ὅσα διεμαρτύρατο αὐτοῖς; KJV: his testimonies which he testified against them; ESV, NRSV: the warnings that he gave them. Cf. 2 Kings 23:3, LXX: τὰ μαρτύρια αὐτοῦ; KJV, ESR : testimonies, NRSV: decrees. Scholars criticize the translation of *‘ēdwôt* to testimonies since *‘ēdwôt* is not derived *hê‘îd* but rather is an Aramaic loanword (see Kister, 00); on the accuracy of this translation see discussion below. [↑](#footnote-ref-55)
56. ESV: your warnings that you gave them. Other translations similarly vary as above. [↑](#footnote-ref-56)
57. See also Deuteronomy 6:20: “‘What is the meaning of the *‘ēdôt* and the statutes and the rules that the Lord our God has commanded you.’” [↑](#footnote-ref-57)
58. see B. Volkwein, "Masoretisches *‘êdût, ‘êdwõt, ‘êdôt* - 'Zeugnis’ oder 'Bundesbestimmungen’?" BZ 13(1969):18-40 *BDB* 730a; *HALOT* 683. Parnas, M. Parnas, "Ēdūt, 'Ēdōt, 'Ēdwōt in the Bible, against the Background of Ancient Near Eastern Documents (hebr.)." Shnaton 1 (1975): 235-246. P. 236- 238. One can find in different biblical passages *‘ēdūt* in the meaning of laws, which is usually associated with *‘ēdwôt*, and *‘ēdwôt* in the meaning of covenant, usually associated with *‘ēdūt*. [↑](#footnote-ref-58)
59. This is apparently true for all biblical occurrences of the Hebrew word ‘ēdūt; however, there is at least one case where a covenantal structure appears as a gerundive form derived from the noun ‘witness’, albeit in Aramaic: Genesis 31:47: וַיִּקְרָא לוֹ לָבָן יְגַר שָׂהֲדוּתָא וְיַעֲקֹב קָרָא לוֹ גַּלְעֵד. [↑](#footnote-ref-59)
60. As in Jer 32:44, Isa 8:2. [↑](#footnote-ref-60)
61. Veijola, 00 [↑](#footnote-ref-61)
62. For such explanations that build on the meaning of ‘wd in the sense of "repeat", and "do again and again" see e.g., J.A. Thompson, Expansions of the עד root, JSS 10 (1965), 222-240, 226, And the objection by Simian-Yofre, p. 497. [↑](#footnote-ref-62)
63. For an alternative reconstruction, see Kister, p. 296 n. 38. Kister argues that this is due to a semantic shift from the supposedly original meaning of warning, as a result of the influence of biblical passages in which the *‘ēdūt* and Torah are mentioned in close proximity. [↑](#footnote-ref-63)
64. only in the Sefire inscription [↑](#footnote-ref-64)
65. For a distinction between the various political spheres in which this terminology is used see Tadmor 00. [↑](#footnote-ref-65)
66. I.J. Gelb, Review on: D.J. Wiseman, The Vassal-Treaties of Esarhaddon (in Iraq20 ) Bibliotheca Orientalis 19 (1962) 160-162; 50. .W. von Soden, Akkadisches Handwörterbuch, I, 14a; 51 D.J. McCarthy, Treaty and Covenant, Rome 1963, 89; Dennis J McCarthy,. "Covenant and Law in Chronicles-Nehemiah." The Catholic Biblical Quarterly 44.1 (1982): 25-44, p. 37; R. Frankena, The Vassal-Treaties of Esarhaddon and the Dating of Deuteronemy, *Oudtestamentish studien* 14 ,(1965)134. Jacob Lauinger,. "The Neo-Assyrian adê: Treaty, Oath, or Something Else?." Zeitschrift für altorientalische und biblische Rechtsgeschichte 19 (2013): 99-115.

H. Tadmor. "Treaty and Oath in the Ancient Near East: A Historian's Approach, Shnaton Leheker Hamikra ve Hamizrach Hakadum (1982) 149-173. Cf Simo Parpola, "Neo-Assyrian treaties from the royal archives of Nineveh." Journal of Cuneiform Studies 39.2 (1987): 161-189, 181-183, who thinks that “the word *adê* covers a much broader semantic field than just "loyalty oath" and is best taken as a general term for any solemn, binding agreement.” [↑](#footnote-ref-66)
67. The simple example for this meaning is the common interchange between the phrases “the tablets of the covenant” (לוחות הברית) and the “tablets of testimony” (לוחות העדות), “the Ark of the Covenant” (ארון הברית) and the “Ark of Testimony” (ארון העדות). See M. Parnas, 236; Simian-Yofre, p. 512. Cf. Y. Knohl, The Sanctuary of Silence: The Priestly Torah and the Holiness School (Indianan, 2007), p. [136 n. 71], who notes that “in the priestly sources there are no “tables of the testimony” but only “the testimony”; for example, Exodus 16:34, 25:16. In his opinion, "this “testimony is substantially different from" tables of the coventnat” mentioned in non-priestly writings”. As for the form of ' the tables of the testimony ', Knohl believes that "it came from the pen of late editers from School of Holiness, who sought to merge the various tradition ". [↑](#footnote-ref-67)
68. See Parnas, 237-238. Cf. *‘ēdūt* in the sense of Torah, law in Psalms 19: 8; 78:5; ‘ēdwôt in the sense of covenant in Psalms 25:10. [↑](#footnote-ref-68)
69. As stated above, in both biblical covenants and Near Eastern treaties the contracting parties take an oath to keep the terms and conditions of the treaty/covenant, and the deities are witnesses for this sworn undertaking. In the Akkadian treaty, however, a clear terminological separation is maintained: the treaty - oath is called adê, whereas the term to describe the role of the deities as witnesses to the covenant is *šībūtu*. This is also the case in Aramaic, which distinguishes between עדן ‘dn (the name for the oath or the covenant) and שהד shd (a witness). However, in Hebrew, a homophonic merge is created as the borrowed word for covenant is *ēdūt*, whereas the witness whose action (testimony) establishes the covenant is named *‘ēd.* Cf. Veijola, 00. [↑](#footnote-ref-69)
70. Another possibility is that has been raised in scholarship is that there is some connection between the Aramaic *‘dy* and the Hebrew *‘ēd* (Simian – Yofre, 497). Some argue for a (rare) use of the root ‘wd in Aramaic in the semantic field of witnesses and testimony, in the sefire inscription. see Joseph A Fitzmyer, The Aramaic Inscriptions of Sefire. St. Martin's Press, 1995, p. 122, following Lemaire, André, and J.M. Durand, Les inscriptions araméennes de Sfiré et lA̓ssyrie de Shamshi-ilu. Vol. 20. Librairie Droz, 1984, p.141. According to DISO, *‘ēd* is attested in this use in two Aramaic inscriptions (J. Charles-François. Dictionaries des inscriptions sémitiques de l'ouest. EJ Brill, 1954.‏,p. 204). [↑](#footnote-ref-70)
71. 00 [↑](#footnote-ref-71)
72. In the NT see: 2 Tim. 5:1-2; 1 Tim.5:21-22 1 Thess. 2:10; Rev. 22:18-19; Acts 2:40, 13:20- 21 and more. In native Greek contexts see, e.g., X.Cyr.7.1.9, Hdt.5.93, Thuc. 6.29. [↑](#footnote-ref-72)