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THE PROPHECY OF JEREMIAH

(Continued)

by H. L. ELLISON

XXII. THE NEW COVENANT

"**B**EHOLD, days are coming—oracle of the LORD" (31: 27, 31, 38); with this expression the opening formula in 30: 3 is taken up again, apparently to indicate that we are now approaching the goal for which all the previous promises were merely a preparation.

In our comment on the earlier passage it was said that this phrase is not necessarily eschatological,¹ nor is it here, at least in the sense in which we normally use the term. In the temporal thinking of Israel it was not what happened at the "end" that mattered, but what happened at the end of this age. It was firmly believed that sooner or later God would act in a manner that would completely transform society. What might happen after that might be of major interest to the Greek thinker; for the Israelite it was sufficient that a new age beyond anything but symbolic description would then break in. It is clear that everything promised in the Book of Hope up to this point could conceivably have been fulfilled within the historic processes with which we are familiar. Even the foretelling of the Day of the LORD (30: 4-11) is not a necessary contradiction of this. Now, however, we are introduced to a new creation.

"Behold, days are coming—oracle of the LORD—when I shall sow the house of Israel and the house of Judah with human and animal seed. And it will be, that as I have watched over them to root out, to pull down, to break down, to destroy and to bring evil, so I shall watch over them to build and to plant—oracle of the LORD" (31: 27f.).

This promise obviously links with 1: 10 in Jeremiah's call, but the active agent is no longer the prophet but God. Jeremiah had played his part faithfully, but now the prophetic vision stretched far beyond the limits of the prophet's own life-time. He foretold a time of new creation in which not merely men but animals also would be affected (cf. Isa. 11: 6-9). We need not understand this

¹ *E.Q.*, Vol. XXXVI, No. 1, p. 10.

to mean anything more than the transformation of men and hence of animals.

It would be a time, too, when the heart-breaking chain of cause and effect that had dogged the history of Israel would be broken.

“In those days it will no more be said: Fathers have eaten unripe grapes and the teeth of their sons are blunted. But each will die for his own sin; everyone who eats unripe grapes, his own teeth will be blunted” (31: 29f.).

Israel was never dominated by a concept analogous to that of *karma* in India. His God was always too great to be bound by the chain of cause and effect set up by the acts of gods and men. He was not subject to *anankē*, to a necessity that deprived Him of all ultimate freedom. He could, when He wished, break into history, setting men free from the bands of the past, and Israel's history is full of such interventions. Moreover the warning of the father's sins visited on the third and fourth generation is more than counter-balanced by the promise of covenant love to thousands (of generations) of those that love God.

In spite of this, history knows of no national record where frustration is more clearly written across it. A few examples must suffice. Jehu purged the North of its Baal worship, yet reduced his land to the lowest depths of weakness suffered until then (2 Ki. 10: 32f.). Hoshea has the best record of all the kings of Israel—“he did what was evil in the sight of the LORD, yet not as the kings of Israel who were before him” (2 Ki. 17: 1)—yet it was he who had to see his people lose their independent existence. In the South a Hezekiah is followed by a Manasseh, a Josiah by a Jehoiakim.

There must have been many who said, “If a Josiah cannot save us, who can?” and who remembered that Jeremiah had linked the coming fall of Jerusalem with the abominations of Manasseh (15: 4; cf. 2 Ki. 23: 26). There were weighty reasons for the popular saying about the unripe grapes, and there is no indication that Jeremiah quoted it with the disapproval shown by Ezekiel (18: 2). The latter rebuked the exiles for allowing the saying to become an excuse for their despondency and manner of life *in exile*—God by removing them from the doomed city of Jerusalem had already in measure broken the bitter chain of causality! Jeremiah on the other hand recognized that the saying was just. The dead weight of the past was more than the small handful of genuine reformers could possibly overcome. He used it in order to point to a time when the chains of inner, not outward, slavery would be broken.

GOD'S INTERVENTION (31: 31-34)

“Behold days are coming—oracle of the LORD—when I shall make with the house of Israel and with the house of Judah a new covenant, (32) not like the covenant I made with their fathers in the day I took them by the hand to bring them up out of the land of Egypt, seeing that they have broken My covenant, and I have had to lord it over them²—oracle of the LORD. (33) But this is the covenant which I shall make with the house of Israel after those days—oracle of the LORD. I shall put My Torah within them, and on their heart I shall write it, and I shall be their God and they shall be My people. (34) None will need to teach his neighbour or brother, ‘Know the LORD’, for they will all know Me from the least to the greatest of them—oracle of the LORD—for I shall forgive their iniquity, and their sin I shall remember no more.”

Fundamentally there was nothing in the form of this promise to cause surprise to the Northern readers to whom this promise first came.³ Israel was familiar with the idea of covenant renewal. The original Sinai covenant, broken at once by those with whom it was made, was remade with the next generation in Moab (Deut. 29: 1). This was ratified on the soil of Canaan as soon as practicable (Josh. 8: 30-35) and solemnly confirmed by Joshua and the elders of Israel in Shechem (Josh. 24: 25). Modern scholarship has made us familiar with the concept of covenant renewal either every seventh year (Deut. 31: 10-13) or annually at the great autumn festival.⁴ It is true that it was a covenant renewal that they were familiar with and not a new covenant, but now circumstances had

² It is true, that the verb *ba'al*, meaning to rule over or possess (Isa. 26: 13), is generally used for taking a wife or marrying, but the six examples of this (there are four participial uses as well) are not followed by *be*, used here and Jer. 3: 14. Since R.S.V., in conformity with modern exegesis, translates the latter, “I am your master”, it is incomprehensible why the traditional rendering, “though I was their husband”, should have been retained here. A further advantage of the translation offered is that it enables us to explain the LXX rendering (cf. Heb. 8: 9) without postulating a change in text.

³ The absence of “the house of Judah” in v. 33 in contrast to v. 31 is surely proof enough that the oracle was first given to the North and then extended to the South, when the time was ripe.

⁴ See A. Alt, *Die Ursprünge des israelitischen Rechts in Kleine Schriften zur Geschichte des Volkes Israel I*, pp. 322 seq. The English reader will find an extreme expression of this view in S. Mowinckel, *He That Cometh (passim)*, and a more balanced one in A. Weiser, *The Psalms*, pp. 35-52.

changed. As Jeremiah had put it (3: 8), the fall of the Northern Kingdom had meant quite simply the divorcing of Israel. The covenant had been terminated by God, and if there was to be a renewal, it would have to be He who took the initiative, and He was at liberty to change its terms.

It is easy to see why the promise was given in the first place to Israel. Its full force could not be understood until nationhood had come to an end. So Judah's turn for it had to wait until Nebuchadrezzar presented God's bill of divorcement to Judah, when he destroyed Jerusalem and its temple.

The collapse of Israel's nationhood was for the prophet God's declaration that the covenant had ceased to exist, that He had said "Amen" to the people's own rejection of it. So, if there was to be a covenant at all, it had to be a new one. This is a point missed by some who argue that the new covenant is only a renewed one. J. Jocz can say, "So far, then, as the O.T. is concerned, the 'new' Covenant is not new *ab initio*, but only a renewal of the old . . . Israel has broken his pledge. The Prophets already accuse God's people of apostasy. The Covenant at Sinai is therefore inoperative *de facto*, though *de jure* it is still in existence."⁵

We may readily agree that "the new covenant is not new *ab initio*," if we are to understand this to mean that there is a vital link between them, and as a denial of the views of those who suggest that the new covenant is something altogether different from that of Sinai. The Torah, God's instruction, which in its covenant setting has the force of law,⁶ remains unchanged as the basis of God's demands under the new. The new covenant does not have a new Torah; indeed it could not have. For, unless we deny that the Torah is a revelation of God's will, and therefore of His character, we must affirm that God's demands may deepen, but they cannot change in essential nature. But that does not imply that we are dealing only with a renewal.

It would be difficult to make such a discovery from the Epistle to the Hebrews. Its writer regards the old covenant as permanently put out of date (*pepalaiōken*, 8: 12); he affirms that it was becoming obsolete and senile (8: 13). In addition and even more importantly, it was not faultless (*amemptos*, 8: 7). This term is challenged by some, who feel it is derogatory to the Divine Author of

⁵ *A Theology of Election*, pp. 116, 117.

⁶ In the actual setting of the Covenant ceremony it is plainly the Ten Commandments, with the Book of the Covenant (Ex. 20: 22-23: 33) as a commentary on them. Notice the separate position of the Decalogue in Deuteronomy as well.

the Sinai covenant. It is probable that they have never seriously contemplated Ezekiel's remark about "statutes that were not good and ordinances by which they could not have life" (20: 25). The theologian is seldom prepared to take Paul's interpretation of the Law altogether seriously.

It is easier to defend the concept that we are dealing with only one covenant in two stages of growth or development.⁷ But here again it is clear that the differences are unduly minimized, the historic setting hardly taken into account. It is true we have the same contracting parties, Israel and God, and the same purpose, "I shall be their God, and they shall be My people," though interestingly enough this phrase is not used in the account of the Sinaitic covenant making, or even in its repetition in the land of Moab. There is even the same basic demand on the obedience of those who are brought under it. But it is a common experience of life, that the addition of an extra constituent, the adding of a new factor, may change the whole radically.

Jeremiah has three comments to make on the old covenant. (i) "I took them by their hand to bring them up out of the land of Egypt." It seems certain that no element of compulsion is implied. It is rather a mere variant of the thought in Deut. 1: 31 ; 32: 11 ; Hos. 11: 1, 3. It was as His son that God gently led or carried Israel out of Egypt to Sinai, and the enthusiastic response of the people, "All that the LORD has spoken we will do" (Ex. 19: 8), showed that they regarded the whole transaction as one of gracious love and not as compulsion. (ii) They broke the covenant ; invalidated it so far as they were concerned. (iii) God, instead of behaving towards them as a loving Father and gracious Covenant-Partner, proved a *ba'al*, a slave-master.

The emphatic use of *hemmah . . . 'anoki* in v. 32 implies that we have the contrasting reactions of the two sides to the same position. My rendering, "they have broken . . . I have had to lord it . . ." may have surprised some wedded to the traditional translation. There can be little doubt, however, that the English perfect is here a better interpretation of the meaning of the Hebrew than a simple past. It is not merely the fact that they broke the covenant by the making of the golden bull (something that is, incidentally, not even hinted at) that is being stressed. Jeremiah does not seem to have had any specific breach of the covenant in mind. For him all that mattered was that they had broken it and were living on in

⁷ So most recently J. Barton Payne, *The Theology of the Older Testament*, pp. 73-78, though he uses the term testament in preference to covenant.

a permanent state of breaking it. Equally the prophet is hardly thinking of the immediate reaction of God to the sin of the golden bull, terrible as it was. Rather he realizes that Israel has never really experienced the blessings that would have been theirs had they kept the covenant faithfully. God had in fact acted as though the covenant did not exist. Israel's relation to Him had been far more that of a slave than of a son.

May this be perhaps the reason why the prophets had so little to say about the covenant? If we omit Jeremiah and Ezekiel, who are concerned mainly with a broken covenant, at a time when Josiah's reformation will have re-invigorated trust in the covenant, references to the Sinai covenant are very rare.⁸ In fact we do not find the prophets appealing to God on the basis of the covenant. It may be truer to Scripture to say that the history of Israel is not a covenant history but one of God's never ending grace. It has been pointed out that *hesed* (covenant love) in Hosea virtually becomes *hen* (grace), as in fact it is in the New Testament. Strangely enough we may have to turn Jocz's statement inside out. *De jure*, according to Jeremiah, the covenant was no longer in existence; *de facto* it was still operative, and surely still is in the Jewish people (Rom. 9: 4).

If the new covenant was to be effective, it would have to introduce a new element which could break the stubborn "I will not" and the mournful "I cannot". In my study of Jeremiah's call⁹ I suggested that Jeremiah's life, even more than was the case with Hosea, was a vital part of his message. Just as Hosea had to learn the secret of God's love to erring and sinning Israel through his own broken heart, so Jeremiah had through his personal anguish and rejection in the early years of Jehoiakim learnt that it was possible for the solitary individual, deprived of all the outward props of the cultus, to have living communion with the God of Israel. The gracious promise of the new covenant flows from God's love to the people of His choice, but it had to find anticipatory expression in the experience of the prophet used to bring it. That is why I urged that the Book of Hope was written after the fifth year of Jehoiakim,¹⁰ for this oracle is the testimony to God's

⁸ It is striking that in von Rad, *Theologie des Alten Testaments*, in Vol. II, which deals with "the theology of the prophetic traditions" the question of covenant is raised virtually only in connection with Deuteronomy (taken as Josianic in date) and the new covenant in Jeremiah and Ezekiel.

⁹ *E.Q.*, Vol. XXXI, No. 4, p. 213.

¹⁰ *E.Q.*, Vol. XXXVI, No. 1, p. 10.

triumph in the life of His prophet. Should any doubt the possibility, Jeremiah could bear testimony that he had experienced the Torah of God within him and the knowledge of God in his inner man.

This is proclamation, not theology. Jeremiah says that it can be—he is proof of that—and that it will be—for that he has God's promise. It is Ezekiel, who strikingly enough does not use the word covenant in this setting, who makes it clear that nothing less than the inner transformation of men by the Spirit of God is involved (36: 24-27). For an adequate theological discussion we should have to draw in Isa. 40-55. Here we have not a "new covenant" but one that is obviously not that of Sinai (42: 6; 49: 8; 54: 10; 55: 3). The prophet brings out that it is not the exodus from Babylonia, which is paralleled with that from Egypt, that will set Israel free, but the mysterious sacrificial work of the Servant of the LORD.

This is the new element that transforms the covenant and makes it impossible to speak merely of a renewal. It is useless to speculate, whether Jeremiah was given any inkling of how the cultic types and shadows he had so mercilessly rejected in their misuse¹¹ would find their fulfilment in the new covenant. One thing was clear to him, however. The supreme inadequacy of the Sinai covenant lay not in its lack of inwardness, but in its inability to deal with the past. It was based on and celebrated the freeing of Israel from Egypt. It rested on the declaration: "I am the LORD your God, who brought you out of the land of Egypt, out of the house of bondage" (Ex. 20: 2; Dt. 5: 6). But it knew nothing of deliverance from sin.

The Sinaitic cultus covered men's sins, put them out of sight of God and men, but did not remove them. It was this sense of the accumulated past that was making men feel that they had been caught up in a fatal system in which the children could never escape the results of their parents' actions.

In the Synagogue, when even the outward symbols of God's dealing with sin had been removed, the tendency has increased to make little of religious man's sinfulness. The Tannaim, the earlier generations of post-Biblical rabbis, repeatedly showed their consciousness of the evil inclination, the *yetzer ha-ra'*, the nearest approach to the doctrine of original sin known to the Synagogue. They could only hold up the Torah as an antidote. One example must suffice: Raba said, "Though God created the *yetzer ha-ra'*, He created the Torah as an antidote against it" (*Bab.B.* 16a). The

¹¹ Cf. *E.Q.*, Vol. XXXIV, No. 1, pp. 16-28.

modern Jewish writer on Judaism as it is today seldom mentions the subject.¹²

For Jeremiah God's promise meant the end of the entail of the past. "I shall forgive their iniquity, and their sin I shall remember no more." Men would know the Lord, would have His Torah in their hearts, because the last barrier between them and God had gone.

Here Jeremiah has reached the heights. Just as with Isa. 53, there was nothing later prophets could add. Men could only wait until the promise was fulfilled. But just as the proclaimer of the new covenant was rejected by the men of his time, so its fulfiller found the bulk of His contemporaries incapable of recognizing Him or of welcoming His work.

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¹² If we take a few modern works at random we find that in Friedländer, *The Jewish Religion*, it is not mentioned, and sin in general gets only a very brief reference; there are two mentions, both brief, in Epstein, *The Faith of Judaism*; M. Waxman, *Judaism*, has two pages on it. I have avoided mentioning works that adopt a liberal position. In fairness it should be added that in works on older Judaism the subject is adequately dealt with.