

“The Obsolete Covenant in Hebrews Chapter Eight”

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Chapter One

Introduction to the Problem

Some divisions in modern Christianity have arisen from diverging views about how to distinguish between the “old” covenant and the “new” covenant. For example, doctrinal diversity is apparent in current Christian teachings about the proposed continuing validity of particular commandments from among the Ten Commandments (such as the Sabbath) and, also, regarding the practice of tithing.

Are any of the precepts and laws found within the old covenant binding on the Christian Church? Most churches would deny that the sacrificial, dietary, agricultural and many criminal justice laws are binding on Christians. However, then, on what basis do some Christian churches affirm that other Old Testament (OT) laws are required of Christians (e.g., tithing)? Should a separation be made between cultic and moral laws in the OT? Precisely, what is “old” about the old covenant and what is “new” about the new covenant? How are we to understand continuity and discontinuity between the testaments in regard to biblical law?

In addition to these concerns, a greater desire for inter-faith dialogue between Jews and Christians in the post-World War II period has resurrected the issue of whether the old covenant is, indeed, obsolete. Has there been a full replacement of the old covenant by the new covenant? In this context, Jewish and Christian theologians have been re-examining the shared root of Christianity and Judaism and its implications for both faith communities.

Statement of the Problem

In light of the importance of these questions for the integrity and coherence of Christian teaching, for the unity of confession in the body of Christ, and for inter-faith relationships, this thesis will analyze the teaching of the Book of Hebrews as it pertains to the subject of the old and new covenants.

In particular, the thesis will examine the Hebrews 8:6-13 passage, within which the author makes the statement that “By calling this covenant ‘new’, he has made the first one ‘obsolete’; and what is obsolete and aging will soon disappear” (Heb 8:13). The key question which this thesis will address is: what does Hebrews 8:13 mean when it says that the first covenant is obsolete?

This thesis will also examine the underlying passage about the new covenant in Jeremiah 31:31-34 in the context of the theology of the new covenant throughout the OT. This thesis will also deal with the sub-problem of whether there is a distinction in Hebrews between the cultic and moral laws of the OT, especially with reference to the concept of covenant.

State of the Question

As previously stated, the key question which this thesis will address is: what does Hebrews 8:13 mean when it says that the first covenant is obsolete?

Pre-World War II and, indeed, traditional Christian views of Judaism over the centuries, have often considered Judaism to be an obsolete religion. Martin Luther, following a long tradition of Christian interpretation, suggested Judaism could be compared to “. . . the plant that flourished and then withered in the book of Jonah ‘It

served but for a time and then ceased to exist' . . . destroyed by a God-sent worm . . . [foretelling] the coming of Jesus Christ¹.

Indeed, “the founding theologians of modern Protestantism, such as . . . Schleiermacher . . . Hegel, and Von Harnack, regarded Judaism as an obsolete religion.”² Immanuel Kant believed “that the Jewish faith stands in no essential connection whatever, i.e. no unity of concepts . . . with (the Christian) church . . .”³ David Friedlander’s comments were typical of the 1800’s: “If the soul has taken flight, of what value is the stripped-off husk? The butterfly has escaped, the empty cocoon remains.”⁴ Are the Jews today really a people with no covenant at all; a kind of religious “fossil” belonging to an earlier period of salvation history as many traditional Christian interpretations have suggested?

It should certainly be noted that modern scholars who hold to a replacement theology harbor none of the apparent anti-semitism of earlier writers. Bruce Waltke holds the view that: “the hard fact [is] that national Israel and its law have been permanently replaced by the church and the New Covenant . . . our Lord announced that the Jewish nation no longer has a place as the special people of God; that place has been

¹ Amy Newman, *The Death of Judaism in German Protestant Thought from Luther to Hegel*. *Journal of the American Academy of Religion*, Vol 61, Fall 1993, 457.

² Carl E. Braaten and Robert W. Jenson, *Jews and Christians: People of God*. (Grand Rapids: Eerdmans, 2003), vii.

³ Immanuel Kant, *Religion Within the Limits of Reason Alone*. Translated by T. M. Greene and H. H. Hudson (New York: Harper and Brothers, 1979), 118.

⁴ Cited in Michael A. Meyer, *The Origins of the Modern Jew: Jewish Identity and European Culture in Germany, 1749-1824*. (Detroit: Wayne State University Press, 1967), 72.

taken by the Christian community . . .⁵ He further observes that “the Old Covenant and its types has been done away forever in favor of the superior eternal New Covenant. . . .”⁶ Yet, there is no hint of anti-Semitism in his analysis and he counsels against “sacrosanct confessions . . . on such complex and difficult issues as the relationship of the church and Israel. . . .”⁷

However, unlike earlier supersessionist views, a growing number of modern theologians have now concluded that “. . . the ancient covenant with Israel is still in force and that Israel has therefore not been superseded by the church in the plan of salvation.”⁸

Karl Barth expressed his view that:

Without any doubt the Jews are to this very day the chosen people of God . . . They have the promise of God; and if we Christians from among the gentiles have it too, then it is only as those chosen with them; as guests in their house, as new wood grafted onto their old tree.⁹

The Book of Hebrews is considered by some commentators to be supersessionist in tone. However, not all would share this view. Pamela Eisenbaum observes that “. . . Hebrews is noticeably lacking in the polemics that characterize the gospels and Paul’s letters . . . polemics against Jews pick up again in the mid-second century, with the

⁵ Bruce Waltke in John S. Feinberg, ed. *Continuity and Discontinuity: Perspectives on the Relationship Between the Old and New Testaments, Essays in Honor of S. Lewis Johnson, Jr.* (Westchester: Crossway Books, 1988), 274-5

⁶ Waltke, 279

⁷ Waltke, 286.

⁸ Donald G. Bloesch, *The Last Things: Resurrection, Judgment, Glory* (Downer’s Grove: InterVarsity Press, 2004), 197.

⁹ Bloesch, 220.

writings of Barnabas, Melito, Justin, Tertullian and others.”¹⁰ Richard Hays gives his opinion that “nowhere does Hebrews suggest that the Jewish people have been replaced by a new and different people of God.”¹¹ Craig Blomberg speaks for many when he observes that even “[Jesus’] transcendence of the Law—fulfilling yet not abolishing it—walks a tightrope rarely maneuvered successfully in Judaism or Christianity.”¹²

Outline of Chapters

Chapter One of this thesis comprises an introduction to the problem of the covenants and its importance for biblical studies and the Church. It states the problem and surveys the state of the question as outlined above.

Chapter Two will deal with the new covenant within OT theology. In particular, this chapter will examine the meaning of the root passage in the OT on which the writer of Hebrews draws (Jer 31:31-34). This thesis will examine the concept of “covenant” and “new” covenant in OT theology as a whole.

For example, regarding the old covenant, the writer of Hebrews says that God “finds fault with the people” (Heb 8:8). In this, he echoes the yearning of Moses and the prophets, that “all the Lord’s people were prophets” (Num 11:29), that “their hearts would be inclined to fear me and keep my commands always” (Deut 5:29), that they would be given “an undivided heart . . . a new spirit . . . a heart of flesh . . .” (Ezek

¹⁰ Pamela Eisenbraun in *Hebrews: Contemporary Methods – New Insights*. Gabriella Geraldini ed. (Leiden – Boston: Brill, 2005), 236.

¹¹ Richard B. Hays, “Here We Have No Lasting City: New Covenantalism in Hebrews”, (paper presented at Conference on Hebrews and Christian Theology, St. Andrews Scotland, July 19, 2006), 4.

¹² Craig L. Blomberg, *Jesus and the Gospels: An Introduction and Survey*, (Nashville, Tenn: Broadman & Holman, 1997), 255.

11:19), that they would have “a heart to know me” (Jer 24:7) and “a new heart . . . a new spirit” (Ezek 36:26). Yahweh also speaks of a time when He “will give them singleness of heart and action, so that they will always fear me for their own good. . . . I will make an everlasting covenant [with Israel and Judah] . . . I will inspire them to fear me, so that they will never turn away from me” (Jer 32:39-40).

Chapter Three will comprise an exegetical study of Heb 8:6-13. In Heb 8:6, the author makes a very strict demarcation. The new covenant is better because it is “founded on better promises.” The Sinai covenant included promises of material blessings (e.g., Leviticus 26). Rather than earthly blessings, the writer of Hebrews has heavenly (eternal) promises in view (Heb 9:15). Paul Ellingworth notes that “In Hebrews, as elsewhere in the Bible, the covenant, whether old or new, is not a mutual agreement, contract or negotiation . . . it is a unilateral gift from Yahweh.”¹³ We disagree with this assessment, in part, in light of the clear agreement of the Israelites to participate in the Sinai covenant (Exod 19:8).

In Heb 8:7, some shortcoming is seen with the first covenant; otherwise a second covenant would not be spoken of in the Jeremiah 31 passage that follows. The next verse says the fault was with the people. What follows is the longest quotation from the OT that is found in the New Testament (NT). The quotation largely, but not fully, follows the Septuagint (LXX) version (Jer 38:31-34). The variations appear to be stylistic. The writer of Hebrews says that he is moving to make his chief point (*kefavlaion*) (Heb 8:1).

The immediate focus is on a new covenant with Israel and Judah.

¹³ Paul Ellingworth, *The Epistle to the Hebrews: A Commentary on the Greek Text*. The New International Greek Testament Commentary (Grand Rapids: Eerdmans, 1993), 410.

tyr B hd`Why tyB@-ta#w la@r`c y tyB@-ta# yT!r k*w
hw`hy - a%ñ ya!B* ym!y` hN h!
.hv*d`j&

Jer 31:31 (BHS)

or

ijdouV hJmevrai ercontai fhsiVn kuvrio" kai v diaqhvsomai tw'
oi kw/ Israhl kaiVv tw' oi kw/ Iouda diaqhvkh n kainhvn (Jer
38:31 LXX).

This passage echoes the eschatological reunification of the northern Kingdom of Israel with the southern Kingdom of Judah (1 Kgs 12:20; Isa 11:12-13; Jer 30:3). This event is to follow a second eschatological exodus (Isa 11:1ff). Yahweh has declared that the two separate peoples of Israel and Judah will ultimately “be one in my hand” (Ezek 37:16-19). The picture is one of restoration and reunification.

Heb 8:13 concludes that “By calling this covenant ‘new,’ he has made the first one obsolete; and what is obsolete and aging will soon disappear” (Heb 8:13). To call the covenant new is automatically to declare the former one (the Sinai covenant) old or obsolete. Likewise, old age (or becoming old) is a sign of impending disappearance. It is clear that this new situation is the result of an eschatological act of God which brings about a change of the covenant. The word *ajfanismov*” (disappearing) is often used in the sense of destruction in the LXX, but that sense is not necessarily indicated here.

Chapter Four will deal with the theology of covenant and the new covenant in the whole Book of Hebrews. Is there a distinction in Hebrews between the “cultic” law and the Mosaic law? Within this chapter, this thesis will review the use of the word *diaqhvkh* (covenant) and any possible equivalent terms in the entire Book of Hebrews. We should note that the Book of Hebrews contains approximately half of all the NT

occurrences of the word *διαθήκη* (covenant/will). Jesus is the guarantee of “a better covenant” in Heb 7:22. This is the first use of the word “covenant” in the book.

By calling the new covenant “better”, the implication is that it is better than the old one (Heb 8:6). The theme of “covenant” is central to the ensuing theological exposition. It should be noted that the word covenant may also properly be translated “will” (Heb 8:6). Elsewhere in the book, there is mention of the “ark of the covenant” (Heb 9:4) and Christ as the “mediator of the new covenant” (Heb 9:15; 12:24). References are made to the “blood of the covenant” (Heb 9:20; 10:29; 13:20), regarding the old covenant and Christ’s blood. There is also a reprise of the Jeremiah 31 passage in Heb 10:16-17.

Chapter Five will present a summary and conclusions regarding the theology of Hebrews on the subject of the covenants. How do these conclusions correlate with the writings of other NT authors, in particular those in the Pauline corpus? What are the implications for Jewish-Christian dialogue?

Statement of Delimitations

This thesis will not deal with the complex issues of the authorship, date or the intended audience of the Book of Hebrews. There is no scholarly consensus on these topics. “The identity of the author, his readers, the place of writing and the date are all unknown.”¹⁴ Or as Craig Koester remarks: “. . . Hebrews is sometimes thought to be like

¹⁴ Barnabas Lindars, *The Theology of the Letter to the Hebrews*. New Testament Theology (Cambridge:Cambridge University Press, 1991), 6.

Melchizedek: without father, mother or genealogy (Heb 7:3)’¹⁵! Neither will this thesis deal with any NT references to the new covenant outside the Book of Hebrews.

¹⁵ Craig R. Koester, *The Epistle to the Hebrews: A New Translation with Introduction and Commentary*, Anchor Bible 36 (New York: Doubleday, 2001), 58.

Chapter Two

The New Covenant in Old Testament Theology

We will now address the concept of the new covenant within OT theology. In particular, this chapter will treat the semantic range of the word “covenant” in the OT and will focus on the concept of a “new” covenant in OT theology as a whole with particular emphasis on the root passage on which the writer of Hebrews draws (Jer 31:31-34).

Linguistically, quotations from the OT in Hebrews rely predominantly on the LXX. As Karen Jobes and Moises Silva note, “throughout the Epistle to the Hebrews the author depends on the LXX and appears not to have made use of the Hebrew text . . .”¹⁶ In light of this linguistic milieu of the readers of Hebrews, when the key word studies are being examined, this chapter and thesis will confine itself to a study of the semantic range of *διαθήκη* (covenant) in the LXX OT, rather than a study of the Hebrew term for covenant *ברית*. For the rationale and support of this premise, please see below in Chapter Three (pp. 46-47). Adopting this premise does not exclude other references to the new covenant in the OT which are not related to a specific word study.

This thesis in general will not attempt to determine the intended audience of the writer of Hebrews. There is no scholarly consensus on this matter. However, it should be noted that the intended audience of Hebrews clearly had a high regard for the Sinai Covenant. Whether those readers were racially Jews, Gentiles or a mixed group, the writer of Hebrews responds by upholding the central role of Christ and the “better” covenant that he brought.

¹⁶ Karen H. Jobes and Moises Silva, *Invitation to the Septuagint* (Grand Rapids, Michigan: Baker Academic, 2000), 196.

Covenant in the Old Testament

Firstly, we must consider what is meant when the term “covenant” is used. Undoubtedly, the concept of “covenant” (LXX **διαθήκη**, Hebrew **ברית**) is a major theological motif in the OT. The most basic form of covenant is the idea of an agreement between two persons or nations, including mutual promises and obligations within the context of a loyalty oath.

For example, Abram and Abimelech make a treaty/covenant between equal parties. They swear an oath of mutual loyalty (Gen 21:27, 32). Likewise, Isaac and Abimelech swear an oath of agreement/covenant promising mutual peace (Gen 26:28-29). In the next generation, Jacob makes a covenant with his father-in-law Laban. There will be peace between them, a type of mutual non-aggression pact. An oath is sworn. God’s name is invoked and a sacrifice is offered (Gen 31:43-53). Abner suggests a new loyalty covenant to David (2 Sam 3:12-13). Clearly, covenants of mutual loyalty and peace can be made between equal, nearly-equal or unequal parties.

Friendship covenants can also be made (Ps 55:20). David and Jonathan enter a covenant based on mutual love (1 Sam 18:2-4). Other examples include marriage covenants (Prov 2:17) and routine civil contracts (Hos 10:4). In Wisdom literature we read of a covenant that Job makes with his eyes regarding lust (Job 31:1). There is no second party in this covenant. Job is making a personal commitment. There are many other such examples that speak of covenant-making in the OT.

Covenants are also enacted between nations. For example, before the Israelites enter the promised land, they are warned not to enter into treaties/covenants (**διαθήκη**)

with peoples of the land (Exod 34:12). With God's empowerment, they are to drive out the nations of the land rather than entering into covenants/treaties with them. However, Joshua and the Israelites are tricked into making a covenant of mutual peace with the Gibeonites shortly after they entered the promised land (Josh 9:14-15). They did honor this treaty. This indicates that, at times, nation-to-nation treaties/covenants can be made between parties where one is superior to the other. In other cases there is an agreement between equal nations. For example, Hiram and Solomon enter into a mutual peace alliance (1 Kgs 5:12).

The word *διαθήκη*, therefore, has a wide semantic range that does not necessarily imply the superiority of one party in the covenant over another or the imposition of obligations by one party on another. Many types of agreements/treaties/covenants are possible. H. Hegermann's view that the word covenant "is used almost without exception for a one-sided obligation"¹⁷ does not reflect the variety of covenants that we encounter in the OT.

Later, we read of a covenant of the suzerain-vassal type of treaty/covenant imposed on Judah by Babylon:

. . . The king of Babylon went to Jerusalem . . . he took a member of the royal family and made a treaty with him, putting him under oath . . . so that the kingdom would be brought low . . . the kingdom . . . surviving only by keeping his treaty (Ezek 17:12-14).¹⁸

Again, these examples serve to show the wide variety of covenants that existed in the OT linguistic context.

¹⁷ H. Hegermann, "Διαθήκη, *Diathēkē Covenant; Testament.*" *EDNT* 1:299.

¹⁸ All Biblical references are from the Holy Bible, New International Version, (Copyright 1984, International Bible Society), unless otherwise noted.

Divine-Human Covenants

With this background, and for our purposes, we now need to examine the larger theological usage of the word covenant relating to covenants between Yahweh and humankind. Firstly, we see that, sometimes, these divine-human covenants are entirely unilateral in nature. Yahweh repeatedly (eight times) pronounces what we could call a “new” covenant to Noah and humankind to never again flood the earth so as to destroy all life (Gen 9: 9-17). No corresponding covenantal obligations are laid upon humankind. This covenant is entirely promissory in nature.

Yahweh makes a covenant with Abram (Gen 15:18-20) accompanied by an elaborate and mysterious sacrificial ceremony. Yahweh promises a line of descendants to Abram and land inheritance. In the context of Genesis 15 no obligations are imposed on Abram. “Only God passes between the pieces of the animals. Abram merely looks on, passive beneficiary of the covenant promise... The unilateral unconditional character of the covenantal agreement assures Abram and his posterity that God’s relationship with his people is permanent.”¹⁹

This seminal covenant has historically been determinative for Jews as they view their own identity. Abraham Joshua Heschel says, “The life of him who joins the covenant of Abraham continues the life of Abraham . . . We are Abraham.”²⁰ As Isaiah says, “Look to the rock from which you were cut and the quarry from which you were hewn, look to Abraham, your father and to Sarah, who gave you birth” (Isa 51:1-2). This covenant theme is also taken up by the apostle Paul polemically in the NT as a posited

¹⁹ Marvin R. Wilson, “Our Father Abraham” in *Jews and Christians: People of God*, Carl E. Braaten and Robert W. Jenson eds. (Grand Rapids, Michigan: Eerdmans, 2003), 54.

“older” covenant than the Sinai “law” covenant (Gal 3:15-18). This is indicative of Paul’s view in Galatians of a high degree of discontinuity between the Sinai covenant and the earlier Abrahamic covenant. Abram’s trust in God’s promise has earlier been “credited to him as righteousness” (Gen 15:6).

However, later, in what may be a re-affirmation or elaboration of this covenant, Yahweh calls on Abram to “walk before me and be blameless” (Gen 17:1-2) and says “I will confirm my covenant between me and you . . . this is my covenant . . . you will be the father of many nations” (Gen 17:2, 4). While the requirement to be “blameless” implies only an undefined obedience/loyalty obligation on Abram’s part, an obligation is, nevertheless, clearly included. This introduces a clearly bilateral aspect to this foundational covenant; both in the requirement of ethical conduct and in the added ritual of circumcision.

What are we to make of these differences? David Noel Freedman and David Miano’s proposal that these commands to Abraham “are not officially part of the covenant agreement”²¹ is one solution, implying two separate covenants. Otherwise, we can see a covenant in two stages. This would indicate a bilateral covenant with Abraham. Genesis 15 and 17 do contain two covenant pericopes. It is also possible that a later redactor added the extra reference to obedience. I favor the proposal that the obedience reference is original.

²⁰ Abraham J. Heschel, *God in Search of Man*, (New York: Farrar, Straus & Giroux, 1955), 201.

²¹ David Noel Freedman and David Miano, “People of the New Covenant,” in *The Concept of the Covenant in the Second Temple Period*, Stanley E. Porter and Jacqueline C. R. de Roo, eds. SJJS 71, (Leiden: Brill, 2003), 9.

Later, blessings and the land promise are confirmed, “because Abraham kept my requirements, my commands, my decrees and my laws” (Gen 26:5). These obligations are not spelled in the context.²²

The promise in Genesis 17 reiterates what Yahweh said earlier that Abram’s descendants would form a great nation and that the entire world would receive a blessing through him (Gen 12:1-3). This patriarchal covenant (Gen 15:18) was later reiterated to Isaac and Jacob (Lev 26:42). In the covenant with Abraham, circumcision is given as a sign (Gen 17:10-11). This circumcision sign (the oldest rite or *mitzvah* in Judaism) is one example of the obligations that are expected of Abraham and his descendants under this covenant.

The people of Israel go down into Egypt and, in time, become slaves there. But, Yahweh “remembers” his covenant with Abraham, Isaac and Jacob (Exod 2:24). Under Moses, Yahweh liberates them and makes a “new” covenant with them at Sinai. But, is this really a completely “new” covenant? Certainly many of its stipulations are new and span several chapters (initially Exodus 20-23). However, there are still the underlying promises of land and blessing. So, we may well see the Sinai covenant as an outgrowth of the foundational patriarchal covenant, based on the “theological backbone” of that covenant.²³

Yahweh promises that if they keep his covenant, Israel will be his “treasured possession” and “a kingdom of priests, a holy nation (Exod 19:5-6). Their part is to obey

²² The Talmud states that Abraham not only kept the 613 commandments of the written law (Kiddushin, 82a), but also the oral law (Yoma 28b).

²³ P. R. Williamson, “Covenant,” in *Dictionary of the Old Testament Pentateuch*, T. Desmond Alexander & David W. Baker eds. (Downers Grove, Illinois: InterVarsity Press, 2003), 149.

the terms of the covenant. This they agree to do (Exod 24:3). Blessings (promises) for obedience and curses for disobedience are later elaborated (Lev 26:1ff; Deut 11:26-28ff). While the Sinai covenant has the structure and form of a suzerain-vassal treaty in many respects, it is certainly not one-sided. Paul Ellingworth holds that, “In Hebrews, as elsewhere in the Bible, the covenant, whether old or new, is not a mutual agreement, contract or negotiation . . . it is a unilateral gift from God.”²⁴ While all the terms of the Sinai covenant are written by Yahweh, I cannot fully concur with Ellingworth’s assessment in light of the clear and willing agreement of the Israelites to participate in that covenant (Exod 19:8).

If the Israelites violate the covenant, the covenant does not cease. Rather, they will come under the punishment provisions of the covenant (Leviticus 26) which are triggered by their disobedience. They will even face foreign captivity. But if they repent, Yahweh says, “I will remember my covenant with Jacob, and my covenant with Isaac and my covenant with Abraham . . . I will not reject them . . . completely, so as to break my covenant with them” (Lev 26:42-45). It is significant that the patriarchal covenant is the one mentioned as the *benchmark* covenant, rather than the one at Sinai, supporting the idea of the dependency of the Sinai covenant on the patriarchal one. As Bernhard W. Anderson says, “In the final form of the Pentateuch . . . the Abrahamic covenant . . . is the overarching theme within which the Mosaic covenant of law is embraced.”²⁵ This is further supported elsewhere in both Old and New Testaments (2 Kgs 13:23; 1 Chr 16:16; Ps 105:9; Acts 3:25; Gal 3:17).

²⁴ Paul Ellingworth, *The Epistle to the Hebrews: A Commentary on the Greek Text*. The New International Greek Testament Commentary (Grand Rapids: Eerdmans, 1993), 410.

While there are many obligations and promises contained in the Sinai Covenant as noted earlier, we see that the ten commandments are the core of that agreement in

Exod 34:28:

Moses was there with the LORD forty days and forty nights without eating bread or drinking water. And he wrote on the tablets the words of the covenant—the Ten Commandments. (cf. also Deut 4:13).

All the regulations of the covenant are not confined to Exodus 20-23. For example, the sacrificial cult was also considered part of the covenant (Heb 9:1-4). Likewise, the Deuteronomistic (Moabite) version of the covenant contains added commands: “These are the terms of the covenant the LORD commanded Moses to make with the Israelites in Moab, *in addition* [emphasis mine] to the covenant he had made with them at Horeb” (Deut 29:1). Thus, as the Israelites prepare to enter the promised land, Yahweh renews and revises (Deut 29:1) the Sinai covenant with a new generation (Deut 5:1-3). We should also note that, within the Sinai covenant, other stipulations or pronouncements of Yahweh are, in a narrower sense, occasionally called “covenants”: for example, the Sabbath (Ex 31:16) and also the shewbread (Lev 24:8). For the Israelites the covenant and the law (*torah*) largely became synonymous, since covenant status was predicated on obedience to *torah*. Torah was the covenant “identity marker” for Israel.²⁶

Of course, by agreeing to the covenant, Israel enters into a *relationship* with Yahweh that transcends law. It is a covenant of love (Deut 7:9, 12; 1 Kgs 8:23; 2 Chr 6:14; Neh 1:5; Dan 9:4), rooted in the faithfulness of Yahweh (Deut 7:9; Ps 25:10; Isa 54:10). He will be their God and they will be his people.

²⁵ Bernhard W. Anderson, *Contours of Old Testament Theology* (Minneapolis: Fortress, 1999), 137.

In the period of the monarchy, a Davidic covenant is added, promising an everlasting kingdom to David's descendants (2 Sam 23:5; 2 Chron 13:5). This promise is repeated in Jeremiah (accompanied by a promise of an unbroken line of Levitical priests) (Jer 33:20-22). In the same context, Yahweh ties the fate of the Davidic line in with that of all the descendants of Jacob:

. . . if I have not established my covenant with day and night and the fixed laws of heaven and earth, then I will reject the descendants of Jacob and David my servant and will not choose one of his sons to rule over the descendants of Abraham, Isaac and Jacob . . . (Jer 33:25-6).

In the dark postexilic period, a psalmist laments the apparent failure of the Davidic covenant and of Yahweh's faithfulness and appeals for deliverance (Ps 89:38-39, 49).

There are periods in Israel's history when covenant renewal takes place. Josiah makes a covenant based on the rediscovered "book of the Law" (2 Chr 34:15). This is a renewal of the Sinai covenant (2 Chr 34:31-32). We see other examples of covenant renewals with Jehoida (2 Chr 23:16), with Hezekiah (2 Chr 29:10) and after the return from the exile (Neh 10:29).

Some scholars see a sharp distinction between the Noachian and Abrahamic covenants and that of Sinai. Norbert Lohfink is representative of this view:

The earlier "deuteronomistic" talk in the Sinai or Horeb covenant is not immediately compatible with the "priestly" talk in the two interrelated "covenants" of God with Noah and Abraham . . . The word "covenant" has a very different meaning in each case. In the one case its meaning is something like a contract which can be broken and then is at an end . . . in the other, its meaning is rather a solemn promise made by God.²⁷

²⁶ In the Halakic Midrash Mekilta on Exodus 20:6 we read: "By Covenant is meant nothing other than Torah."

²⁷ Norbert Lohfink, *The Covenant Never Revoked: Biblical Reflections on Christian-Jewish Dialogue* (New York: Paulist, 1991), 20-21.

As noted earlier, it must be acknowledged that there is a completely promissory nature and content to the Noachian covenant. The Abrahamic covenant is largely promissory but we observed in Genesis 17 that, at least, a general loyalty/obedience is required. Obligations are prominent in the Sinai covenant but we have also seen that many blessings and promises are included as well. In general, the word covenant must be understood by its context. Lohfink correctly states “‘Covenant’ . . . is an idea . . . [the meaning of which] . . . should be derived on each occasion from the context”.²⁸

We have seen above that while there are many covenants referred to since the one with Abraham, they all are rooted in that fundamental covenant but vary in their explication of the obligations of the covenant people. There is continuity in a shared foundation based on the patriarchal promises and, often, discontinuity in the details. An organic thread links all the covenants, anchoring them in the promises to Abraham. Blessings and curses will follow obedience and disobedience respectively. But Yahweh is totally invested in his relationship with Israel. They are the “apple of his eye” (Deut 32:10) and the beloved infant he will not forget (Isa 49:15). He says, “I will never break my covenant with you” (Judg 2:1). He will always remember his covenant with Abraham, Isaac and Jacob (Lev 26:42).

Longing for a Deeper Commitment to Yahweh

²⁸ Ibid., 34.

From the very beginning of the detailed Sinai covenant, Moses realized a shortcoming within the Israelites when it came to their willingness and capacity to be faithful to the covenant that they had made with Yahweh. When Moses's disciple Joshua complains that two "unauthorized" men are prophesying, Moses replies, "Are you jealous for my sake? I wish that all the Lord's people were prophets and that the Lord would put his Spirit on them!" (Num 11:29).²⁹ The people of Israel assure Moses "Tell us whatever the Lord our God tells you. We will listen and obey." (Deut 5:27). Yahweh replies: ". . . Everything they said was good. Oh, that their hearts would be inclined to fear me and keep my commands always" (Deut 5:28-29).

Yahweh's frequent command to Israel was that they would simply "Love the Lord your God with all your heart and with all your soul and with all your strength" (Deut 6:5; 10:12; 11:13; 26:16). The forty years in the wilderness was (for Israel) to "test . . . what was in your heart" (Deut 8:2). But the Sinai generation turned out to be "stubborn and rebellious" (Ps 78:8). They "did not keep God's covenant" (v. 10).

There were exceptions. Moses is "faithful in all God's house" (Num 12:7). Caleb and Joshua "wholly followed the Lord" (Num 32:12). Caleb's obedience is attributed to his having "a different spirit" (Num 14:22). In the days of Elijah, Yahweh has reserved seven thousand "who have not bowed the knee to Baal" (1 Kgs 19:18). King David is a man "after God's own heart" (1 Sam 13:14). The hearts of some of the kings of Judah were also turned to God (1 Kgs 15:14; 2 Kgs 22:19, 25). The prophets yearn after God's promised one. The "spirit of Christ" is in them (1 Pet 1:10-11).

²⁹ We might note in passing that this is redolent of Jesus' similar remark to his disciples in Mark 9:38-39 where Jesus chides his disciples for rejecting the ministry of someone outside their circle .

A New Covenant

We now move to a consideration of the new covenant in the later prophetic tradition. The prophet Isaiah laments the sickness of heart that afflicts Judah (Isa 1:5). Their heart is hardened (Isa 6:10). The people do not have an interest, a heart, a spirit to keep the covenant. Yahweh had earlier prophesied this through Moses (Deut 31:16-17, 27-29). Meanwhile, Yahweh's word is:

Remember these things, O Jacob, for you are my servant, O Israel. I have made you, you are my servant; O Israel, I will not forget you. I have swept away your offenses like a cloud, your sins like the morning mist. Return to me, for I have redeemed you. (Isa 44:21-22)

Moreover, there is a promise. "The spirit will be poured upon us from on high" (Isa 32:15). Of a future one who is called Yahweh's servant, Yahweh says: "I will put my Spirit on him and he will bring justice to the nations" (Isa 42:1). He also says "I will pour out my Spirit on your offspring" (v. 3). To those "who repent in Jacob" Yahweh holds out a future covenant of the Spirit:

"As for me, this is my covenant with them," says the LORD. "My Spirit, who is on you, and my words that I have put in your mouth will not depart from your mouth, or from the mouths of your children, or from the mouths of their descendants from this time on and forever," says the LORD. (Isa 59:21)

The Spirit will be the centre of this covenant and its presence will ensure continuity of obedience to Yahweh down through the coming generations.

But, for now, Israel has rebelled and "grieved . . . [Yahweh's] Holy Spirit" (Isa 63:10) which he had "set . . . among them" (v. 11). Isaiah cries out: "Why, O Lord, do you make us wander from your ways and harden our hearts so we do not revere you" (v. 17)? A drastic change of heart and spirit was needed for Israel. The change is so radical

that very early in the tradition it is likened to physical circumcision. Thus we read that, after punishment and captivity, “The Lord your God will circumcise your hearts and the hearts of your descendants, so that you may love him with all your heart and all your soul, and live” (Deut 30:1-6).

Overall, we should note that the OT also speaks of the concept of a “new covenant,” without directly using that phrase. Different formulations or variations that speak of a change of “heart” or “spirit” are also found (Deut 30:1-4; Jer 24:5-7; 32:36-41; Ezek 11:17-20; 16:59-63; 36:24-28). The key word “heart” is specifically found in Deut 30:6, 14; Jer 24:7; 32:39-40; Ezek 11:19; 36:26. In Ezek 36:26-27 it is directly linked with the phrase “new spirit.” The outpouring of the Spirit is clearly linked to this change of heart. Joel also speaks of this event taking place in the eschatological “Day of the Lord” (Joel 2:28-29).

Central to the promise of the Spirit is the servant of Yahweh on whom that Spirit is placed (Isa 42:1). Remarkably, and uniquely, this servant is told: “I . . . will make *you* [emphasis mine] to be a covenant” (v. 6; 49:8). No other use of *diaghvkh* with a similar personal referent is found in the LXX. The covenant initiative comes from Yahweh who makes his servant to *be* a covenant. The parties to this covenant appear to be Yahweh and the people of Israel.

These promises of an outpouring of the Spirit and a future covenant in Isaiah accompany a new eschatological exodus (Isa 11:1-12) and the reunification of the northern Kingdom of Israel with the southern Kingdom of Judah (v. 13; also I Kgs 12:20; Jer 30:3). Yahweh has declared that the two separate peoples of Israel and Judah will

ultimately “be one in my hand” (Ezek 37:16-19). The picture is one of restoration under a “new” covenant.

Isaiah speaks further of this time as one when “[Yahweh’s] unfailing love for you will not be shaken nor my covenant of peace be removed” (Isa 54:10). Yahweh goes on to promise to make “an everlasting covenant with you, my faithful love promised to David” (Isa 55:3). This speaks of a future eschatological covenant (Isa 59:20-21), not the Sinai covenant which is already in place. This future (and hence, “new”) covenant is also prophesied in Isaiah 61:8 where it is based on Yahweh’s faithfulness. Jack Lundbom sees that this “covenant forms the centerpiece of a larger eschatological hope which includes a new act of salvation, a new Zion, and a new Davidic king.”³⁰

When we turn to the prophet Ezekiel, we find similar promises. Israel has been faithless and will be punished for “breaking the covenant.” But Yahweh says “Yet I will remember the covenant I made with you in the days of your youth, and I will establish an everlasting covenant with you” (Ezek 16:59-60). The implication is that Yahweh will remember the Sinai covenant, but will go on to establish a “new” and “everlasting” covenant in the future. He goes on to say that, at that time, he will “give [your sisters] to you as daughters, *but not on the basis of my covenant with you* [emphasis mine]. So I will establish my covenant with you, and you will know that I am the Lord” (vv. 61-62). The sense is a little obscure, but the implication is that Yahweh will go further in extending mercy to Israel than what the Sinai covenant called for.

Later, Ezekiel returns to the “new” covenant theme. With David as prince over Israel, “I will make a covenant of peace with them and rid the land of wild beasts . . . the trees of the field will yield their fruit and the ground will yield its crops . . . [I will]

rescue them from the hands of those who enslaved them” (Ezek 34: 25-27; cf. also Hos 2:18). The curses for disobedience to the Sinai covenant will be reversed. This time will be one when Yahweh says:

I will sprinkle clean water on you, and you will be clean . . . I will give you a new heart and put a new spirit in you; I will remove from you your heart of stone and give you a heart of flesh. I will put my Spirit in you and move you to follow my decrees and be careful to keep my laws. (Ezek 36:25-27)

The presence of the Spirit will lead to a new motivation to obey from the heart the laws of Yahweh. This new heart in Israel will be “undivided” in its loyalty to Yahweh; an obedient people, finally a people of God (Ezek 11:19-20). A future everlasting “covenant of peace” is also spoken of in Ezek 37:26.

When we come to the prophet Jeremiah, we see his deep concern over the unfaithfulness of the people of Judah to the covenant (Jer 11:1-8; Jer 22:8-9). Indeed, Walter Brueggemann says that “The governing paradigm for the tradition of Jeremiah is *Israel’s covenant with Yahweh, rooted in the memories and mandates of the Sinai tradition.*”³¹ Judah has broken the “terms” of the covenant so Yahweh has brought all the curses of the covenant upon them. The society is corrupt and is about to be destroyed. However, “The book of Jeremiah, . . . cannot be completely understood by . . . a notion of covenant violation and covenant curse, the central assumptions of Deuteronomistic theology. [It] . . . also affirms . . . *the pathos of Yahweh.* In spite of Israel’s obduracy and recalcitrance, Yahweh nonetheless wills a continuing relation with Israel.”³² Lengthy narratives show Jeremiah speaking the divine word in the royal court and among the

³⁰ Jack R. Lundbom, “New Covenant”, *ABD*, 4:1088.

³¹ Walter Brueggemann, *A Commentary on Jeremiah: Exile and Homecoming* (Eerdmans: Grand Rapids, 1998), 3.

³² *Ibid.*, 4-5.

prophets in the fading years of the nation of Judah. Jeremiah weeps for the people and pleads with Yahweh: “For the sake of your name . . . remember your covenant with us and do not break it” (Jer 14:21).

Despite this bleak background, however, there is

. . . a distinctive block of material which may be described . . . as a book . . . of consolation. These poems and stories set out a bright future of restoration and permanent salvation . . . City and palace will be rebuilt, kingship restored with a Davidic figure on the throne . . . levitical priests permanently offering sacrifice, a new covenant between Yahweh and people and a reunification of the two nations.³³

The positive tone of these salvation oracles reflects “a dream at odds with the Jeremiah tradition of trenchant criticism and condemnation of society.”³⁴ Yet, that dream is rooted in God’s faithfulness after punishment. A note of hope is sounded in Jer 29:10-12:

This is what the LORD says: ‘When seventy years are completed for Babylon, I will come to you and fulfill my gracious promise to bring you back to this place. For I know the plans I have for you,’ declares the LORD, ‘plans to prosper you and not to harm you, plans to give you hope and a future. Then you will call upon me and come and pray to me, and I will listen to you.’

Yahweh will “bring my people Israel and Judah back from captivity” (Jer 30:3). They will “serve the Lord and David their king, whom I will raise up for them” (v. 9). Yahweh says, “I will rebuild you up again . . . O Virgin Israel” (Jer 31:4). “See, I will bring them from the land of the north and gather them from the ends of the earth” (v. 8). He proclaims in v. 20,

Is not Ephraim my dear son, the child in whom I delight? Though I often speak against him, I still remember him. Therefore my heart yearns for him; I have great compassion for him.

³³ Robert P. Carroll, *From Chaos to Covenant: Prophecy in the Book of Jeremiah* (New York: Crossroad, 1981), 198.

³⁴ *Ibid.*

Even though the negative theme of exile or dismantling of the Kingdom of Judah is prevalent in Jeremiah, there is also a clear message of restoration in v. 28 when Yahweh promises that “Just as I watched over them to uproot and tear down, and to overthrow, destroy and bring disaster, so I will watch over them to build and to plant, declares the LORD.” Indeed, this minor theme of consolation or comfort governs Jeremiah 30-33. The Jeremiah 31 passage uses eschatological language in Jer 31:31-34 (LXX Jer 38:31-34).

From a Christian perspective this passage has historically been given great weight by many commentators.³⁵ Brueggemann is of the view that “It has frequently been preempted by Christians in a supersessionist fashion, as though Jews belong to the old covenant now nullified and Christians are the sole heirs of the new covenant.”³⁶ Of course, the context speaks of a reconstituted Israelite community and not its substitution. This theme is carried through Jeremiah 32 and 33. We read in Jer 31:31-34:

“The time is coming,” declares the LORD, “when I will make a new covenant with the house of Israel and with the house of Judah. It will not be like the covenant I made with their forefathers when I took them by the hand to lead them out of Egypt, because they broke my covenant, though I was a husband to them,” declares the LORD. “This is the covenant I will make with the house of Israel after that time,” declares the LORD. “I will put my law in their minds and write it on their hearts. I will be their God, and they will be my people. No longer will a man teach his neighbor, or a man his brother, saying, ‘Know the LORD,’ because they will all know me, from the least of them to the greatest,” declares the LORD. “For I will forgive their wickedness and will remember their sins no more.”

³⁵ For John Bright this passage is the “the high point of his [Jeremiah’s] theology” in John Bright, *Jeremiah: Introduction, Translation and Notes*, Anchor Bible (Doubleday: New York, 1965), 287. J. P. Hyatt proclaims it to be “one of the mountain peaks of the O. T. and came to have great importance in the N. T.” in J. P. Hyatt, *The Book of Jeremiah: Introduction and Exegesis*” The Interpreter’s Bible, 12 vols. (Abingdon: Nashville, 1951-7), 1037. Robert Carroll, on the other hand, is doubtful even of Jeremiah’s direct authorship of the passage (Carroll, *From Chaos to Covenant*, 327) due its singular optimistic tone and is open to the passage having been penned by a follower of Jeremiah or a later redactor.

³⁶ Brueggemann, *A Commentary on Jeremiah*, 291-2.

This crucial passage contains a clear focus on the topic of divine-human covenants. Jeremiah says there is to be a “new” covenant with Israel and Judah.

tyr B hd`Why tyB@-ta#w la@r`c y tyB@-ta# yT!r k*w
 hw`hy - a#n ya!B* ym!y` hN h!
 .hv*d`j&

Jer 31:31 (BHS)

or,

ijdouV hJmevrai ercontai fhsiVn kuvrio" kaiv diaqhsomai tw'
 oi kw/ Israhl kaiVv tw' oi kw/ Iouda diaqhvkhv kainhvn (Jer
 38:31 LXX).

[This is] . . . what must be rated as one of the most important Old Testament prophecies . . . It concerns a new covenant which God intends to make with Israel and Judah following a period of national repentance . . . The main characteristics of this new covenant are complete forgiveness of sins, and God becoming ‘their God’ in a way not yet experienced.³⁷

It is said of the house of Israel and the house of Judah (the northern and southern kingdoms) that both of them “broke” the Sinai covenant (Jer 31:32). The “breaking” of the covenant is a common theme in the prophets (Deut 31:20; 2 Kgs 18:12; Isa 24:5; Ezek 16:59; 17:18; 44:7; Jer 34:18). Does this breaking of the Sinai covenant also imply that Yahweh will now forget his covenant and count it null and void?

Lohfink holds the view that “This covenant was not outmoded but ‘broken’ . . . It became then nonexistent.”³⁸ Delbert Hilliers suggests that for Jeremiah “the old covenant is a thing of the past . . . ‘They broke that covenant with me’ dismisses the old order

³⁷ Ronald E. Diprose, *Israel and the Church: The Origin and Effects of Replacement Theology* (Rome, Italy: Instituto Biblico Evangelico Italiano, 2004), 11.

³⁸ Lohfink, *Covenant*, 48.

laconically but finally.”³⁹ George Mendenhall and Gary Herion take a similar view: “Thus the old covenant was no more . . . there was no longer [after the captivity of Judah] any body politic to which the covenant could apply.”⁴⁰ Robert Carroll declares, “If ever an institution was created which was a complete failure from the beginning it must be the deuteronomistic covenant!”⁴¹ All of these comments seem to overstate the consequences of the “breaking” of the covenant i.e. the consequences of *disobedience* on Israel’s part of the terms of the covenant.

From the very start, covenant rebellion is prophesied. The consequences of this are severe (suffering, captivity and exile) but fall short of the dissolution of the covenant itself. Yahweh promises: “I will not reject them or abhor them so as to destroy them completely, breaking my covenant with them” (Lev 26:44). They will be brought back from captivity. Their hearts will be circumcised “so that you may love [Yahweh] with all your heart and with all your soul” (Deut 30:6). The covenant relationship has, clearly, not been terminated by rebellion. David Freedman sees continuity: “Can covenant bond be broken—and at the same time persist? Can God sever a relationship as a result of covenant violations—and nevertheless maintain it in perpetuity? The Bible seems to answer in the affirmative.”⁴²

³⁹ Delbert R. Hillers, *Covenant: The History of a Biblical Idea* (Baltimore: John Hopkins University Press, 1969), 167.

⁴⁰ George E. Mendenhall and Gary A. Herion. “Covenant.” in vol. 1 of *Anchor Bible Dictionary*, David Noel Freedman, ed. 6 vols. (New York: Doubleday, 1992), 1:1192.

⁴¹ Carroll, 217.

⁴² David Noel Freedman, “Divine Commitment and Human Obligation: The Covenant Theme,” *Interpretation* 18 (1964), 429.

Indeed, we see that, despite Israel's unfaithfulness to the covenant, Jeremiah still calls on Yahweh: "Remember your covenant with us and do not break it" (Jer 14:21). This same covenant expectation is still cherished even in the Second Temple period (Lk 1:72; Acts 3: 25). Furthermore, we read that Yahweh will certainly remember his covenant after punishment has been meted out (Lev 26:42; Ps 89:34; Jer 29:10-11; Ezek 16:60).

However, Yahweh will make a "new covenant" with "the house of Israel and with the house of Judah." We here note that the parties to this "new" covenant are the same as at Sinai. Yahweh makes the covenant with all the twelve tribes of Israel (historically separated into two kingdoms in the days of Jeroboam, 1 Kgs 12:19-24). This division of the nation will be healed in the eschatological age (Jer 3:18; 31:27).

The covenant is said to be "new." This contrasts with earlier "renewals" of the Sinai covenant (e.g. Josiah in 2 Kgs 23:3). William J. Dumbrell holds a different view; "The renewal of the Sinai covenant contemplated in Jer. 31:31-34 indicates that, as given by God to control Israel's ministry, it could achieve its purpose."⁴³ However, he does acknowledge that "Only unbelief would vitiate it, as proved to be the case. Its total fulfilment would thus demand a further divine intervention and initiative."⁴⁴ As we have seen, the newness of this covenant involves a new spirit, a new heart, a circumcised heart so that the people of Israel will obey Yahweh willingly.

Jeremiah says that this new covenant "will not be like the covenant I made with their forefathers . . . because they broke my covenant" (Jer 31:32). But, in what way will

⁴³ William J. Dumbrell, "Paul and Salvation History in Romans 9:30-10:4", in *Out of Egypt: Biblical Theology and Biblical Interpretation*, Craig Bartholomew, Mary Healy, Karl Moller and Robin Parry eds. (Grand Rapids: Zondervan, 2004), 294.

the new covenant be different? The next verse tells us: “I will put my law in their minds and write it on their hearts” (v. 33). The phrase “my law” is not defined here but *torah* would be assumed by the readers. The law is to be internalized in the hearts of the people.

Elsewhere in the OT, we often find that “the law” refers to the regulations of the Sinai covenant (Ps 78:10; 89:30-34; Jer 6:19; 9:13; 16:11; 26:4; 44:10; Ezek 22:26; Hos 8:1, 12; Mal 4:4). However, the Hebrew word “law” or *torah* has a larger semantic range than just the Sinai covenant regulations in the OT (as does the Greek word *νομος*⁴⁴ in the NT). Examples of this are where the “law” predates Sinai in the Passover ordinance (Exod 12:43) and the Sabbath command (Exod 16:4, 28).

Within the Sinaitic milieu we see the law as the ten commandments (Exod 24:12); the sacrificial offerings (Lev 6:2, 14, 22, 25); the laws of cleanness and uncleanness (Lev 13:59; 14:2, 32; 15:3; Num 9:14); the laws of interbreeding of animals (Lev 19:19); the law of jealousy (Num 5:29); the Nazirite law (Num 6:13) and many other laws. There is a “book of the law” (probably the Book of Deuteronomy, Deut 29:21, 29; 30:10; 31:9, 24, 26; Josh 1:8; 2 Kgs 22:8).

We find a broader sense of *torah* in the Psalms. Here it is a law that “restores the soul” (Ps 19:7); for the righteous it is a law “in his heart” (Ps 37:31; 40:8); it is his daily meditation (Ps 119:97); it is a mother’s teaching to her son (Prov 6:20); it is a light (Prov 6:23); it is the law of truth in the mouth of the priest (Mal 2:6).

In our English linguistic context we tend to have a limited view of the word “law” as merely regulation or statute. The Hebrew word is richer in meaning, indicating (in addition to commands) the ideas of “teaching or instruction” or “guidance about how to

⁴⁴ Ibid.

live.”⁴⁵ The breadth of the concept of *torah* extends to “every word that comes from the mouth of the Lord” (Deut 8:3). Thus, all moral, ritual and civil laws were a unity for the covenant people. When Jeremiah states that: “I will put my law in their minds and write it on their hearts” (Jer 31:33), we must keep this richer concept of *torah* in view.

The writing of *torah* on the hearts of the people ensures obedience to Yahweh’s will. Lohfink holds the view that the new covenant is the same as the old because “it is not said that God will give a new *torah*”.⁴⁶ The specific elements of an unmediated relationship with God and forgiveness without sacrifice noted above, in themselves, militate against this view and indicate that a significant change is taking place. In the case of individuals under the Sinai covenant, it was possible for *torah* to be written on their hearts as we have seen earlier (Ps 40:8; Isa 51:7). In the Second Temple period, Paul understood that even the Gentiles could have the (ethical) requirements of the law “written on their hearts,” without knowing about the Sinaitic or Deuteronomic codified versions (Rom 2:14-15).

A distinctive feature of the new covenant is its universal application within the house of Israel and the house of Judah: “they will all know me” (Jer 31:34). Furthermore, this takes place as a consequence of the action of Yahweh, not of the people: “I will put my law in their minds and write it on their hearts” (Jer 31:33). There is, clearly, an echo here of the *Shema* (Deut 6:6-9), where a duty is urged upon the Israelites that “these words which I command you this day shall be upon your heart . . . you shall write them on the doorposts. . . .”

⁴⁵ M.J. Selman, “Law,” in *Dictionary of the Old Testament Pentateuch*, T. Desmond Alexander & David W. Baker eds., (Downer’s Grove, Illinois: InterVarsity Press, 2003), 498.

⁴⁶ Lohfink, *Covenant*, 46.

As Steven Stanley says, there is a major difference between the Mosaic and Jeremiah covenants:

this internalisation [in Jer 31] would be accomplished by God, while in the Mosaic context the internalisation was to be accomplished by the people themselves... the uniqueness of the NC [new covenant] lies not in the hope of internalisation, but in how and by whom this would be accomplished—by God, apart from human effort... the Lord himself does under the NC, in some crucial instances, what was left to the people to do under the OC [Old Covenant].⁴⁷

Barnabas Lindars holds that “the new covenant will establish, indeed has already established through Christ, a new relationship between God and his people in which the Law as the revealed will of God will be internalised . . . as a result of a decisive act of forgiveness on God’s part.”⁴⁸ Robert Rayburn observes that “The new covenant will involve a heretofore unknown universalism in which the relationship in its true spiritual dimension (cf. Jer 9:25-26) is bestowed upon the entire people and not just a portion.”⁴⁹ In other words, the totality of Israel will be impacted and changed, not just a few religious persons. A new motivation towards obedience will be instilled in Israel by Yahweh. O. Palmer Robertson says, “It is not only the new covenant; it is the last covenant. . . . It shall never be superseded by a subsequent covenant.”⁵⁰ Later in this thesis we will need to consider the opinion of F.F. Bruce who holds that:

⁴⁷ Steven K. Stanley, “A New Covenant Hermeneutic: The Use of Scripture in Hebrews 8-10”, Ph.D. diss. (University of Sheffield, 1994), 84-5, 88.

⁴⁸ Barnabas Lindars, *The Theology of the Letter to the Hebrews*, New Testament Theology Series (Cambridge: Cambridge University Press, 1991), 81.

⁴⁹ Robert S. Rayburn, “The Contrast Between the Old and New Covenants in the New Testament”, Ph.D. diss. (University of Aberdeen, 1978), 159.

⁵⁰ O. Palmer Robertson, *The Christ of the Covenant* (Phillipsburg: Presbyterian & Reformed, 1980), 277.

The very words ‘a new covenant’ antique the previous one. In saying this, our author does not go beyond Jeremiah, who explicitly contrasts the new covenant of the future with the covenant made at the time of the Exodus, and implies that when it comes, the new covenant will supersede the earlier one.⁵¹

An additional feature of this “new” covenant is that the communication of the knowledge of Yahweh to his people will be unmediated: “No longer will a man teach his neighbor, or a man his brother, saying, ‘Know the LORD,’ because they will all know me, from the least of them to the greatest, declares the LORD”(Jer 31:34). This is very much different from the primary teaching role that we find within the Levitical cult (Deut 24:8; 2 Chr 31:4; Mal 2:4-7). Mendenhall and Herion observe, “Even more astonishing is the abrogation of the entire paraphernalia of religious indoctrination . . . Instead of the deposit and periodic reading of the covenant text, the knowledge of the divine will is deposited within the conscience of the members of the community.”⁵² As Brueggemann observes, “All know the story, all accept the sovereignty, and all embrace the commands.”⁵³

Moreover, in a crucial departure, forgiveness of sin will not depend on the sacrificial cult; the promise that “[Yahweh] . . . will forgive their wickedness and will remember their sins no more” (ibid.) is given without stipulation for sacrifice (Ps 51:17). “All the newness is possible *because* Yahweh has forgiven.”⁵⁴ However, other prophetic passages still speak of the sacrificial system in the eschatological age (e.g. Zech 14:20-21). H. D. Potter says, “The basis of the New Covenant is divine pardon, while the

⁵¹ Frederick Fyvie Bruce, *The Epistle to the Hebrews*, The New International Commentary on the New Testament (Grand Rapids, Mich: Eerdmans, 1964, Reprint, 1981), 177.

⁵² Mendenhall and Herion, “Covenant”, 1193.

⁵³ Brueggemann, *A Commentary on Jeremiah*, 294.

⁵⁴ Ibid.

Deuteronomists demand repentance.”⁵⁵ Robertson writes, “By saying that sins would be remembered no more, Jeremiah anticipates the end of the sacrificial system.”⁵⁶ Thus, in many respects, the “new covenant” in Jeremiah as the text says, “will not be like the covenant I made with their forefathers” (Jer 31:32).

A similar theme is taken up in the next chapter of Jeremiah. We read in Jeremiah 32:37-41 that the people of Israel and Judah are prophesied to enter into an “everlasting covenant” and be given a “singleness of heart and action, so that they will always fear me . . . I will inspire them to fear me, so that they will never turn away from me.” The full passage is as follows:

I will surely gather them from all the lands where I banish them in my furious anger and great wrath; I will bring them back to this place and let them live in safety. They will be my people, and I will be their God. I will give them singleness of heart and action, so that they will always fear me for their own good and the good of their children after them. I will make an everlasting covenant with them: I will never stop doing good to them, and I will inspire them to fear me, so that they will never turn away from me. I will rejoice in doing them good and will assuredly plant them in this land with all my heart and soul.

This passage in Jeremiah 32 is a reprise of Jeremiah 31. Here there is a return of Israel and Judah from captivity in the land of the north. They will enjoy abundance of “grain, new wine and oil” in their own land (v. 12). Hope for the future will replace the “tears of Rachel” (vv. 15-17). There is a significant explanatory comment about this “everlasting covenant” that goes further than what is explicitly stated in Jeremiah 31. Yahweh will give the Israelites “singleness of heart . . . so that *they will always fear me*” [emphasis mine] (v. 39) and he “will inspire them to fear me, *so they will never turn away from me*”

⁵⁵ H. D. Potter, “The New Covenant in Jeremiah XXXI 31-34,” *VT* 33 (1983): 350.

⁵⁶ Robertson, *Christ of the Covenants*, 283.

[emphasis mine] (v. 40). This implies that breaking this future covenant will simply *never* happen. As Jack Lundbom writes,

Although this new covenant will admittedly have continuity with the Sinai covenant, it will still be a genuinely new covenant, one that marks a new beginning in the divine-human relationship because 1) it is given without conditions; 2) it will be written in the hearts of people in a way the Sinai covenant was not. . . .; and 3) it will be grounded in a wholly new act of divine grace.⁵⁷

The context of Jer 33 indicates, firstly, a reference to a time of judgment against the house of Judah at the hands of the Babylonians (Jer 33:1-5). This is to be followed by a time of healing and restoration (vv. 6-7). Both Judah and Israel (the northern kingdom which went into an earlier captivity to the Assyrians) will be restored (v. 7, 10-13). Both will be cleansed from their sins and fully forgiven (v. 8). Jerusalem will finally fulfill its mission for Yahweh to “bring me renown, joy, praise and honor before all nations on earth” (v. 9). Yahweh had commanded this to Israel as part of their mission to the world in the days of Moses (Deut 4:5-8).

The House of Israel and the House of Judah will welcome the promised “righteous Branch” from David’s line (v. 15). It is in this context of the promised “righteous Branch” that the covenants with the line of David, the Levitical priesthood and the house of Jacob are all affirmed as surely as the cycles of day and night, and of heaven and earth:

For this is what the LORD says: “David will never fail to have a man to sit on the throne of the house of Israel, nor will the priests, who are Levites, ever fail to have a man to stand before me continually to offer burnt offerings, to burn grain offerings and to present sacrifices” (Jer 33:17-18).

⁵⁷ Jack R, Lundbom, *Jeremiah 21-36: A New Translation and Commentary*. Anchor Bible 21B (New York: Doubleday, 1999), 466.

This is what the LORD says: “If you can break my covenant with the day and my covenant with the night, so that day and night no longer come at their appointed time, then my covenant with David my servant--and my covenant with the Levites who are priests ministering before me--can be broken and David will no longer have a descendant to reign on his throne”. . . “If I have not established my covenant with day and night and the fixed laws of heaven and earth, then I will reject the descendants of Jacob and David my servant and will not choose one of his sons to rule over the descendants of Abraham, Isaac and Jacob” (Jer 33:21-26).

It is important to notice that the passage affirms a continuing Davidic kingly line and a Levitical priesthood offering “burnt offerings . . . grain offerings . . . and to present sacrifices” (v. 18). Such references stand in contrast to the previous two chapters with their allusions to an inner inscription of the law on the hearts of Israelites and return us to the realm of Old Covenant rituals.

This is not a singular reference. When the OT prophets speak of the eschatological age, we sometimes find allusions to the observance of Sinaitic decrees. In Ezekiel’s view of a future eschatological temple, he says, “No foreigner uncircumcised in heart *and flesh* [emphasis mine] is to enter my sanctuary” (Ezek 44:9). When Yahweh returns to Zion in the eschatological age, the Feast of Tabernacles is described as a required observance for all nations (Zech 14:16-19). The sacrificial cult is said to continue because many will “come to sacrifice” in Yahweh’s house (v. 21).

When we read such passages we encounter a prophetic view that, instead of pointing us to an inner change of heart and spirit under a “new covenant”, points us to a renewal of the Sinaitic covenant such as occurred earlier in Israel’s history (2 Chr 30:5; 35:18). So, just when we are concluding that a new spiritual/ethical covenant has been foretold, we are challenged by a different prophetic view of the future covenant that includes specific elements of the Sinaitic covenant. The usual Christian view is that,

“With the rending of the veil of the temple (Mk. 15:38), Israel and her institutions had been dismissed, and access to God was now available independently of the temple.”⁵⁸

We must acknowledge that, within the OT record, there is a tension in this regard between a spirit-based new covenant and a renewal of the old covenant. Indeed, the OT interpretative tradition makes room for the continuation of Sinaitic and ritual practices in the context of the institution of a “new covenant.”

We should, also, note that a final reference to a future covenant in Jeremiah is found in Jer 50:5 where we see a repentant Israel and Judah who “will come and bind themselves in an everlasting covenant . . .”

Summary

To summarize our findings in this chapter, we note first the wide semantic range of the word for covenant in the LXX (*διαθήκη*). The most basic form of covenant is the idea of an agreement between two persons or nations, including mutual promises and obligations within the context of a loyalty oath. Covenants of mutual loyalty and peace can be made between equal, nearly-equal or unequal parties. At times, nation-to-nation treaties/covenants can be made between parties where one is superior to the other. In other cases there is an agreement between equal parties (nations).

When we consider divine-human covenants, we see that sometimes these are entirely unilateral and promissory in nature (e.g. the Noachian covenant). In one version (Gen 15), the seminal Abramic covenant appears likewise to be unconditional and promissory. However, in Gen 17, which appears to elaborate on the initial covenant, the

⁵⁸ Dumbrell, *Out of Egypt*, 288-9.

requirement to be “blameless” (vv. 1-2) implies an undefined obedience/loyalty obligation on Abram’s part. This introduces a bilateral aspect to this covenant.

The Sinai covenant appears as an outgrowth or development of the foundational patriarchal covenant, based on the theological backbone of that covenant. If the Israelites violate the Sinai covenant (or the later Deuteronomistic revision), the covenant does not cease. Rather, the Israelites will come under the punishment provisions of the covenant which are triggered by their disobedience and even will go into foreign captivity. Despite failure on the people’s part, there are periodic renewals of the covenant which Yahweh accepts. Throughout, the benchmark covenant is the patriarchal one with Abraham based on a relationship with Yahweh and covenant love.

From the earliest time of the covenant, there was a yearning on the part of God and his servants for a deeper spiritual and heart-based obedience on the part of the people of Israel. The prophets Isaiah, Jeremiah and Ezekiel in particular all look forward to this change in the eschatological age. The indwelling of the spirit of Yahweh will ensure an obedient people who love to do his will. A “new” covenant will be made by Yahweh as the centerpiece of a larger eschatological hope which includes a new act of salvation, a new exodus, a new Zion, and a new Davidic king.

In Jeremiah 31, Jeremiah speaks of a “new” and “everlasting” covenant. This covenant will be made with the same parties: the house of Israel and the house of Judah (the 12 tribes). This covenant will *not* be like the Sinaitic covenant. The “law” of Yahweh will be inscribed on the hearts of the people of Israel. There are specifically “new” elements in this covenant which include an unmediated relationship with Yahweh and forgiveness of sin without sacrifice. The scope of the covenant with the people of Israel is

universal. Furthermore, Yahweh is instrumental in the establishment of this “new covenant” because he is the one who, through his Spirit, internalises the law into the hearts of the people. Ezekiel goes as far as to say that a Spirit-filled Israel “will always fear me” and “never turn away from me”.

Jeremiah 33 stands in contrast to the rest of these passages and is not easily reconciled with them. This chapter speaks of a continuing Davidic kingly line and a Levitical priesthood which will offer sacrifices in the eschatological age. Other OT prophetic passages reiterate this theme. There is a tension between the passages in Jeremiah 33 and those in Jeremiah 31 and 32. However, the majority of the texts in Jeremiah and in Ezekiel and Isaiah point to a “new covenant” that is internal and Spirit-based.

Chapter Three

Exegetical Study of Heb 8:6-13

This chapter will comprise an exegetical study of Heb 8:6-13. For this purpose, it is important to first consider the background of this passage about the “new covenant” which is drawn from Jeremiah 31, since this background provides insights into the theological milieu and thought world of the readers of Hebrews. This thesis has already surveyed the OT in this regard in the previous chapter.

Evidence from the Apocrypha and Qumran

The Second Temple period provides important context for the original readers of Hebrews and the varied conceptual options that they would have had in their religious climate that might have influenced their concept of a “new covenant.”

We turn to the apocrypha first. One of the older apocryphal writings is the Wisdom of Ben Sira (probably 2nd century B.C.E.). It says that various covenants or *διαθηκαι* were made with Noah, Abraham, Isaac, Jacob, Moses, Aaron, Phineas and David (Sir 44:18-23; 45:5, 7, 15, 24, 25; 47:11). Thus, it records that the concept of covenant underlies God’s relationships with his people over time.

Outside of the apocrypha, the Book of Jubilees (probably later in the 2nd century B.C.E.) also deals extensively with the idea of covenant. The Noachian covenant is tied in with the laws of Moses (*Jub* 6:10-18). The Feast of Firstfruits/Weeks is even said to be a renewal of the covenant with Noah (v. 18). Betsy Halpern-Amaru sees a clear merger of

covenants in Jubilees: “The author of Jubilees wishes to establish a close, if not singular, relationship between the Noahite, patriarchal, and Israelite covenants.”⁵⁹ Ellen Juhl Christiansen sees the same dynamic and writes that the author of Jubilees is “operating with *one* covenant, eternally established and valid . . . a covenant with ethnic Israel.”⁶⁰ We should also note that, in Jubilees, there is one example of a forward-looking view, reminiscent of the words of the OT prophets: “I shall cut off the foreskin of their heart and the foreskin of the heart of their descendants. And I will create for them a holy spirit, and I shall purify them so that they will not turn away from following me from that day and forever . . . And they will do my commandments. And I shall be a father to them, and they will be sons to me.” (*Jub* 1:23-25).

In general, in this period “covenant” is equated with law. Rayburn summarizes much of the literature of the period as follows:

In the Apocrypha, Pseudepigrapha, and Rabbinic Literature covenant . . . occurs by far the most frequently in the earlier literature (Sirach, 1 Maccabees, and Jubilees). In later works the term appears at least several times in Assumption of Moses and 4 Ezra. However, a large number of the occurrences in this literature are either non-theological, part of some stylized phrase, or occur in a résumé of Old Testament history. Virtually all of the remaining instances clearly equate the covenant with the law or individual laws. The remaining few occurrences refer to the theological covenant(s) with a contemporary application. Though the number of times covenant is identified with law in this literature is striking, the uses of the term in the Apocrypha and Pseudepigrapha do not appear to differ significantly from its uses in the Old Testament.⁶¹

⁵⁹ Betsy Halpern-Amaru, *Rewriting the Bible: Land and Covenant in Postbiblical Jewish Literature* (Valley Forge: Trinity Press International, 1994), 28.

⁶⁰ Ellen Juhl Christiansen, “The Consciousness of Belonging to God’s Covenant and What It Entails According to the Damascus Document and the Community Rule.” in *Qumran Between the Old and New Testaments*. Edited by Frederick H. Cryer and Thomas L. Thompson. *Journal for the Study of the Old Testament: Supplement Series* 290 (Copenhagen International Seminar 6; Sheffield: Sheffield Academic, 1998), 70.

⁶¹ Rayburn, *The Contrast*, 166-167.

If we look for the concept of a “new covenant” in much of this literature we do not find many references outside of Qumran. Among the few exceptions is Baruch, where we read of a future new covenant (without the author explicitly using the phrase): “They are a stiff-necked people. But in the land of their exile they will come to themselves and know that I am the Lord their God. I will give them a heart that obeys and ears that hear.... I will bring them again into the land.... I will make an everlasting covenant with them to be their God and they shall be my people” (Bar 2:30-35).

Overall, however, Michael Duane Morrison correctly observes:

What about the new covenant, the eschatological covenant? Jewish hopes for the future were based more on past covenants (probably the Abrahamic covenant) than on the covenant predicted in the Major Prophets. Jewish literature makes few references to the eschatological covenant.⁶²

We next look to Qumran where the entire self-definition of the people who resided there was that of an eschatological community. Here we might expect to find a future-oriented concept of a “new covenant.” A summary of the community’s writings does, indeed, show a predilection for the use of the word “covenant.” Delbert Hillers notes: “For a rough measure of the importance of the covenant idea in the sectarian writings from Qumran, we may note that they use the word ‘covenant’ (*tyr B*) over five times as often as do the New Testament writers.”⁶³ E. P. Sanders recognizes in their writings the concept that “God had made with the community a *new* covenant” and, more frequently, that “God made a covenant with Moses (or the patriarchs) but that it contained

⁶² Michael Duane Morrison, *Rhetorical Function of the Covenant Motif in the Argument of Hebrews* (Ph.D. diss., Fuller Theological Seminary, 2006), 137.

⁶³ Delbert R. Hillers, *Covenant: The History of a Biblical Idea* (Baltimore: John Hopkins University Press, 1969), 171.

things understood only in the community.”⁶⁴ This implies that the “new covenant” for the Qumran community was their new interpretation of the Mosaic covenant. As Mark Elliot concludes, “Its [the covenant’s] newness consists in an improved understanding.”⁶⁵ Indeed, for them, “The sectarian covenant is the only true covenant.”⁶⁶

In this regard, Markus Bockmuehl observes,

One central theme for this as for other key sectarian documents (notably CD, 1QH, 1QM) is that of the *covenant*, sometimes explicitly the “covenant of God.” However, unlike the biblical use of the term to denote a normative divine relationship with the whole nation, the divine “covenant” has here become the defining characteristic of the sectarian community or *yahad* in particular, *over against* the nation (and of course the nations) at large. In this sense the covenant, while still divinely established, is no longer sufficiently defined as God’s pact of grace with Abraham and his descendants or with all Israel at Sinai, but has become more particularly the sect’s own exclusive alliance devoted to Torah observance.... Even the *Damascus Document’s* notion of a “new” covenant...merely fulfils and validates, but does not displace, the old.⁶⁷

Or, as R. F. Collins summarizes the three uses of **tyr B** in the Damascus Document: “the covenant of the Patriarchs, the covenant of Sinai, and the [new] covenant of Damascus.”⁶⁸

Overall, the Qumran community made little use of the Book of Jeremiah. In the Dead Sea Scrolls that have come down to us, the community’s scribes use the phrase

⁶⁴ E. P. Sanders, *Paul and Palestinian Judaism: A Comparison of Patterns of Religion* (Minneapolis: Fortress, 1977), 240.

⁶⁵ Mark Adam Elliott, *The Survivors of Israel: A Reconsideration of the Theology of Pre-Christian Judaism* (Grand Rapids: Eerdmans, 2000), 256.

⁶⁶ *Ibid.*, 242.

⁶⁷ Markus Bockmuehl, “1QS and Salvation at Qumran,” in *The Complexities of Second Temple Judaism*, vol. 1 of *Justification and Variegated Nomism* (ed. D. A. Carson et al.; Grand Rapids: Baker, 2001), 389, 391. “What is indeed ‘new’ is the revelation to the community of hitherto unknown religious mysteries” (392).

⁶⁸ Raymond F. Collins, “The Berith-Notion of the Cairo Damascus Document and Its Comparison with the New Testament,” *ETL* 39 (1963): 556.

“new covenant” five times (CD VI, 19; VIII, 21; XIX, 33; XX, 12 and 1 QpHab II, 3) but there is no peshet for Jeremiah 31. (We might also note that there is a heavy community emphasis on the necessity of teaching contra Jer 31:34). In the words of Collins, their conception seems to be that, “The new covenant in the land of Damascus is the Sinai covenant renewed.”⁶⁹ Collins goes on to give four significant differences between the Jeremiah 31 covenant and the “new” covenant of the Dead Sea Scrolls: 1) one is with all Israel, the other with a remnant; 2) one is in the heart, but CD never mentions laws written in the heart; 3) one is by divine initiative, the other by humans; 4) one includes only blessings, but CD includes threats.⁷⁰

Morrison summarizes,

Sectarians believed that all the covenants had the same obligations, so they had no room in their theology for a new covenant. They believed that they were complying with the covenantal obligations, and felt no need for God to alter their hearts. The nonsectarian majority also felt no need for a new covenant, since God’s promises to the nation could already be counted on. Consequently, few first-century Jews were looking for a new covenant, or expecting any major changes. They rarely referred to the eschatological or new covenant. For the most part, the concept of a *new* covenant was dormant.⁷¹

This background helps to inform our understanding of how the readers of Hebrews would have understood the author’s references to the new covenant. However, the greatest influence on their understanding undoubtedly was bound up in the form of the OT Scriptures that they used as a community. This consideration leads us to examine the role of the LXX.

⁶⁹ Ibid., 566.

⁷⁰ Collins, “The Berith-Notion,” 574-75.

⁷¹ Morrison, “Rhetorical Function of the Covenant Motif,” 147.

Influence of the LXX

While the writer of Hebrews does not always exactly follow the text form of the LXX that we have today (and we will see examples of this in Hebrews 8), the LXX family of texts is his chief source. Richard N. Longenecker says “it appears that the writer was most familiar with the Greek Bible as preserved for us in the Codex Alexandrinus and that he had no immediate knowledge of any Hebrew version.”⁷² Ellingworth is of the view that there is “very general agreement that the author [of Hebrews] drew his quotations, not directly from a Hebrew text, but from the LXX . . . There is no compelling evidence that the author had access to any Hebrew text.”⁷³ However, he is not as convinced as Longenecker of the author’s dependency on Alexandrinus.⁷⁴

Karen Jobes and Moises Silva concur with the general view that “throughout the Epistle to the Hebrews the author depends on the LXX and appears not to have made use of the Hebrew text . . .”⁷⁵ In summary, Longenecker notes that eighteen of the writer’s quotations from the OT agree with the LXX where the LXX agrees with the Masoretic text (MT), while fourteen agree with the LXX and differ from the MT. There are six quotations that do not match either the LXX or the MT. These may be explained as free renderings, *ad hoc* creations or perhaps the writer’s use of “a now extinct Septuagintal recension.”⁷⁶

⁷² Richard N. Longenecker, *Biblical Exegesis in the Apostolic Period* (Grand Rapids, Mich: Eerdmans, 1999), 150.

⁷³ Ellingworth, 37.

⁷⁴ *Ibid.*, 38.

⁷⁵ Karen H. Jobes and Moises Silva, *Invitation to the Septuagint* (Grand Rapids, Mich: Baker Academic, 2000), 196.

⁷⁶ *Ibid.*, 150-1.

In light of this linguistic milieu of the readers of Hebrews, as we approach the exegesis of the Hebrews 8 passage, this thesis will confine itself to the usage and the semantic range of **διαθήκη** (covenant) in the LXX OT, rather than doing a study of the Hebrew term for covenant **ברית**. Why is this approach justified?

When a detailed study of the usage of the word **διαθήκη** is undertaken, it is found to be, without a doubt, the word of choice to translate **ברית** on the part of the many and varied translators of the LXX. This is underlined by the fact that there are 323 occurrences of **διαθήκη** in the LXX. (**ברית** itself only occurs 265 times). By their usage, the LXX translators clearly preferred **διαθήκη** as a translational choice. For example, stock OT references to “the covenant of the Lord,” “the Book of the covenant,” “the everlasting covenant,” “God’s covenant” and “I will make you a covenant” consistently use **διαθήκη** to translate **ברית**.

Exceptions where a different Greek word is used by the LXX translators to render **ברית** are few and minor. Examples include Gen 14:13 where Abram is said to be “allied” (**συνωμότης**) with other tribal leaders. The Hebrew here is **ברית**. In Deut 9:15 the “two tables of the covenant” (including **ברית** in the Hebrew text) are simply “the two tablets” (**αἱ δύο πλάκες**) in the LXX. While “the ark of the covenant” is usually **θήκη κιβωτοῦ θεοῦ διαθήκη** in the LXX, occasionally it is simply rendered **θήκη κιβωτοῦ**. On the other hand key “new covenant” passages which use **διαθήκη** to translate **ברית** are abundant and include such significant passages as Isa 59:21 and Jer 31:31, 32, 33.

Exegesis of Heb 8:6-13

As we approach the exegesis of the Hebrews 8 passage, we note that the author of Hebrews has just recently introduced the idea of covenant into his argument. The first occurrence of *διαρκῆς* appears in an anticipatory reference in Heb 7:21-22 where we read that “. . . The Lord has sworn and will not change his mind: ‘You are a priest forever’ (Ps 110:4). Because of this oath, Jesus has become the guarantee of a better covenant.” The “better” (*kreivttono*) nature of this covenant echoes the “better hope” of Heb 7:19, based on Jesus’ eternal priesthood; “better promises” (Heb 8:6), (a term that is not immediately defined in the context); “better sacrifices” (Heb 9:23); “better and lasting possessions” (Heb 10:34); a “better country” and a “better resurrection” (Heb 11:16, 35); and Jesus’ blood that “speaks a better word” (Heb 12:24). The same word “better” (*kreivttwn*) is also, at times, translated “superior” by the NIV in Hebrews (1:4, and twice in 8:6).

The author of Hebrews introduces the concept of covenant into his argument when he almost offhandedly mentions *διαρκῆς* in Heb 7:22. He simply states that the fact that Jesus is a priest forever guarantees a better covenant than what the old dispensation could offer. He will expound on the concept much more fully in the sections that follow. The next chapter of this thesis will deal with the overall concept of “covenant” and “new covenant” in Hebrews. With this background, we will now turn to the exegesis of Heb 8:6-13.

Gramcord’s Nestle Greek text is as follows:

nun(iV) deV diaforwtevra" tevtucen leitourgiva", o sw/
kaiV kreivttonov" ejstin diaqhvkh" mesivth", h ti" ejpiV
kreivttosin ejpaggelivai" nenomoqevthtai.

Eij gaVr hJ prwvth ejkeivnh hn amempto", oujk an
deutevra" ejzhteit' to tovpo".
memfovmeno" gaVr aujtoV" levgei:

ijdouV hJmevrai ercontai, levgei kuvrio", kaiV suntelevsw
ejpiV toVn oikon jIIsrahVl kaiV ejpiV toVn oikon
jIouVda diaqhvkhn kainhvn, ouj kataV thVn diaqhvkhn, hn
ejpoivhsa toi'" patravsin aujtw'n ejn hJmevra/
ejpilabomevnou mou th'" ceiroV" aujtw'n ejxagagei'n
aujtoV" ejk gh'" Aijguyptou, o ti aujtoiV oujk
ejnevmeinan ejn th'/ diaqhvkhn/ mou, kajgwV hJmevlhsa
aujtw'n, levgei kuvrio": o ti au th hJ diaqhvkhn, hn
diaqhvsomai tw'/ oikw/ jIIsrahVl metaV taV" hJmevra"
ejkeivna", levgei kuvrio": didouV" novmou" mou eij" thVn
diavnoian aujtw'n kaiV ejpiV kardiva" aujtw'n ejpigravyw
aujtoV", kaiV e somai aujtoi'" eij" qeovn, kaiV aujtoiV
e sontaiv moi eij" laovn: kaiV ouj mhV didavxwsin e kasto"
toVn polivthn aujtoV' kaiV e kasto" toVn ajdelfoVn aujtoV'
levgwn: gnw'qi toVn kuvrion, o ti pavnte" eijdhvsousivn me
ajpoV mikrou' e w" megavlou aujtw'n,
o ti i lew" e somai tai'" ajdikivai" aujtw'n kaiV tw'n
ajmartiw'n aujtw'n ouj mhV mnhsqw' e ti.

ejn tw'/ levgein kainhVn pepalaivwken thVn prwvthn: toV
deV palaiouvmenon kaiV ghravskon ejgguV" ajfanismou'.

We note here that the text in Nestle-Aland 27 is identical to this.

Bruce Metzger records the following variants in this section of Hebrews 8. Firstly, there is aujtoi'" (P⁴⁶ a^c B D^c et al.) instead of aujtoV" (a* A D* I K P et al.) in v.8. He remarks that this "makes very little difference in sense, though the latter may be construed with either memfovmeno" or levgei."⁷⁷ Ellingworth concurs and says, "There is no difference in meaning."⁷⁸ Craig Koester notes that whether the accusative or the dative is chosen "many take 'them' (in either case) to be the object of the

⁷⁷ Bruce M. Metzger, *A Textual Commentary on the Greek New Testament*, 2nd ed., (Stuttgart: German Bible Society, 1994), 597.

⁷⁸ Ellingworth, 415.

participle, so that the text refers to God finding fault . . . with the people who broke the covenant.”⁷⁹

A second variant is **plhsivon** (“friend” cf. Song 5:1 LXX) instead of **polivthn** (“neighbour, citizen”) in v.11, based primarily on the Textus Receptus (Byzantine text form) and several minuscules according to Metzger. The latter has strong support (P⁴⁶, **α** A B D K L and most minuscules).⁸⁰ Ellingworth sees the evidence in the LXX and NT as “divided” but notes that LXX editors favor **polivthn**.⁸¹

Heb 8:8-12 is the longest quotation from the OT that is found in the NT. Ellingworth notes that, as a distinctive of Hebrews, “the author prefers to quote a passage *in extenso*” and gives his view that “significant features, even in long quotations such as those in 3:7-11 and 8:8-12, tend to be found at the beginning, and especially at the end of the passage quoted.”⁸²

The OT quotation from Jer 31:31-34 in Heb 8:8-12 is largely, but not fully, similar to the LXX (Jer 38:31-34). The variations are mostly stylistic in nature and are composed of minor grammatical variations and/or different choices of synonymous vocabulary.⁸³ These variations are outlined as follows:

In Jer 38:31, the LXX has

ijdouV hJmevrai e rcontai fhsiVn kuvrio" kaiV diaghvsomai tw'/ oi kw/ Israhl kaiV tw'/ oi kw/ Iouda diaghvkhn kainhvn

⁷⁹ Koester, 385.

⁸⁰ Metzger, 597.

⁸¹ Ellingworth, 417. Jer 38:34 LXX has **polivthn**.

⁸² Ellingworth, 40.

⁸³ Koester, 385.

Whereas Heb 8:8 has:

ijdouV hJmevrai ercontai, levgei kuvrio", kaiV suntelevsw
ejpiV toVn oikon jIsrahVl kaiV ejpiV toVn oikon jIouVda
diaqhvkhv kainhv

In Jer 38:32, the LXX once again prefers dieqevmhn over (this time)
ejpoivhsa in Heb 8:9 and ends v. 32 with kaiV ejgwV hjmevlhsa aujtw'n
fhsiVn kuvrio" rather than Hebrews' kaigwV hjmevlhsa aujtw'n,
levgei kuvrio".

In Jer 38:33, LXX had diaqhvssomai (this time so does Heb 8:10). LXX's
fhsiVn is replaced by Hebrews levgei; didouV" dwvsw novmou" mou in LXX
is simply didouV" novmou" mou in Heb 8:10 and ejpiV kardiva" aujtw'n
gravyw aujtouv" in LXX is ejpiV kardiva" aujtw'n ejpigravyw
aujtwouv" in Heb 8:10;

In Jer 38:34, LXX has ajpoV mikrou' aujtw'n kaiV e w" megavlou
aujtw'n while Heb 8:11 has ajpoV mikrou' e w" megavlou aujtw'n. In
summary, for the most part, we see a number of minor differences in grammar and in the
use of alternative synonymous vocabulary.

One interesting vocabulary change is the use of the verb suntelevw (to end,
finish, to complete, to make a covenant) instead of the more common LXX verb
diativqhmi. Of the six times that the verb suntelevw appears in the NT, it is only
used here in Heb 8:8 in the sense of "to make a covenant". In the LXX the verb
suntelevw appears 197 times, the vast majority of which have the sense of "to end or
to finish, to reach, to complete," rather than having any reference to making a covenant.
Interestingly, two of the rare exceptions to this are found in Jeremiah (Jer 34:8, 15, [41:8,

15 LXX]). Perhaps this influenced the author of Hebrews. The related noun *suntevlaia* is used in the same way (to simply mean “end”) both in the LXX and in the NT.

In Heb 8:1 the writer of Hebrews says that he is moving to make his “chief point” (*kefavlaion*). He goes on to speak in vv. 1-5 of the priestly role that Jesus is now playing in the heavenly sanctuary on behalf of believers. The earthly tabernacle was only a mere “copy and shadow” (*uJpodeivgmati kaiV skia*) of the place where Jesus now carries out his priestly ministry. Meanwhile, on earth, “there are already men who offer the gifts prescribed by the law” (Heb 8:4).

These references to the primacy of Jesus’ priestly ministry lead directly to the author’s discussion of the new covenant. Indeed, as Ellingworth says, “The concept of the new covenant is co-ordinate (*o sw/ kaiV . . .*) with that of Christ’s priesthood, and serves to show that it is not an isolated phenomenon but part of a total re-ordering by God of his dealings with his people.”⁸⁴

The author of Hebrews goes on to contrast the priestly ministry of Jesus with the Levitical priesthood. He uses a different word for “superior” here, namely, *diaforwtebra* in v.6.⁸⁵ Once again, Jesus’ ministry is superior to that of the Levitical priests. He has used the word earlier in Heb 1:4 for Jesus’ “superior” name compared to the angels. The word can also simply have the sense of “different” or “various” as in Heb 9:10 and in Rom 12:6.

⁸⁴ Ellingworth, 409.

⁸⁵ This word is used instead of *kreivttwn* (Heb 6:9; 7:19, 22; 8:6; 9:23; 10:34; 11:16, 35, 40; 12:24). We note that *diavforo* is also used in Heb 1:4; 9:10.

The author then introduces Jesus in his role as the as the “mediator” of a “better” covenant (*kaiV kreivttonov" ejstin diaqhvkx" mesivth"*).⁸⁶ The term “mediator” (*mesivth"*) occurs only six times in the NT. In Gal 3:19-20 Moses is the *mesivth"* of the old covenant. In 1 Tim 2:5 it is “the man Christ Jesus” who is in the role of mediator. In Hebrews, Jesus is *diaqhvkx" kainh' " mesivth"* (Heb 9:15) and *diaqhvkx" neva" mesivth* (Heb 12:24). In the LXX, Job laments that there is no *mesivth"* to arbitrate between him and God (Job 9:33). Ellingworth holds the view that “In Hebrews, as elsewhere in the Bible, the covenant, whether old or new, is not a mutual agreement, contract, or negotiation, for which an arbitrator may be needed; it is a unilateral gift of God.”⁸⁷ As noted earlier in this thesis, an element of mutuality did exist in the Sinai covenant, so all of Ellingworth’s terms are not, necessarily, synonymous. In general, we see that Jesus, as mediator, acts as the intermediary between God and humankind.

The covenant of which Jesus is mediator is “better” (*kreivttonov"*) and is also based on “better promises” (*kreivttosin ejpaggelivai"*). These “better promises” are not immediately spelled out in the Hebrews 8 passage. Simon Kistemaker says, “By implication, the promises given by God to his people in earlier days were inadequate. . . . new covenant promises include God’s law put in the minds and written on the hearts of his people, the teaching of the knowledge of the Lord, and the forgiving

⁸⁶ The NIV in Heb 8:6 does not closely follow the Greek. It has “But the ministry Jesus has received is as superior to theirs as the covenant of which he is mediator is superior to the old one, and it is founded on better promises”. The American Standard Version is closer to the original: “But now hath he obtained a ministry the more excellent, by so much as he is also the mediator of a better covenant, which hath been enacted upon better promises.” There is no reference yet by the author to an “old one” in reference to the earlier covenant.

⁸⁷ Ellingworth, 410.

of sin (8:10-12).”⁸⁸ Ellingworth suggests that “The most natural reference is to the following quotation from Jer 31:31-34 . . . The only difficulty in seeing Jer 31:31-34 as the main promise referred to is that it is presented not as a promise but as a divine complaint . . . But the difficulty is only apparent: a condemnation of God’s people in OT times is the necessary counterpart of a promise for the new dispensation; . . .”⁸⁹

The larger context of the Book of Hebrews as a whole also points to the content of these “better promises.” Believers can look forward to “better and lasting possessions” (Heb 10:34); a “better country” and a “better resurrection” (Heb 11:16, 35). These are all based on the “better hope” of Heb 7:19 ministered by Jesus’ eternal priesthood and his unique and all-sufficient sacrifice for sins (Heb 9:24-26; 10:11-12).

It is noteworthy that in Heb 8:6 this “better covenant” has been “enacted” (*nenomogevthtai*). There are only two instances of the verb *nomogetevw* in the NT. The first reference is in Heb 7:11 (referring to the legislation underlying the old covenant), while the second is in Heb 8:6. Ellingworth proposes that we must see this legal underpinning of the new covenant “in a broader sense than that of specific provisions of the Torah.”⁹⁰ There is, however, a clear enactment of the covenant. This need not be considered in terms of an OT legal framework. The blood of Christ initiates the new covenant (Heb 9:12-14; 10:19-20; 13:12).

In Heb 8:7 we read: *Eij gaVr hJ prwvth ejkeivnh hn a mempto", oujk a n deutevra" ejzhteit' to tovpo"*, which we can translate: For, if that

⁸⁸ Simon J. Kistemaker, *Exposition of the Epistle to the Hebrews*. New Testament Commentary 19 (Grand Rapids: Baker, 1984), 221.

⁸⁹ Ellingworth, 410-11.

⁹⁰ *Ibid.*, 410.

first [covenant] had been without fault, then no place would have been sought for a second [covenant]. The word “covenant” does not appear in the verse but is implied. Ellingworth’s view is that “The verbs refer to a situation still existing, even if about to disappear, and should therefore be understood as simple pasts, not pluperfects” (v. 13).⁹¹

The immediate focus of the author’s argument is on a new covenant with Israel and Judah. In Hebrews 8:7, some shortcoming is seen with the first covenant; otherwise a second covenant would not be spoken of in the Jeremiah 31 passage that follows. The next verse says the fault was with the people. What was the nature of the “fault”? We read that the former covenant was not found to be “faultless” (**a mempto**). William Manson proposes that “The inadequacy of the cultus was not due to its being a sacrificial system. It was due to its sacrificial system being imperfect.”⁹² Ellingworth observes that “The following quotation, especially v. 9c, suggests that **a mempto**” here is an epithet transferred by implication from the covenant itself to those concerned with keeping it. Calvin thought that both the covenant and its subjects were condemned. Westcott believed that there is no condemnation of the Law . . .”⁹³ Ellingworth is more persuasive.

The new covenant is described as being **deutevra**” (v. 7), translated incorrectly by the NIV as “another” covenant. A “second” covenant is indicated. There is much debate about this verse. Ellingworth settles on this translation: “If the first covenant had not been defective, God would not have sought an occasion to establish a second.”⁹⁴

⁹¹ Ellingworth, 411.

⁹² William Manson, *The Epistle to the Hebrews: An Historical and Theological Reconsideration* (London: Hodder & Stoughton, 1951), 128-9.

⁹³ Ellingworth, 412.

⁹⁴ Ellingworth, 412.

The author of Hebrews goes on to use Jeremiah 31 to show that the OT itself has spoken of a future “new covenant.” While the Jeremiah 31 passage is the longest OT quote in the NT, the author does not comment extensively on it. He uses the passage to comment that God has found fault with the people of Israel over their failure to adhere to the former covenant. There is extensive comment in the OT on the failure of Israel to keep the covenant. For example, in Ps 78: 5-8, we read:

He decreed statutes for Jacob and established the law in Israel, which he commanded our forefathers to teach their children, so the next generation would know them, even the children yet to be born, and they in turn would tell their children. Then they would put their trust in God and would not forget his deeds but would keep his commands. They would not be like their forefathers, a stubborn and rebellious generation whose hearts were not loyal to God, whose spirits were not faithful to him.

The covenant failure of the people is clear: “The men of Ephraim, though armed with bows, turned back on the day of battle; they did not keep God's covenant and refused to live by his law” (vv. 9-10).

The author of Hebrews cites the Jeremiah 31 passage to show his readers that a new and better covenant was prophesied. As Kistemaker says, “the prophecy of Jeremiah could not have been directed to Israel’s restoration after the exile, because the Old Testament indicates that the old covenant was in force after the exile. The prophecy . . . heralds the coming of the Messiah and the establishing of the new covenant in his blood.”⁹⁵ It is centered on Jesus as God’s high priest. The author of Hebrews states that the use of the word “new” points to the end of the old, and, more particularly, “that the event predicted by Jeremiah is now near.”⁹⁶ Ellingworth sees a clear emphasis on the

⁹⁵ Kistemaker, 225.

⁹⁶ Ellingworth, 413.

part of the author on “the supersession of the old covenant.”⁹⁷ He summarizes his use of the Jeremiah 31 passage as follows:

The author of Hebrews shares Jeremiah’s concern for a renewal of the whole of Israel . . . under the new covenant. The wider perspective of a covenant with the nations . . . falls outside the author’s horizon. Nor, unlike Jeremiah, is Hebrews concerned with reconciliation between Israel and Judah . . . Hebrews does not significantly misrepresent the meaning of the OT text.⁹⁸

Heb 8:13 concludes the author’s comments on Jeremiah 31 by saying that “By calling this covenant ‘new,’ he has made the first one obsolete; and what is obsolete and aging will soon disappear” (Heb 8:13). He says that for Jeremiah to call the first covenant new is automatically to declare the former one (the Sinai covenant) old or obsolete. Likewise, old age (or becoming old) is a sign of impending disappearance. It is clear that this new situation is the result of an eschatological act of God which brings about a change of the covenant.

The word *ajfanismov* (disappearing) in v. 13 is often used in the sense of destruction in the LXX, but that sense is not, necessarily, indicated here. However, it needs to be acknowledged that the writer’s view is that Jesus has “come to do [God’s] . . . will. He takes away (*ajnairevw*) the first [with immediate reference to the laws of sacrificing], that he may establish the second” (Heb 10:9).

Longenecker sees the issue in these terms:

What did the prophet Jeremiah mean by a new covenant? Did he think of the Mosaic covenant as the culmination and apex of God’s redemptive program... or did he look beyond that covenant to a consummation in the future when a new

⁹⁷ Ibid.

⁹⁸ Ellingworth, 414.

covenant would be established? Obviously, the writer [of Hebrews] asserts the latter.⁹⁹

He further states, “In speaking of a new covenant, therefore, Jeremiah recognized that there was built into the old covenant a God-ordained obsolescence . . .”¹⁰⁰ Kistemaker agrees: “In Christ the new covenant has become reality; consequently, the old covenant has become obsolete.”¹⁰¹ Bruce says, “The very words ‘a new covenant’ antique the previous one.”¹⁰²

G. B. Caird agrees,

Here is a perfectly sound piece of exegesis. Jeremiah predicted the establishment of a new covenant because he believed the old one to be inadequate for the religious needs of sinful men. The sacrifices of the old covenant were a perpetual reminder of sin and of man’s need for atonement, but what men needed was the effective removal of sin, so that it could no longer barricade the way into the inner presence of God.¹⁰³

Morrison correctly observes that,

The harshest polemic in Hebrews is against the sacrificial system; comments about “the law” are almost as strong, but criticism associated with the word *covenant* is more muted. For example, Heb 7:11-12 states that there must be “a change in the law”; vv. 18-19 says that there is an “abrogation of an earlier commandment because it was weak and ineffectual (for the law made nothing perfect).” This passage [Heb 8:13] is not about a specific law, but the entire law (or covenant) of Moses. Just as the Mosaic laws of priesthood were declared to be “weak and ineffectual” (7:18), the entire covenant is declared *passé*. But covenant as a concept does *not* disappear, for Christ has brought a new covenant.¹⁰⁴

Of course, “The idea that the Sinai covenant was temporary ran counter to Jewish sources

⁹⁹ Longenecker, 164.

¹⁰⁰ Ibid.

¹⁰¹ Kistemaker, 228.

¹⁰² Bruce, 195.

¹⁰³ G. B. Caird, *Exegetical Method of the Epistle to the Hebrews*, CJT 5 (1959): 47.

¹⁰⁴ Morrison, 168.

that considered it to be everlasting (Sir 17:12; cf. 4 Ez 9:36-27; 2 Bar. 77:15; Philo, *Moses* 2:14-15; Josphus, *Ag. Ap.* 2.272), as were God's other covenants . . ."105

But we need to examine more closely the carefully chosen words of the author in Heb 8:13. He says: *ejn tw' / levgein kainhVn pepalaiwken thVn prwvthn: toV deV palaiouvmenon kaiV ghravskon ejgguV" ajfanismou'.* / The argument of the author is that "By calling this covenant "new," *he* [God, from the antecedent in v. 8], has made the first one obsolete; and what is obsolete and aging will soon disappear" (v. 13). It could be argued that the reference is to Jeremiah as the immediate author, but the author of Hebrews does not refer to this. The reference is, clearly, to the original comment in Jer 31:31.

The word translated "obsolete" is *pepalaiwken* (from the verb *palaiow* which has the general meaning of to make or declare old, obsolete). In Luke 12:33, *palaiow* speaks of "purses . . . that will not *wear out*" or (as expanded on by Luke in the text) "a treasure . . . that will not be *exhausted*, and "where no thief comes near and no moth *destroys*" [emphasis mine]. Outside of Luke we only have two NT references to *palaiow*. Both are found in Hebrews. One is in Heb 8:13 as noted. The other is in Heb 1:10-11 (quoting Ps 102:25; Isa 51:6), where we read that "In the beginning, O Lord, you laid the foundations of the earth, and the heavens are the work of your hands. They will perish, but you remain; they will all wear out (*palaiow*) like a garment".

In the LXX the usage of *palaiow* is, generally, similar. Among the twenty-seven references to *palaiow* that are in the LXX we find that the Israelites are blessed by the Lord in the wilderness with clothes that did not "wear out" (Deut 29:4) and the

Gibeonites deceive the people of Israel by “wearing old clothes” (Josh 9:5, 13). Later, the Psalmist’s eyes “grow weary” with sorrow (Ps 6:7) and his bones “wasted away” (Ps 32:3). In Job, man “wastes away” (Job 13:28); a mountain erodes and crumbles and a rock “is moved” from its place (**pevtra palaiwqhvsetai ejk tou' tovpou aujth' "**) (Job 14:18). Job laments that the wicked live on: “growing old” and increasing in power (Job 21:7). Elihu says of Job’s friends/accusers that words have “failed” them (Job 32:15). In a time of distress the writer of Lamentations says that [God] has made my skin and flesh “grow old” (Lam 3:4). Ezekiel speaks of a time when the leaves of the fruit trees “will not wither” (Ezek 47:12).

According to Koester, the added reference in Heb 8:13 to “aging” (from **ghravskw**) or becoming old “is to reach the end of life (Plutarch, *Mor.* 111C), to become powerless (John 21:18), and unproductive (Philo, *Eternity* 61).”¹⁰⁶

There is, clearly, a rich semantic range for **palaioww** in the LXX. Its range of meaning there extends to the sense of wearing out, growing weary, wasting away, growing old, withering or being moved out of its place. How should this range of meaning be applied to Heb 8:13? We note that the author of Hebrews says that **ejn tw' / levgein kainhVn pepalaiwken thVn prwvthn** (with the word “covenant” being properly understood to be implied in the context). If he had stopped with that sentence, a supersessionist case (the “new” covenant completely replacing the “old” covenant) could more readily have been supported based on this Hebrews text, viz. because a new covenant is spoken of in Jeremiah 31, the old covenant has been, therefore, declared obsolete, worn out, wasted, old, something to be removed from its

¹⁰⁵ Koester, 388.

¹⁰⁶ Koester, 388.

place. Instead, he goes on in Heb 13:8b to add *toV deV palaiouvmenon kaiV ghravskon ejgguv" ajfanismou'* (what is obsolete and aging will soon disappear." As Kistemaker correctly notes, "The writer of Hebrews does not specify a time or describe circumstances when the old covenant will disappear."¹⁰⁷ Bruce argues that "by predicting the inauguration of a new covenant Jeremiah in effect announced the impending dissolution of the old order."¹⁰⁸

The old covenant (not merely the temple or its sacrificial system— Hebrews makes no such distinction), is only "soon" or "near" (*ejgguv"*) to disappear. That covenant did not disappear in Jeremiah's day with his pronouncement of a "new" covenant to come. It did not disappear with the coming (or with even the death) of Jesus Christ (despite Jesus' statement in Lk 22:20 at the Last Supper that the wine was "the new covenant in my blood"). It did not disappear on the Day of Pentecost when Peter preached that "the last days" prophesied by the prophet Joel had begun (Acts 2:16-18). Furthermore, here in Hebrews, some thirty years or more after the death and resurrection of Jesus, the old covenant was still in existence but was essentially made obsolete and was aging consequent on the sacrifice of Christ. In some sense, the old and new covenants were continuing to exist side by side, according to the author of Hebrews. Koester believes that as the author of Hebrews speaks, "The old order still exists, but its end is imminent."¹⁰⁹

¹⁰⁷ Kistemaker, 228.

¹⁰⁸ Bruce, 195.

¹⁰⁹ Koester, 388.

In Hebrews, the status of the old covenant is that of being old, well-advanced in years (so the NT and LXX usage); not that of being dead or extinct. Its disappearance has not yet taken place but it is $\epsilon\acute{\jmath}ggu\check{V}''$ (near).

It is important to consider that the same argument which says that for God to pronounce a “new” covenant automatically makes the existing one “old” was just as valid in the days of Jeremiah. Jeremiah, himself, does not speak of the “nearness” of the new covenant. Kistemaker notes, “six hundred years before Christ, God spoke of a new covenant. By implication, the existing covenant was *then* [emphasis mine] already ‘obsolete and aging’.”¹¹⁰ Yet, that “obsolete and aging” covenant continued to exist for hundreds of years after that time. It is important, therefore, to exercise caution about declaring the old covenant extinct based on a similar set of circumstances outlined by the author of Hebrews. As Koester acknowledges, “The shift from the old to the new covenant (8:6) has begun, *but is not complete* [emphasis mine] since a change has occurred, but the promises have not been fully realized.”¹¹¹

As a secondary point we note the range of usage of $\epsilon\acute{\jmath}ggu\check{V}''$ in the NT. Thus, when we look at the usage of $\epsilon\acute{\jmath}ggu\check{V}''$ as an adverb in the NT, we see that, at times, it may speak of things whose early signs have appeared. Thus, believers are to “learn this lesson from the fig tree: As soon as its twigs get tender and its leaves come out, you know that summer is near ($\epsilon\acute{\jmath}ggu\check{V}''$)” (Mt 24:32). Certain signs presage the nearness of Jesus’ return and the imminence of the kingdom (Mt 24:33; Lk 21:30). Jesus’ “appointed time” was “near” (in a matter of days) when he told the disciples to prepare for the Passover

¹¹⁰ Ibid.

¹¹¹ Koester, 392.

meal (Mt 26:18). On several occasions we are told that various Jewish festivals were “near” (Jn 6:4; 7:2).

Nearness can also be merely geographical, so that “Lydda was near Joppa” (Acts 9:38). For the believer, Paul says “our salvation is nearer now than when we first believed” (Rom 13:11). Believing in Christ means that “now in Christ Jesus you who once were far away have been brought near through the blood of Christ (Eph 2:13). Nearness in this sense has to do with spiritual relationship or standing. There is also a significant eschatological sense of nearness. Paul assures the Philippians that the “Lord is near” (Phil 4:5). The readers of Revelation are urged to take the message seriously for “the time is near” (Rev 1:3; 22:10).¹¹²

As an improper preposition, $\epsilon\dot{\jmath}gguV''$ often refers to nearness geographically (Jn 6:23; 11:18 et al). In Heb 6:8, “nearness” speaks of pending judgment so that “land that produces thorns and thistles is worthless and is in danger of [near to] being cursed. In the end it will be burned.” The other usage of $\epsilon\dot{\jmath}gguV''$ in Hebrews is the Heb 8:13 passage.

Thus, when the NT writers say that something is “near,” they use the word $\epsilon\dot{\jmath}gguV''$ with the common *koine* range of meanings. Things, people and events may be near in place, in spiritual relationship or in time. Nearness of time may vary in degree, from a few days to an indeterminate eschatological future (Phil 4:5; Rev 1:3; 22:10). This thesis proposes that Heb 8:13 is an example of a usage of $\epsilon\dot{\jmath}gguV''$ relating to nearness of time with an indeterminate chronological referent.

¹¹² There is a similar use of the word $\epsilon\dot{\jmath}gguV''$ for eschatological nearness in the LXX. Thus, “the Day of the Lord is near” (Isa 13:6; Ezek 30:3; Joel 1:15; 2:1; 4:14; Obad 1:15; Zeph 1:7, 14).

The foregoing analysis of the various meanings of *עֲבָדָה* is not central to this argument but shows that the word does allow a range of meanings which includes varying degrees of time referents. The author of Hebrews simply says that the old covenant is near to disappearing. The timing of its ultimate disappearance is not stated.

Ellingworth offers his view that,

The language of this verse is sufficiently general to leave open the question whether the author thought of the first covenant as old and moribund already from the time of Jeremiah's declaration, or only from the time of Christ's coming and/or death . . . Statements about the supersession of the old dispensation appear to grow generally bolder as the argument progresses . . . yet the continued existence of the first covenant is never completely denied.¹¹³

Certainly, we can see in Hebrews that the new covenant has been inaugurated. As Manson says, "The New Covenant itself belongs to, and marks the New Age inaugurated by the entrance of the Redeemer into the heavenly sanctuary."¹¹⁴ Yet, the inauguration of an event in the NT is not necessarily the same as its completion. There is NT evidence for the concept of inaugurated eschatology ("already, not yet") which views the end times as being inaugurated at the life, death and resurrection of Jesus. The end is already here, but it has yet to see its consummation (Acts 2:16-17 & 1 Pet 1:5). Christians see and experience a tension between this age and the age to come. The world is in a time between two ages (Mt 12:32; Mk 10:30; Eph 1:21). Thus, the Kingdom of God (Col 1:13; 1 Cor 15:50), the resurrection (Rom 6:4; Acts 24:15), the judgment of Satan (Col 2:15; Mt 8:29) all have both a present reality and a future fulfilment. Likewise, the "new covenant" is an eschatological concept.

¹¹³ Ellingworth, 418.

¹¹⁴ Manson, 127.

In light of this and from what we have seen in our study of Heb 8:6-13, we conclude that the new covenant has been inaugurated with the death and resurrection of Jesus Christ, but that there is no clear statement in Hebrews that the old covenant ceased at any particular time. How the old covenant might have continued, in what manner, and for who will be examined in the rest of this thesis.

Chapter Four

The Theology of Covenant and New Covenant in Hebrews

The Use of **διαθήκη** in Hebrews

The concept of covenant is particularly important in the Book of Hebrews. This is evident from the frequent use of the word **διαθήκη**. Of the thirty-three instances of **διαθήκη** in the NT, seventeen are found in Hebrews. These are concentrated in the central section of the book (Heb 4:14-10:18), except for three (Heb 10:29; 12:24; 13:20).

A brief overview of the use of **διαθήκη** in the NT outside of Hebrews shows that the word is used to refer to the cup of wine at the Last Supper/ Passover viz. “the blood of the [new] covenant” (Mt 26:27; Mk 14:24; 22:20; 1 Cor 11:25); the Abrahamic covenant (Lk 1:72-3; Acts 3:25; Gal 3:17); “the covenant of circumcision” (Acts 7:8); the “covenants” (plural) which belong to Israelites (Rom 9:4); the “new” covenant (Rom 11:27) where Paul quotes God’s purpose thus, “And this is my covenant with them when I take away their sins”; Christian ministers are “ministers of a new covenant” (2 Cor 3:6); the Mosaic/Sinai covenant (2 Cor 3:14;); a “man’s covenant” (regarding which God’s covenant with Abraham is given as an example) (Gal 3:15); “two covenants” (the Abrahamic and the Mosaic/Sinaitic) (Gal 4:24); “the covenants of the promise” (Abrahamic), (Eph 2:12) and “the ark of [God’s] covenant” (Rev 11:19).

Since over a half of the NT references to **διαθήκη** in the NT are found in Hebrews, obviously the concept of covenant is significant for the author’s argument. We also note that the audience appears to be deeply drawn to the Sinaitic covenant (Heb 7:11-14, 18-19, 23-24, 26-28; 8:5-6; 9:13-14, 24; 10:1-4, 8-10) . When he speaks of

“covenant,” to which covenant is he referring? The references are either to the Sinaitic covenant or to the new covenant mediated by Jesus.

Thus, Jesus is a “guarantee of a better covenant” (Heb 7:22; 8:6); there are references to a “new covenant” (Heb 8:8, 10; 9:15; 10:16; 12:24) and there is mention of the “blood of [the new] covenant” —Jesus’ blood (Heb 10:29; 13:20); there was also the Sinaitic covenant (Heb 8:9; 9:20); this Sinaitic covenant had an “ark of the covenant” which contained the “tablets of the covenant”—the ten commandments (Heb 9:4) and (in one much-debated passage) **ḏiaqhvkḥ** is translated as a “will” in the NIV and other translations (Heb 9:16, 17). There are also two clearly implied references to the old and new covenants respectively where the word **ḏiaqhvkḥ** is not directly used (the “first” and the “second”) in Heb 8:7: **Ḕij gaVr hJ prwvth ejkeivnh hn a mempto", oujk a n deutevra" ejzhteit' to tovpo"**. So also, there are two implied references in Heb 8:13. Likewise, in Heb 9:1, we see another implied reference to the old covenant: “Now the first [covenant, **hJ prwvth**] had regulations for worship and also an earthly sanctuary.” Heb 9:18 also speaks of “the first [covenant]” being dedicated with blood.

This initial survey shows that the word **ḏiaqhvkḥ** refers in Hebrews to either the Sinaitic covenant or the new covenant mediated by Jesus. Outside of these direct usages of **ḏiaqhvkḥ**, there are other passages in Hebrews which allude to either the concept of a new covenant that is heart and spirit-based or to the need for such a covenant.

For example, in Heb 3:7-10 we read,

So, as the Holy Spirit says: "Today, if you hear his voice, do not harden your hearts as you did in the rebellion, during the time of testing in the desert, where your

fathers tested and tried me and for forty years saw what I did. That is why I was angry with that generation, and I said, 'Their hearts are always going astray, and they have not known my ways.'

In this passage (and in the following verses to Heb 4:11), it is clear that the historical entry of Israel into the promised land did not constitute the promised “rest” of which the psalmist spoke. Based on Ps 95:7-11, the author of Hebrews comments: “For if Joshua had given them rest, God would not have spoken later about another day” (Heb 4:8). The reasons why they did not inherit the promised rest were rebellion and hardness of heart leading to their testing God. The underlying problem was that “their hearts were always going astray” and “they have not known my ways” (Heb 3:7-10). In other words, the lack of a covenant that included a means to change the heart and the spirit of the people appears to imply that this is the core issue. This is of special relevance to the audience in Hebrews who are more impressed by the traditions of the old covenant than the spiritual promise of the new covenant. Furthermore, the author of Hebrews points to the “word of God” that “penetrates even to dividing soul and spirit” (Heb 4:12), where the real essence of a God-pleasing obedience is to be found.

Another vital aspect of the new covenant according to Jeremiah is: “No longer will a man teach his neighbor, or a man his brother, saying, ‘Know the LORD,’ because they will all know me, from the least of them to the greatest, declares the LORD. . . .” (Jer 31:34). The old covenant-leaning audience of Hebrews is also lacking in this fruit of the new covenant,

In fact, though by this time you ought to be teachers, you need someone to teach you the elementary truths of God's word all over again. You need milk, not solid food! Anyone who lives on milk, being still an infant, is not acquainted with the teaching about righteousness. But solid food is for the mature, who by constant use have trained themselves to distinguish good from evil (Heb 5:12-14).

Instead, they are still lingering at the elementary teachings (Heb 6:1-2), which mostly could have been learned from the OT itself, apart from the new revelation in Christ.

It is not that the readers are not “ones who have tasted the heavenly gift, who have shared in the Holy Spirit, who have tasted the goodness of the word of God and the powers of the coming age” (Heb 6:4-5), but they seem to not to value these privileges. The implications of a denigration of Christ’s sacrifice are, potentially, dire for them (v. 6).

Some covenantal language may also be implied in Heb 6:7-8 in the context of blessings and cursings.

Thus we read in Heb 6:7-8:

Land that drinks in the rain often falling on it and that produces a crop useful to those for whom it is farmed receives the blessing of God. But land that produces thorns and thistles is worthless and is in danger of being cursed. In the end it will be burned.

This echoes Leviticus 26:3-5, 9-10, 14-16, 18-20:

If you follow my decrees and are careful to obey my commands, I will send you rain in its season, and the ground will yield its crops and the trees of the field their fruit. Your threshing will continue until grape harvest and the grape harvest will continue until planting, and you will eat all the food you want and live in safety in your land.

I will look on you with favor and make you fruitful and increase your numbers, and I will keep my covenant with you. You will still be eating last year's harvest when you will have to move it out to make room for the new.

But if you will not listen to me and carry out all these commands, and if you reject my decrees and abhor my laws and fail to carry out all my commands and so violate my covenant, then I will do this to you: I will bring upon you sudden terror, wasting diseases and fever that will destroy your sight and drain away your life. You will plant seed in vain, because your enemies will eat it.

If after all this you will not listen to me, I will punish you for your sins seven times over. I will break down your stubborn pride and make the sky above you like iron and the ground beneath you like bronze. Your strength will be spent in vain, because your soil will not yield its crops, nor will the trees of the land yield their fruit.

Also Isa 5:5-6,

Now I will tell you what I am going to do to my vineyard: I will take away its hedge, and it will be destroyed; I will break down its wall, and it will be trampled. I will make it a wasteland, neither pruned nor cultivated, and briers and thorns will grow there. I will command the clouds not to rain on it.

And Hos 10:7-8,

Samaria and its king will float away like a twig on the surface of the waters. The high places of wickedness will be destroyed-- it is the sin of Israel. Thorns and thistles will grow up and cover their altars.

Part of the content of the old covenant finds mention in Hebrews 7, where the Melchizedek-type priesthood of Jesus is contrasted with the Aaronic priesthood. Jesus is a priest not on the basis of a regulation as to “his ancestry” (Heb 7: 16) as with the OT priests. “A change of the priesthood” requires “a change of the law” (v. 12). The author of Hebrews bluntly states that, “The former regulation is set aside because it was weak and useless (for the law made nothing perfect), and a better hope is introduced, by which we draw near to God” (vv. 18-19). His comment in context deals specifically with who will serve as God’s priest. However, his broad parenthetical statement that “the law made nothing perfect” goes much further and points to fundamental spiritual shortcomings or limitations in the old covenant. The “better hope” through Jesus will now permit full reconciliation and relationship with God.

The key topic of radical and full forgiveness of sins under the new covenant is, of course, front and centre in the mind of the author. It forms the core of his most compelling appeal to his audience. This is a central promise of the new covenant: “For I will forgive their wickedness and will remember their sins no more” (Heb 8:12; Jer. 31:31-34). The basis for this forgiveness is Jesus’ unique sacrifice as the Son of God.

It was offered only once (unlike the Levitical sacrifices) and is sufficient for all time. As we read in Heb 9:26, Jesus, the eternal priest, now: “. . . has appeared once for all at the end of the ages to do away with sin by the sacrifice of himself.”

Heb 10:11-14 says,

Day after day every priest stands and performs his religious duties; again and again he offers the same sacrifices, which can never take away sins. But when this priest had offered for all time one sacrifice for sins, he sat down at the right hand of God. Since that time he waits for his enemies to be made his footstool, because by one sacrifice he has made perfect forever those who are being made holy.

Heb 10:17-20 continues the theme,

Then he adds: “Their sins and lawless acts I will remember no more.” And where these have been forgiven, there is no longer any sacrifice for sin. Therefore, brothers, since we have confidence to enter the Most Holy Place by the blood of Jesus, by a new and living way opened for us through the curtain, that is, his body . . .

Why, the author of Hebrews asks, would his audience settle for a sacrificial system that could never forgive sins but only continually remind them of their guilt (Heb 10:1-4)?

The author also stresses that “the law appoints as high priests men who are weak; but the oath, *which came after the law* [emphasis mine], appointed the Son, who has been made perfect forever” (Heb 7:28). Jesus is a priest forever. His appointment as priest by the oath of God comes after (and supersedes) what the law had ordained. His continuing life and intercessory priesthood make him “the guarantee (εγγυον) of a better covenant” (Heb 7:22).

Jesus’ priesthood is a heavenly ministry based on his intercessory work in “the sanctuary, the true tabernacle” (Heb 8:2). The author of Hebrews does not entirely negate the ministry of “the men who [already] offer gifts prescribed by the law.” The service of the Levitical priests, however, is only “a copy and a shadow” (υποδείγματα και

skia) of the heavenly ministry of Jesus (v. 5) and cannot produce real forgiveness of sins. Moreover, “. . . the ministry Jesus has received is as superior to theirs as the covenant of which he is mediator is superior to the old one, and it is founded on better promises (v.6).” However, “if he [Jesus] were on earth, he would not be a priest” (v. 4) according to old covenant priestly regulations.

As noted earlier in Heb 9:1, we saw an implied reference to the old covenant: “Now the first [covenant, **hJ prwvth**] had regulations for worship and also an earthly sanctuary.” This verse does not limit the content of the old covenant to simply physical sacrificial regulations but states that such regulations were included in that covenant. A sustained critique of the the sacrificial system presented in Leviticus and other parts of the Pentateuch is central to the argument of the author of Hebrews.¹¹⁵ He notes the repetitive or never-ending nature of the sacrifices offered under that system and the human flaws of the priests. In addition, he speaks of a limitation on the duration of these sacrificial regulations: “They are only a matter of food and drink and various ceremonial washings--external regulations applying until the time of the new order [**mevcri kairou' diorqvwsew**]” (Heb 9:10). This “new order” is not, elsewhere, specifically defined in Hebrews. However, in the immediate context, Jesus’ present high priestly role is seen to inaugurate this new order (vv. 11-14). Elsewhere in the NT, we do not find the

¹¹⁵ The Torah, of course, saw great significance in the routine of sacrifices. Ex 29:42-46 say, “For the generations to come this burnt offering is to be made regularly at the entrance to the Tent of Meeting before the LORD. There I will meet you and speak to you; there also I will meet with the Israelites, and the place will be consecrated by my glory. So I will consecrate the Tent of Meeting and the altar and will consecrate Aaron and his sons to serve me as priests. Then I will dwell among the Israelites and be their God. *They will know that I am the LORD their God, who brought them out of Egypt so that I might dwell among them. I am the LORD their God* [emphasis mine].” The regular offerings were vital to maintaining a relationship with the God of Israel.

phrase *kairou' diorqwvsew*"', although the idea of a new order is found in Acts 3:19-21 where the time (of refreshing and restoration) is the second coming of Jesus.

The Theology of the Covenants in Hebrews

Both old and new covenants figure prominently in Hebrews. The old (first) covenant is close to its end. The new is being inaugurated. A newly revealed covenant theme is underway. The old covenant was a shadow of what Jesus has now brought. However, this change does not affect the validity and relevance of the OT Scriptures. The Scriptures still speak to the newly established Christian community.

That being said, it is clear that the writer of Hebrews does not specify a time when the old covenant will cease in its entirety. Indeed, the old covenant was rendered obsolete even from the days of Jeremiah when that prophet spoke of a new covenant that was to come in a future eschatological time. The old covenant was superseded by the new covenant established in the Christ-event but that same old covenant continued to function in some limited way even in the days of the author of the Book of Hebrews. This chapter will move on to examine these issues.

For example, Barnabas Lindars sees the writer of Hebrews as laying out a two-stage process regarding the old and new covenants:

The first is the era of the old covenant, which is due to pass away (8:14). The second is the coming age or end time, in which the new covenant will come into operation. The message of the gospel is that the new age has been inaugurated in the person of Christ. Thus the transition from the old age to the new has already taken place in Jesus . . .¹¹⁶

Thus, in the broad view, for the writer of Hebrews, "Messianic and eschatological prophecies obviously refer to the future and are fulfilled in Jesus or are in the process of

¹¹⁶ Barnabas Lindars, *The Theology of the Letter to the Hebrews*, New Testament Theology Series (Cambridge: Cambridge University Press, 1991), 44.

fulfilment as a result of his saving work.”¹¹⁷ In this perspective the Temple, part of the worship fabric of the old covenant, is superseded by the inauguration of the new covenant in Christ. The new priesthood of Christ after the order of Melchizedek inaugurates the new covenant. With one perfect sacrifice, it replaces even the solemn annual Day of Atonement ceremony as the means for the cleansing of sin.

Indeed, in Lindars view,

the sacrifice of Christ constitutes the inauguration of the new covenant of the famous prophecy of Jer 31.31-4. This is quoted in full in the present context in 8.8-12, but significantly is quoted again in shorter form in 10.16-17. It thus encapsulates the whole exposition of the sacrifice of Jesus which comes in between.¹¹⁸

God is offering a new relationship to his people whereby sins are forgiven and his Law is internalized in the hearts of his people. The existing sacrificial system is, clearly, seen to be only temporary since it represent only a shadow of the reality in heaven and, furthermore, that the reference to a “new” covenant necessarily implied the obsolescence of the first (Sinaitic) one.

The author of Hebrews utilizes the range of meaning of *διαθήκη* (which includes both covenant and will or testament) to make his point in Heb 9:16-17. The sacrifice of Christ has brought the new covenant into effect. Lindars summarizes the presentation in Hebrews as one where we see the concept that

The idea that the Law and the worship of the Temple are superseded by the sacrifice of Christ is correlated with the transition from the conditions of the old covenant to the eschatological era in which the new covenant comes into operation. Hence all the regulations in Exodus and Leviticus are obsolete. On the other hand the Law retains its validity as the revealed will of God . . .¹¹⁹

¹¹⁷ Ibid., 52.

¹¹⁸ Ibid., 80.

¹¹⁹ Ibid., 124.

Indeed, the old covenant is not equated in Hebrews with the Hebrew Scriptures themselves. They have ongoing validity as evidenced by the author's extensive use of them in his arguments. God continues to speak with one voice to his people. At the same time, a radical shift in theology is in evidence. Susanne Lehne provocatively suggests,

There can be no doubt that the writer puts Jeremiah's oracle to a use rather foreign to the intentions of the prophet. When there is talk about the self-confessed inadequacy and obsolescence of the very nature of the old order . . . and when there is an abolishment of the First in favor of an establishment of the Second (10.9), we have definitely left the realm of the OT.¹²⁰

W. L. Lane aptly sums up three contrasts that we find in Hebrews which uphold the higher value and status of Jesus' priestly role and the primacy of the new covenant,

. . . the temporal, ephemeral character of the Aaronic priesthood is overshadowed by the eternal ministry of the priest like Melchizedek . . . the priestly ministry in the tabernacle of the old covenant is superseded by the priestly ministry of Jesus in the heavenly sanctuary of the new covenant . . . the inadequacy of the sacrifices under the law is contrasted with the efficacy and finality of Jesus' sacrifice . . .¹²¹

Ellingworth, in his comments on Heb 8:7 notes the tendency of translators to "impose on the text a view of Judaism as past," while the verbs refer to "a situation still existing even if about to disappear (v.13) . . ."¹²² When the author of Hebrews makes his summary comment in Heb 8:13 that "By calling this covenant 'new,' he has made the first one obsolete; and what is obsolete and aging will soon disappear," we are faced with a distinct lack of precision. As Ellingworth observes,

¹²⁰ Susanne Lehne, *The New Covenant in Hebrews*, Journal for the Study of the New Testament Supplement Series 44 (Sheffield: Sheffield Academic, 1990), 31.

¹²¹ W. L. Lane, "Hebrews," in *Dictionary of the Later New Testament and Its Developments*, Ralph P. Martin and Peter H. Davids eds. (Downer's Grove, Ill: InterVarsity Press, 1997), 453.

¹²² *Ibid.*, 411.

The language of this verse is sufficiently general to *leave open* [emphasis mine] the question whether the author thought of the first covenant as old and moribund already from the time of Jeremiah's declaration, or only from the time of Christ's coming and/or death . . . Statements about the supersession of the old dispensation appear to grow generally bolder as the argument progresses . . . *yet the continued existence of the first covenant is never completely denied* [emphasis mine].¹²³

While we might surmise that the author of Hebrews has some end-point in mind for the first covenant, he does not state this and sees that covenant as still being in existence (however tentatively) in his own time. Craig Koester sums up the status of the old covenant as definitively as the text allows in his commentary on Heb 8:13:

To become old is to reach the end of life (Plutarch, *Mor.* 111C), to become powerless (John 21:18) and unproductive (Philo, *Eternity* 61) . . . The first covenant is a part of the order symbolized by the 'first tent', which is now giving way because 'the time of correction has arrived (9:8-10). *The old order still exists* [emphasis mine], but its end is imminent.¹²⁴

Later, Koester acknowledges that "The shift from the old to the new covenant (8:6) has begun but is not complete since a change has occurred, but the promises have not been fully realized."¹²⁵ This fact is starkly highlighted by the spiritual weaknesses of the very recipients of this epistle/sermon. They struggle with unbelief and backsliding and are very much in need of instruction in contrast to the promises of Jeremiah 31. Nevertheless, the continuing existence of the old covenant offers these Christians no help. "Its obsolescence means that the listeners' orientation must be toward what is yet to come."¹²⁶

¹²³ Ibid., 418.

¹²⁴ Koester, *Hebrews*, The Anchor Bible Commentary, 388.

¹²⁵ Ibid., 392.

¹²⁶ Ibid., 393.

F. F. Bruce notes that the author of Hebrews does not “go beyond Jeremiah” but simply states that “when it comes, the new covenant will supersede that earlier one.”¹²⁷

In commenting on Heb 8:13, Bruce cogently notes that

It cannot be proved from these words that the Jerusalem temple was still standing and its sacrificial ritual still being carried on. They could simply mean that by predicting the inauguration of a new covenant Jeremiah in effect announced the impending dissolution of the old order.¹²⁸

Centuries before the time of Christ in the days of Jeremiah, the prophecy of Jeremiah 31 declared the obsolescence of the old covenant.

As Simon Kistemaker says, “Already in the days of Jeremiah, approximately six hundred years before the birth of Christ, God spoke of a new covenant. By implication, the existing covenant was then already ‘obsolete and aging’.”¹²⁹ The first covenant, however, still continued to function in the life of the nation while the arrival of the Messiah was anticipated. In the days of the writer of Hebrews, “he does not specify a time or describe circumstances when the old covenant will disappear.”¹³⁰

It is clear from the frequent usage by the author of Hebrews that he has chosen the word *διαρκῆς* as a significant motif in his argument for the continuity and discontinuity of the Christian’s life in relation to the life of an OT Israelite. While Jesus’ High Priestly role is also central in Hebrews, the covenant motif plays a vital role in the argumentation. It is evident that the sacrifice of Christ and the inauguration of the new covenant fit closely together for the author of Hebrews.

¹²⁷ Bruce, *The Epistle to the Hebrews*, 195.

¹²⁸ Ibid.

¹²⁹ Kistemaker, *Hebrews*, 228.

¹³⁰ Ibid.

From the very first chapter of Hebrews, as Graham Hughes says, “Jesus is consistently portrayed as a new form, and an eschatologically superior form, of God’s Word.”¹³¹ Susanne Lehne observes that this is seen in “the focus on Jesus’ person in chs. 1-7 [which] parallels the focus on Jesus’ work in chs. 8-10, and all of Heb. can be described as an extended examination of the *relationship* between the old and new covenantal orders and their representatives.”¹³²

While there are shared features between the old and new covenants, there are also contrasts and ultimately the author seeks to show that the new covenant is superior. He shows this in the central section of the book that extends from Heb 4:14-10:18. Key features of his argument are the eternal priesthood of Jesus and his once and-for-all-time sacrifice. Gerhard Vos points out the skill of the author of Hebrews in that he “specifically (equates) the world to come with the new covenant, (and) is led to identify the first age with the first covenant.”¹³³

Lehne holds the view that the author

. . . can attribute some limited *positive* value to the old covenant, because he views it as a God-given reflection in sketchy, ‘embryonic form’ of the ‘celestial prototype’ of the NC [new covenant]. In this sense the latter existed from all eternity, but was fully revealed and realized only in Christ.¹³⁴

There are shared features between the old and new covenants in Hebrews as well as distinct contrasts. Through the central section (Heb 4:14-10:18) of Hebrews we see that those areas of overlap or sharing include some which relate directly to the priesthood

¹³¹ Graham Hughes, *Hebrews and Hermeneutics: The Epistle to the Hebrews as a New Testament Example of Biblical Interpretation* (Cambridge: Cambridge University Press, 1979), 24.

¹³² Lehne, *New Covenant*, 95.

¹³³ Gerhard Vos, Hebrews, the Epistle of the Diatheke, *Ptr* 14:6. The age schema is more prominent as a 2nd Temple concept of covenant progression.

of Jesus. Like the Levitical priests, Jesus is compassionate and able to sympathize with human weaknesses, he intercedes for human beings, he must have something to offer and that offering is a blood sacrifice. With both the old and new covenants, God acts on behalf of his people who are called into a special relationship with him. Both covenants are sealed with blood and involve obedience and promise.

This same central section of Hebrews also shows significant contrasts between the two covenants. The Levitical priests are mortal and many. Jesus is one priest and lives forever. They are appointed by a fleshly command, Jesus is declared a priest forever by an oath. They must offer sacrifice for their own sins. Jesus is sinless. Theirs is an earthly ministry, his is heavenly. They minister in an earthly tabernacle, Jesus ministers in heaven before God himself. They entered repeatedly to offer, Jesus entered once with one offering at the climax of the ages. He offered his own blood (not that of animals) and it provided real forgiveness. Thus, the author of Hebrews argues, the new covenant is clearly seen to be superior.

When we come to the view of the author regarding Law we face some difficulties. One function of the word Law ($\nu\omicron\mu\omicron$) is in reference to the cultic order (Heb 7:12) under which the people of Israel received the Law ($\nu\omicron\mu\omicron\tau\epsilon\upsilon\omega$, originally $\nu\omicron\mu\omicron\tau\epsilon\upsilon\omicron\mu\alpha\iota$, Heb 7:11). “Even the NC [new covenant] is enacted/promulgated legally ($\nu\omicron\mu\omicron\tau\epsilon\upsilon\omicron\mu\alpha\iota$) on the basis of superior promises (8.6).”¹³⁵ Vos suggests, therefore, that the new covenant “can be represented as a new species of legislation.”¹³⁶

¹³⁴ Lehne, 97-8.

¹³⁵ Lehne, 99.

¹³⁶ Vos, Hebrews, *PTR* 13:621.

However, despite this legal phraseology, the concept or category of Law is only used very obliquely in Hebrews with reference to the new covenant. As Lehne says, “nowhere do we hear of a ‘new’ or ‘better’ law.”¹³⁷

Lehne further observes that “the most negative remarks that the author makes about the old covenant are all connected to the (cultic) Law, which was fleshly (7.16), had weak and useless commandments (7.18), perfected nothing (7.19), appointed weak men (7.28), and was unable to perfect those drawing near (10.1-4).”¹³⁸ On the other hand, the enduring Word of Scripture remains (Heb 4:12; 5:12; 6:5; 12:5).

In summary, the author of Hebrews consistently stresses the superiority of the new covenant over the old. The new has been inaugurated in Christ. The old is fading but the author does not say it has even yet in his days ended.

The Obsolete Covenant

As previously stated, the key question which this thesis addresses is: what does Hebrews 8:13 mean when it says that the first covenant is obsolete? Pre-World War II and, indeed, traditional Christian views of Judaism over the centuries, have often considered Judaism to be an obsolete religion. The Book of Hebrews is considered by some commentators to be supersessionist in tone.

This thesis proposes that a clear distinction should be made between a new covenant that has been inaugurated through the work of Christ and a fading old covenant

¹³⁷ Lehne, 27.

¹³⁸ Ibid., 99.

that has been rendered obsolete through that event. God has implemented an enduring covenant with Israel based on Abrahamic promises.

Pamela Eisenbaum observes that “. . . Hebrews is noticeably lacking in the polemics that characterize the gospels and Paul’s letters . . . polemics against Jews pick up again in the mid-second century, with the writings of Barnabas,¹³⁹ Melito, Justin, Tertullian¹⁴⁰ and others.^{141 142} It should be noted, however, that Tertullian also supports continuity between the covenants when he says:

. . . I do allow that one order did run its course in the old dispensation under the Creator, and that another is on its way in the new one under Christ. I do not deny that there is a difference in the language of their documents, in their commandments of virtue, and in their teachings of the law. Yet all this diversity is consistent with one and the same God.¹⁴³

Likewise, Tertullian gives his view that

. . . there is a separation [of the two covenants] by reformation, amplification and progress. To illustrate, fruit is separated from the seed, although the fruit comes from the seed. Likewise, the Gospel is separated from the Law even though it is developed from the Law. It is a different thing from it, but not an alien one. It is distinct from it, but it is not inimical to it.¹⁴⁴

¹³⁹ Barnabas says of the Jews that “Their covenant was broken so that the covenant of the beloved Jesus could be sealed upon our heart . . .” Barnabas, *Ante-Nicene Fathers*, 1.139.

¹⁴⁰ “Thus has the ‘lesser people’ —that is, the elder people—overcome the ‘greater’ people. For [the lesser] have acquired the grace of divine favor, from which Israel has been divorced.” Tertullian, *Ante-Nicene Fathers*, 3.152. “The Jews had formerly been in covenant with God. But being afterwards cast off on account of their sins, they began to be without God.” Tertullian, *Ante-Nicene Fathers*, 3.247.

¹⁴¹ “The vineyard of the Lord of hosts was the house of Israel. But Christ taught and showed that the people of the Gentiles should succeed them and that by the merit of faith we should subsequently attain to the place that the Jews had lost.” Cyprian, *Ante-Nicene Fathers*, 5.361.

¹⁴² Pamela Eisenbaum in *Hebrews: Contemporary Methods – New Insights*, Gabriella Geraldini ed. (Leiden – Boston: Brill, 2005), 236.

¹⁴³ Tertullian, *Ante-Nicene Fathers*, 3.345, 346.

¹⁴⁴ *Ibid.*, 3.361.

Martin Luther, in his Commentary on the Book of Jonah, follows a long tradition of Christian interpretation when he suggested that Judaism could be compared to “. . . the plant that flourished and then withered in the book of Jonah ‘It served but for a time and then ceased to exist’ . . . destroyed by a God-sent worm . . . [foretelling] the coming of Jesus Christ.”¹⁴⁵

Indeed, “the founding theologians of modern Protestantism, such as . . . Schleiermacher . . . Hegel, and Von Harnack, regarded Judaism as an obsolete religion.”¹⁴⁶ Immanuel Kant believed “that the Jewish faith stands in no essential connection whatever, i.e. no unity of concepts . . . with (the Christian) church . . .”¹⁴⁷ David Friedlander’s comments were typical of the 1800’s: “If the soul has taken flight, of what value is the stripped-off husk? The butterfly has escaped, the empty cocoon remains.”¹⁴⁸

Are the Jews today really a people with no covenant at all; a kind of religious “fossil” belonging to an earlier period of salvation history as many traditional Christian interpretations have suggested?

It should certainly be noted that modern scholars who hold to a replacement theology harbor none of the anti-semitism of earlier writers. Bruce Waltke holds the

¹⁴⁵ Quoted by Amy Newman in *The Death of Judaism in German Protestant Thought from Luther to Hegel*. *Journal of the American Academy of Religion*, Vol 61, Fall 1993, 457.

¹⁴⁶ Carl E. Braaten and Robert W. Jenson, *Jews and Christians: People of God* (Grand Rapids: Eerdmans, 2003), vii.

¹⁴⁷ Immanuel Kant, *Religion Within the Limits of Reason Alone*, translated by T. M. Greene and H. H. Hudson (New York: Harper and Brothers, 1979), 118.

¹⁴⁸ Cited in Michael A. Meyer, *The Origins of the Modern Jew: Jewish Identity and European Culture in Germany, 1749-1824* (Detroit: Wayne State University Press, 1967), 72.

view that: “the hard fact [is] that national Israel and its law have been permanently replaced by the church and the New Covenant . . . our Lord announced that the Jewish nation no longer has a place as the special people of God; that place has been taken by the Christian community . . .”¹⁴⁹ He further observes that “the Old Covenant and its types has been done away forever in favor of the superior eternal New Covenant. . . .”¹⁵⁰ However, there is no hint of anti-Semitism in his analysis and he counsels against “sacrosanct confessions . . . on such complex and difficult issues as the relationship of the church and Israel. . . .”¹⁵¹

However, unlike earlier supersessionist views, a growing number of modern theologians have now concluded that “. . . the ancient covenant with Israel is still in force and that Israel has therefore not been superseded by the church in the plan of salvation.”¹⁵² Karl Barth expressed his view that:

Without any doubt the Jews are to this very day the chosen people of God . . . They have the promise of God; and if we Christians from among the gentiles have it too, then it is only as those chosen with them; as guests in their house, as new wood grafted onto their old tree.¹⁵³

¹⁴⁹ Bruce Waltke in John S. Feinberg, ed. *Continuity and Discontinuity: Perspectives on the Relationship Between the Old and New Testaments, Essays in Honor of S. Lewis Johnson, Jr.* (Westchester: Crossway Books, 1988), 274-5

¹⁵⁰ Waltke, 279

¹⁵¹ Waltke, 286.

¹⁵² Donald G. Bloesch, *The Last Things: Resurrection, Judgment, Glory* (Downers Grove: InterVarsity Press, 2004), 197.

¹⁵³ Quoted by Bloesch, 220.

Richard Hays gives his opinion that “nowhere does Hebrews suggest that the Jewish people have been replaced by a new and different people of God.”¹⁵⁴ Craig Blomberg speaks for many when he observes that even “[Jesus’] transcendence of the Law—fulfilling yet not abolishing it—walks a tightrope rarely maneuvered successfully in Judaism or Christianity.”¹⁵⁵

The Continuity/Discontinuity debate has many facets. The discussion often deals with such issues as hermeneutics, the biblical method of salvation, the law and the covenants, Israel and the Church and Kingdom promises. This section will only address the topic of law and covenants as it relates to the theology of the Book of Hebrews.

Chapter Three has dealt with the issues of how the obsolescence of the first covenant is to be understood (Heb 8:13). This thesis proposes that the answer to this question depends on which constituency is in view. There are two affected groups to consider: Christians and Jews.

We will first look at Christians. How do believers relate to the old covenant and the OT law?

As John S. Feinberg asks,

Given the continuity of Scripture, are we [Christians] still under all the injunctions of the Mosaic Law? Few would answer affirmatively. On the other hand, if one affirms discontinuity between OT law and the NT believer, must he slip into antinomianism? Few who hold to discontinuity opt for antinomianism, but then what is the relevance for them of the OT law?¹⁵⁶

¹⁵⁴ Richard B. Hays, “Here We Have No Lasting City: New Covenantalism in Hebrews” (paper presented at Conference on Hebrews and Christian Theology, St. Andrews Scotland, July 19 2006), 4.

¹⁵⁵ Craig L. Blomberg, *Jesus and the Gospels: An Introduction and Survey* (Nashville, Tenn: Broadman & Holman, 1997), 255.

¹⁵⁶ John S. Feinberg in John S. Feinberg, ed. *Continuity and Discontinuity: Perspectives on the Relationship Between the Old and New Testaments, Essays in Honor of S. Lewis Johnson, Jr.* (Westchester: Crossway Books, 1988), xi.

The practical application of these questions is readily evident when we hear the use of OT Scripture in current debates ranging from ethical issues such as capital punishment and abortion to ecclesiastical issues such as tithing and Sabbath observance. Whenever an appeal is made to specific OT laws to authoritatively settle a doctrinal issue for the Christian Church, then a key assumption is being made, namely that the Church is to directly apply OT laws (at least some of them) to its practice. This is often done very selectively, so that a denomination which teaches mandatory tithing may concurrently ignore the Sabbath command, despite its presence in the Decalogue. The underlying presuppositions for the application of any OT law to the Christian Church are often left unexplored.

The fundamental issue is how the OT and NT relate to one another and if the Church is at liberty to “pick and choose” which OT laws it will observe (if any) and, if so, on what basis? How can we determine if, and to what extent, any part of the Mosaic Law applies to Christians? This subject has been wrestled with by many theologians.

Walter C. Kaiser, Jr. comments:

Despite all the positive affirmations about the formal principle of the authority of the OT for the Christian, the material question eventually reduces itself to one of the following methodologies: (1) everything the NT does not *repeat* from the OT is *pas*se for the Christian or (2) everything that the NT has not *changed* in principle still remains in force for the Christian.¹⁵⁷

With this comment Kaiser suggests an interpretative *Gordian knot* that Scripture must, surely, address.

¹⁵⁷ Walter C. Kaiser, Jr., *Toward Discovering the Old Testament*, (Grand Rapids: Zondervan, 1987), 147.

Reformed Theology has traditionally distinguished three kinds of law within the Mosaic Law—namely, the moral, the ceremonial, and the civil.¹⁵⁸ Knox Chamblin notes, however, that

. . . such a distinction can be misleading, because both OT and NT normally use the term ‘law’ to speak of the whole Mosaic Law rather than a particular aspect of it; the moral, ceremonial, and civil laws are inextricably bound together in the OT . . . The above distinctions remain useful, if we do not allow them to become *divisions* and if we speak of *three dimensions of the one law* rather than three kinds of law.¹⁵⁹

This point is particularly relevant in Hebrews where there is considerable emphasis on the cultic/sacrificial aspect of the law, such that it might lead the reader to assume (incorrectly) that only this cultic/sacrificial aspect of the law is in view.

The writer of Hebrews speaks strongly to his Christian constituency and clearly makes the point that the new covenant has (for the Christian Church) clearly superseded the old covenant. As a group, it is clear that the readers of Hebrews view the Jewish scriptures as authoritative and also grasp that Jesus fulfilled various messianic prophecies. But they face persecution or threats of persecution that are weakening their zeal for Jesus. They are tempted to view the OT scriptures as authoritative revelation on how people should worship God in order to be accepted by him. They are looking to the old covenant/cultic worship system as their preference or as an addition to the salvation they have in Christ.

¹⁵⁸ Westminster Confession, Chap. 21: “Besides this law, commonly called moral, God was pleased to give to the people of Israel . . . ceremonial laws . . . To them also . . . he gave sundry judicial laws” (secs. 3-4).

¹⁵⁹ Knox Chamblin in John S. Feinberg, ed. *Continuity and Discontinuity: Perspectives on the Relationship Between the Old and New Testaments, Essays in Honor of S. Lewis Johnson, Jr.* (Westchester: Crossway Books, 1988), 183.

Since much of the Mosaic covenant deals with transgression and sacrificial atonement, it seems clear that at least that much of the Mosaic covenant would become obsolete when God moved to put an obedient heart in the people.¹⁶⁰ Mosaic law also commanded teaching, which will not be needed when the new covenant is fully realized.¹⁶¹ The text does not speak of what other differences may be involved. Certainly, the covenant will *not* be like the old one; it is truly *κατ'ὄζ*.¹⁶²

The prophets predicted an eschatological covenant that would not be broken, a divinely initiated covenant in which all the people would be faithful. The new covenant is a new departure in the same sense that the Mosaic covenant was a new departure from the Abrahamic. Circumstances have changed; a new ordering of the relationship between Yahweh and his people is required.

The writer of Hebrews stresses that, for the Christian, Christ is the centre of faith and practice, the touchstone of the new life and of the new covenant. Thus, neither the Mosaic Law as a whole or any individual law within it, *per se*, has any claim on the Christian's obedient walk with God. Douglas Moo succinctly puts it this way:

¹⁶⁰ "By saying that sins would be remembered no more, Jeremiah anticipates the end of the sacrificial system" (O. Palmer Robertson, *The Christ of the Covenant*, (Phillipsburg: Presbyterian & Reformed, 1980), 283.

¹⁶¹ "Even more astonishing is the abrogation of the entire paraphernalia of religious indoctrination.... Instead of the deposit and periodic reading of the covenant text, the knowledge of the divine will is deposited within the conscience of the members of the community" (Mendenhall and Herion, "Covenant," 1193).

¹⁶² Jack R. Lundbom writes, "The new covenant cannot be reduced to a renewed Sinai covenant such as took place on the plains of Moab...at Shechem (Joshua 24), or in Jerusalem at the climax of the Josianic Reform (2 Kings 23). Although this new covenant will have admittedly continuity with the Sinai covenant, it will still be a genuinely new covenant, one that marks a new beginning in the divine-human relationship because 1) it is given without conditions; 2) it will be written in the hearts of the people in a way the Sinai covenant was not (v 33); and 3) it will be grounded in a wholly new act of divine grace" (*Jeremiah 21-36: A New Translation and Commentary* [AB 21B; New York: Doubleday, 1999], 466).

No commandment, even those of the Decalogue, is binding simply because it is a part of the Mosaic Law. In saying this, I am running smack up against a cherished and widely taught tradition. The singling out of the Decalogue as the basis of an eternal 'moral law' to be distinguished from the ceremonial and civil law and thereby to be seen as an eternally valid ethical authority, has a long and respected history.¹⁶³

Furthermore, Moo notes that,

The Mosaic Law has been replaced as the standard of life for the faithful follower of God. There need be no fear of antinomianism since the NT clearly takes up all the Decalogue, except for the sabbath, as part of 'Christ's law' and thereby authoritative for believers . . . Christians are not under the *Mosaic* Law, but they are not free from *all* law.¹⁶⁴

Instead of the OT code of law, the indwelling of the Spirit and union with Christ are the new guides for the Christian. Hebrews clearly uses Jeremiah's prophecy of a new covenant to argue that the Mosaic covenant is obsolete and, therefore, its laws have no binding authority on the Christian.

The readers of Hebrews may well have faced arguments from other religionists based on the Jewish scriptures. Those who might challenge them to resume or begin old covenant practices could quote Moses (Lev 16:29-30) thus:

This is to be a lasting ordinance for you: On the tenth day of the seventh month [the Day of Atonement] you must fast; and not do any work--whether native-born or an alien living among you-- 30 because on this day atonement will be made for you, to cleanse you. Then, before the LORD, you will be clean from all your sins.¹⁶⁵

¹⁶³ Douglas J. Moo in John S. Feinberg, ed. *Continuity and Discontinuity: Perspectives on the Relationship Between the Old and New Testaments, Essays in Honor of S. Lewis Johnson, Jr.* (Westchester: Crossway Books, 1988), 217.

¹⁶⁴ *Ibid.*, 218.

¹⁶⁵ Lindars gives his view that, "Every Jew, however far away from the temple, could feel part of the act [the Day of Atonement ritual], because rest from work, fasting and special prayers were enjoined on everyone. It gave a sense of solidarity with the temple ceremonial, in which reconciliation with God was effected, and also of fellowship with Jews everywhere, because of the high level of local observance" (*Theology*, 85).

Indeed, the arguments in Hebrews do not centre on whether Jesus is the promised Messiah, but on whether he is a sufficient means of atonement for sins. It seems clear that the readers were being pressured or enticed to observe the laws of Moses for assurance of divine acceptance (and salvation) rather than to see salvation as resting simply in Jesus. They are being urged to the necessity of participating in old covenant worship. As F. F. Bruce says,

His insistence that the old covenant has been antiquated is expressed with a moral earnestness and driven home repeatedly in a manner which would be pointless if his readers were not especially disposed to live under that covenant, but which would be very much to the point if they were still trying to live under it, or imagined that, having passed beyond it, they could revert to it.¹⁶⁶

In Hebrews chapter 8 the author does not so much describe the new covenant, but simply argues that it has rendered the old one obsolete. The readers need to be convinced that the old covenant is obsolete before they are willing to consider the benefits of the new one. The author's summary comment on the Jeremiah 31 passage is simply that the old covenant is obsolete, implying that the new covenant is now in operation.¹⁶⁷

Notably, the author does not argue that Jesus brought the covenant that Jeremiah 31 described, i.e., he does not specifically state that Jeremiah's prophecy is fulfilled in Jesus, although that may, indeed, be implied. His argument for the new covenant is simply that the old is obsolete. It is sufficient for the author's purpose to simply note that a new covenant was predicted by Jeremiah and that God therefore judged the old one to

¹⁶⁶ Bruce, *Hebrews*, 6.

¹⁶⁷ Ellingworth observes, "At this stage of the argument, the author's main concern is with the supersession of the old covenant and thus with the negative part of the prophecy (v. 9), rather than with its stronger positive aspect (vv. 10-12), which is explored later (especially in 10:15-18)" (*Hebrews*, 413).

be inadequate. If the readers accept that, then it is implied that they will accept that the new covenant has been put into effect through Jesus Christ.¹⁶⁸

Barnabas Lindars writes, “By adopting behaviour which belongs to their former life within Judaism, they are denying the continuing efficacy of atonement through the sacrifice of Jesus, thus repudiating the very thing [atonement] that they want.”¹⁶⁹ To look to the sacrificial rituals for forgiveness is to render the sacrifice of Christ irrelevant. So the author of Hebrews argues that the old covenant is obsolete and that Christ is the centre of true worship. Steven Stanley sees the issue thus: “Our writer means to persuade his readers to place their trust in the priestly ministry of Christ when they are accustomed to placing it, at least to some degree, in the ministry of the Mosaic covenant.”¹⁷⁰

In the new order, the burden of keeping the covenant has been shifted from the people to the finished work of Christ. People can receive the promised inheritance (Heb 9:15) because his death provides cleansing and forgiveness. The author exhorts the readers away from a relationship based on laws, transgressions, guilt, an earthly priesthood, and repetitious rituals. Instead, because of what Christ has done, the laws are repealed, sins are taken care of, the guilt of the people is cleansed, and the priests and rituals are obsolete.

In summary, the author of Hebrews is adamant: Christians must live within the new covenant and not the old one.

¹⁶⁸ If the readers were aware of Luke 22:20 or 1 Cor 11:25, and the covenantal language of those passages, they would already accept the idea that Jesus instituted a new covenant; they just had not realized that this implied the end of the Mosaic covenant. The author of Hebrews, of course, believed that Christians were now living in the “last days” (Heb 1.2) spoken of by Jeremiah.

¹⁶⁹ Barnabas Lindars, “The Rhetorical Structure of Hebrews” *New Testament Studies* 35 (1989), 397.

¹⁷⁰ Steve Stanley, “The Structure of Hebrews from Three Perspectives,” *TynBul* 45 (1994), 263.

This thesis has dealt earlier with the concept of inauguration as it relates to the covenant concept. Certainly, we can see in Hebrews that the new covenant has been inaugurated. As Manson says, “The New Covenant itself belongs to, and marks the New Age inaugurated by the entrance of the Redeemer into the heavenly sanctuary.”¹⁷¹

Yet the inauguration of something in the NT is not necessarily the same as its completion. There is NT evidence for the concept of inaugurated eschatology (“already, not yet”) which views the end times as being inaugurated at the life, death and resurrection of Jesus. The end (last days) is already here, but it has yet to see its consummation (Acts 2:16-17; 1 Pet 1:5). The Kingdom of God (Col 1:13; 1 Cor 15:50), the resurrection (Rom 6:4; Acts 24:15), the judgment of Satan (Col 2:15; Mt 8:29) all have both a present reality and a future fulfilment. All Christians would affirm that the Messiah has come in Christ but many would also affirm that his first advent was not such that it brought an end to human history or a conclusion to the promises.

Likewise, the new covenant is an eschatological concept which also has a present inauguration and a future aspect of fulfilment or realization. Key elements of Jeremiah’s prophecy regarding the full indwelling of God’s will/law in the heart and the lack of any need for teachers both seem only inchoately present in the lives of the recipients of the Book of Hebrews (and indeed in the lives of all Christians down the centuries)! Clearly, there remains much to be fulfilled.

In addition, this thesis has observed that approximately six hundred years before Jesus, Jeremiah spoke of the need for a “new” covenant. That speech-act of God, according to the author of Hebrews, already declared the old covenant obsolete in Jeremiah’s own time. The old covenant, of course, continued in existence despite its

¹⁷¹ Manson, *Hebrews*, 127.

implied obsolescence. Even in the time Hebrews was written, decades after the death and resurrection of Jesus, the author makes no statement that the old covenant has ceased to exist. Its obsolescence certainly continues from the point of view of what has now been inaugurated in Christ but the author really does not go beyond the implication of what Jeremiah had previously said.

That is a key issue this thesis must now consider: if an obsolete covenant can continue to exist for over six hundred years up to the inauguration of the new covenant, can it also continue to exist in the time between that same inauguration and the final eschatological fulfilment of the new covenant at Christ's return? Do the Jewish people who have not put their faith (as yet) in Christ have no covenant relationship whatsoever with Yahweh? Or, to use Paul's words: "I say then, did they stumble that they might fall? God forbid . . ." (Rom 11:11). Where does Judaism stand today in terms of God's covenants?

Views on this issue vary. Robert W. Wall and William L. Lane write,

The pastoral strategies adopted in Hebrews were all designed to stir the members of a Jewish-Christian assembly to recognize that they could not turn back the hands of the clock and deny their Christian understanding and experience; . . . this is not anti-Judaism; it is the reflection of a distinctive reading of Scripture in light of the writer's convictions about Jesus.¹⁷²

However, Clark M. Williamson says, "Whatever its purpose, Hebrews puts forth a supersessionist argument against Judaism, claiming that the covenant between God and the Israel of God had been abolished."¹⁷³ Ronald E. Diprose challenges this assessment,

¹⁷² Robert W. Wall and William L. Lane, *Polemics in Hebrews and the Catholic Epistles*, in Craig A. Evans and Donald A. Hagner, eds., *Anti-Semitism and Early Christianity* (Minneapolis, Minn: Fortress Press, 1993), 184-5.

¹⁷³ Clark M. Williamson, *A Guest in the House of Israel*, (Louisville, Kent: Westminster/John Knox Press, 1993), 109-10.

“This statement is not fair to the writer of Hebrews . . . It is true that much of the book is devoted to showing that the new covenant [is] better than the old Levitical covenant.

However, it is crucial to realize that this difference depends upon a solid fact of salvation history; the . . . final sacrifice of Jesus the Messiah.”¹⁷⁴

Richard Hays surveys Hebrews and observes,

. . . the Letter to the Hebrews nowhere speaks of Jews and Gentiles, nowhere gives evidence of controversies over circumcision or food laws, criticizes nothing in the Mosaic Torah except for the Levitical sacrificial cult, and contains no polemic against Jews or Jewish leaders . . . [and] nowhere does Hebrews suggest that the Jewish people have been replaced by a new and different people of God.”¹⁷⁵

We can also consider the judgment of Andrew T. Lincoln about the Book of Hebrews:

. . . [T]he notion of this document’s relation to Judaism could be held to be an anachronistic one, if it suggests that author and readers saw themselves as standing outside their religious heritage and having an attitude towards its basic set of convictions from which they had now distanced themselves by converting to Christianity. Rather, from their own perspective, it was not so much that Judaism was defunct but more that their religion and its central symbols had now been decisively fulfilled in Christ.¹⁷⁶

In answer to the view that Hebrews is strongly supersessionist, it could be said that

. . . both Christianity and Judaism are supersessionist in regard to the religion of the Jewish Scriptures. Both abandoned the central form of worship that involved satisfying God by means of animal sacrifices and developed new systems for dealing with . . . holiness and sin . . . [nevertheless] Judaism remains in strong continuity with its Scriptures in holding the study and practice of Torah to be its covenantal worship of the one true God.¹⁷⁷

¹⁷⁴ Ronald E. Diprose, *Israel and the Church: The Origin and Effects of Replacement Theology*, (Istituto Biblico Evangelico Italiano: Rome, Italy, 2004), 47-8.

¹⁷⁵ Richard B. Hays, “Here We Have No Lasting City: New Covenantalism in Hebrews” (paper presented at Conference on Hebrews and Christian Theology, St. Andrews Scotland, July 19 2006), 4.

¹⁷⁶ Andrew T. Lincoln, Hebrews and Biblical Theology, in *Out of Egypt: Biblical Theology and Biblical Interpretation*, Craig Bartholomew, Mary Healy, Karl Moller and Robin Parry eds. (Grand Rapids: Zondervan, 2004), 334.

¹⁷⁷ *Ibid.*, 335.

Clearly, however, seeds were sown for a “parting of the ways” between Christianity and Judaism with the strong emphasis of Hebrews on the centrality of Christ.

Richard Hays makes some careful observations on what is said and what is not said by the author of Hebrews:

The author of Hebrews is not interested in a blanket abolition of the Mosaic Torah. Rather, his concern focuses narrowly on the cultic practice of offering sacrifices for sins under the first covenant . . . To generalize the new covenant language of Hebrews 8 into a comprehensive negation of Torah is to go far beyond anything found in the text . . . The cumulative force of these observations is to suggest that the classic “new covenant” chapter in Hebrews has often been overinterpreted through a supersessionist hermeneutical framework.¹⁷⁸

Since WWII and the horrors of the Shoah, Christian and Jewish theologians have been rethinking the relationship between these two covenant peoples. Some of this rethinking has come from a reassessment of what God’s covenant with his people actually means. For example, in the early NT period it is evident that there was a conflation of covenants (Abrahamic and Mosaic) in the minds of at least some first century Jews and Christians. Thus, Zechariah, “filled with the Holy Spirit” exclaims:

Blessed [be] the Lord, the God of Israel; For he hath visited and wrought redemption for his people, And hath raised up a horn of salvation for us in the house of his servant David (As he spake by the mouth of his holy prophets that have been from of old), Salvation from our enemies, and from the hand of all that hate us; To show mercy towards, our fathers, And to remember his holy covenant; The oath which he spake unto Abraham our father (Lk 1:68-73).

The Abrahamic covenant is, clearly, still active and real for some in the community. It underlies the Mosaic economy.

In the early days of the NT Church, Peter makes similar connections in his preaching to the people:

¹⁷⁸ Hays, *No Lasting City*, 14.

The God of Abraham, Isaac and Jacob, the God of our fathers, has glorified his servant Jesus . . . And you are heirs of the prophets *and of the covenant* [emphasis mine] God made with your fathers. He said to Abraham, 'Through your offspring all peoples on earth will be blessed.' (Acts 3:13, 25).

The apostle Paul makes a sharp distinction (faith/works) between the Abrahamic and Mosaic covenants in the context of his polemic against the legalism of Judaizers (Galatians 3, 4). On the other hand, he speaks of “the covenants [and] the promises” (Rom 9:4) belonging to the Jews. The writer of Hebrews speaks primarily of the Mosaic covenant and its sacrificial aspects. When he speaks of the Abrahamic “covenant,” his preferred term is “promise” (Heb 6:13, 15, 17; 11:9, 39).

Richard Hays looks at the evidence from Hebrews and asks,

What of those within the house of Israel and the house of Judah who do not recognize Jesus as the mediator of a new covenant? In all honesty, we must acknowledge that the question never comes up in this letter. There is no passage analogous to Romans 9-11 in which the fate of unbelieving Israel is directly contemplated.¹⁷⁹

The very survival of Judaism as a worshipping community of Yahweh over centuries of persecution is a remarkable testimony of faith and spiritual identity based on the Jewish people's Torah and loyalty to the God of their fathers. The Jews have not forgotten Yahweh their God and he has not forgotten them, his people. Hays expresses the thought, “Would not the logic of Hebrews' own symbolic world allow us to propose that they [the Jewish people], too, insofar as they continue to trust in the God of Abraham, Isaac, and Jacob, greet the promises from afar [Heb 11:13]?”

In summary, it is clear in Hebrews that Christians are to live under the terms and laws of the new covenant and not under those of the old. As the Sinai covenant was a restatement of the Abrahamic one and was based on it, so now there is a change and the

¹⁷⁹ Ibid., 18.

new covenant expresses God's new requirements based on the same Abrahamic covenant through faith in Christ. For the Christian there is no question of using OT regulations to govern their lives; these laws are obsolete. The OT Scriptures, however, continue to speak the word of God to the Church. Furthermore, Christians are to respond to the lead of the Spirit, their union with Christ and the teachings of Jesus and the apostles. They live under the terms of the inaugurated new covenant with its privileges of the forgiveness of sin, access to God, the indwelling of the Spirit, the high-priestly ministry of Jesus and eternal promises.

However, even though the new covenant has been inaugurated, it has not yet been fully realized. There is a future element of the new covenant that should not be overlooked. This is when the fulfilment of what Jeremiah 31 spoke of will be fully instituted. Jeremiah's prophecy holds out the hope (repeated in Hebrews 8) that "the house of Israel and . . . the house of Judah" will also participate in the new covenant. In the meantime, the obsolescence of the old covenant continues because of what God has done in Christ. All peoples everywhere are called to believe in him. But God is faithful to remember the covenant he made with Abraham, Isaac and Jacob. The Jewish people continue to be in a covenant relationship with Yahweh. He has not forgotten his covenant love and faithfulness to them.

Chapter Five

Summary and Conclusions

This final chapter will present a summary and conclusions regarding the theology of Hebrews on the subject of the covenants. Furthermore, it will ask how these conclusions correlate with the writings of other NT authors, in particular those in the Pauline corpus? What are the implications for Jewish-Christian dialogue?

So far this thesis has presented the view that the new covenant was inaugurated by the death and resurrection of Jesus Christ. As our Lord said at the last supper (Lk 22:20) “. . . This cup is the new covenant in my blood, which is poured out for you.” The communion service continually reminds Christians of the new covenant relationship they have with God. The epoch-changing events of the death and resurrection of Christ laid an entirely new foundation for the Christian community and represented a call to both Jews and Gentiles alike to come to Christ in faith. Henceforth, those who come to him from all nations enter into a new covenant relationship with God. They are no longer a people governed by the rules and regulations of the old covenant but by the teachings of Jesus and the apostles and their union with Christ, led and empowered by the Spirit.

The good news of the new covenant relationship with God through Christ was preached to the Jewish people by the nascent Christian church. However, as the apostle Paul bitterly lamented, many Jews did not respond in faith to that gospel message despite their many covenant privileges (Rom 9:2-5):

I have great sorrow and unceasing anguish in my heart. For I could wish that I myself were cursed and cut off from Christ for the sake of my brothers, those of my own race, the people of Israel. Theirs is the adoption as sons; theirs the divine glory, the covenants, the receiving of the law, the temple worship and the promises.

Theirs are the patriarchs, and from them is traced the human ancestry of Christ, who is God over all, forever praised! Amen.

So, where do the Jewish people stand today? Are they a people without any covenant relationship to God? We note in the above reference from Romans 9 that Paul states that the “covenants” are still “theirs” (Rom 9:4). A continuing covenant relationship with God on the part of the Jewish people is clearly implied.

This thesis concludes that a fully supersessionist view based on the reference to an “obsolete” covenant in Hebrews 8 is overstated. The old covenant is obsolete, but Jeremiah said as much when he announced a coming new covenant six hundred years before Christ. Despite the epoch-changing death and resurrection of Christ and the inauguration of the new covenant at that time, the writer of Hebrews does not declare the expiration of the old covenant. It is waning and fading. It is in the shadow of what Christ has done but it is still a presence. The Jews continue to have a covenant relationship with God but many are not yet moving on to the next step that God has for them.

But God is a God of covenant love and faithfulness. He has not forgotten the Jewish people. Nor has he severed his covenant relationship with them. As the apostle Paul says: “As far as the gospel is concerned, they are enemies on your account; but as far as election is concerned, they are loved on account of the patriarchs, for God's gifts and his call are irrevocable” (Rom 11:28-29). The new covenant is meant for them also:

I do not want you to be ignorant of this mystery, brothers, so that you may not be conceited: Israel has experienced a hardening in part until the full number of the Gentiles has come in. And so all Israel will be saved, as it is written: The deliverer will come from Zion; he will turn godlessness away from Jacob. And this is my covenant with them when I take away their sins (Rom 11:25-27).

The topic of Israel's covenant relationship with God is echoed in the rest of the NT. John the Baptist's father Zechariah rejoices over the new work of the God of Israel

and how He is remembering his covenant with Israel (Lk 1:68-72). When Peter speaks on the Day of Pentecost he tells them that “The God of Abraham, Isaac and Jacob, the God of our fathers, has glorified his servant Jesus . . . (Acts 3:13) and that “. . . all the prophets from Samuel on, as many as have spoken, have foretold these days. And you are *heirs* of the prophets *and of the covenant* [emphasis mine] God made with your fathers . . . (vv. 24-25). In Peter’s understanding at that time, the Jewish people were still heirs of a covenant with their God. In Peter’s view, the old covenant had clearly not been abolished with the death and resurrection of Christ.

Paul’s theology of the old covenant is framed in the context of his polemics against Judaizers and others who taught that the old covenant and its regulations were binding on the Christian community. He sees his role a “[minister] of the new covenant” (2 Cor 3:6). The Jews’ understanding of the “old covenant” is only partial since they do not acknowledge Christ who is prophesied therein (v. 14).

Paul sees that God’s word and his promises are validly fulfilled in the church but longs to see physical Israel brought to Christ (Rom 10:1). He does not see their present unbelief as barring them from salvation (Rom 11:11). A fullness of salvation will come to them also (v. 12). They will be readily incorporated into God’s continuing plan (vv. 23-24). It is clear that, in Paul’s understanding, the Jewish people (after the cross) continue to be in a relationship with God. He says that, “As far as the gospel is concerned, they are enemies on your account; but *as far as election is concerned, they are loved on account of the patriarchs for God’s gifts and his call are irrevocable* [emphasis mine] (vv. 28-29).

In the Book of Galatians, Paul proposes a sharp dichotomy between the Abrahamic covenant of promise and the Sinaitic covenant of Law (Gal 3:15-18). Paul believes that the former Abrahamic covenant takes precedence (vv. 15, 17). For Paul, the Mosaic regulations are an addendum to the Abrahamic covenant and, thus, are secondary and temporary. Paul's focus is driven by his desire to address the pastoral needs of the Christian communities. Paul's concerns and his vehement polemics are very clearly directed at those Judaizing elements that sought to impose aspects of the Sinaitic law code on Christian believers. They must be protected from deceptive legalistic "substitutes" for the gospel message (Gal 4:24, 28; 5:3). To the Corinthians Paul identifies himself as a minister of God's "new covenant" (2 Cor 3:6). The old covenant speaks of Christ but Jew and Gentile alike must come to Christ in faith to grasp that (2 Cor 3:16; Lk 24:27).

Paul has his polemical concerns but he does not speak of the Jewish nation as lacking a covenant relationship with God. Likewise, the author of Hebrews does not make such a statement. As we have seen above, both authors allow for a continuing link between the Jewish people and the Abrahamic covenant of promise.

There is common ground for Jewish-Christian dialogue within this perspective. The large shared Scriptural heritage of the OT and the common link to the Abrahamic promises provide a solid base for mutual respect and communication between Christians and Jews.

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