

Gregory Graham

Dr. Andrew Glicksman

Old Testament Prophets

November 29, 2009

### The New Covenant in Jeremiah 31:31-34

Jeremiah's prophecy of the new covenant found in 31:31-34 is one of the prophet's most famous passages.<sup>1</sup> This whole passage is quoted in Heb. 8:7-12, and is the longest quotation of an Old Testament passage found in the New Testament.<sup>2</sup> The Church fathers often referenced this prophecy, identifying the new covenant people with the Church. The term "New Testament" comes from the passage, and this term was applied to the Gospels and apostolic writings as early as the end of the second century.<sup>3</sup>

The literary genre of the passage has aspects of a divine oracle in that it uses the formula "says the LORD," and God speaks in the first person, but unlike typical divine oracles, it is written in prose, as indicated by the prose formatting of this passage in the New American Bible. It is set off from the previous passage by the opening words of v. 31, "The days are coming, says the LORD, when..."<sup>4</sup> The end of the passage is indicated by the opening words of v. 35, "Thus

---

<sup>1</sup> Patrick D. Miller, "Jeremiah," in *The New Interpreter's Bible*, vol. 6, ed. Leander E. Keck and David L. Petersen (Nashville: Abingdon, 2001), 812.

<sup>2</sup> Guy P. Couturier, "Jeremiah." In *The New Jerome Biblical Commentary*, ed. Raymond E. Brown, Joseph A. Fitzmyer, and Roland E. Murphy (Englewood Cliffs, NJ: Prentice-Hall, 1990), 289.

<sup>3</sup> Jack R. Lundbom, *The Anchor Bible, Jeremiah 21-36, A New Translation with Introduction and Commentary* (New York: Doubleday, 2004), 479.

<sup>4</sup> Unless otherwise noted, all Scripture quotes are from the *New American Bible*.

says the LORD,” which indicates another oracle. Further demarcation of the end of the passage is indicated in v. 35 by a switch from prose to poetry.

The passage uses the formula, “says the LORD” four times to form the structure of the prophecy. The four formulas are actually two pairs that mark the beginning and end of two parts of the passage. The first part, vv. 31-32, describes how the new covenant will *not* be like the old covenant, and the second part, vv. 33-34, describes what the new covenant *will* be like.<sup>5</sup> The two parts are separated by the word “but” at the beginning of v. 33, indicating a contrast between the two parts.

This passage is situated within a hopeful section of the book of Jeremiah, chapters 30-33, which is in turn surrounded by a larger section of narratives about Jeremiah, chapters 26-45. The larger surrounding context is mostly about opposition to idolatry, destruction of a nation, and exile, which causes chapters 30-33 to stand out in contrast. This hopeful section is known as the “Book of Restoration,” or Jeremiah’s “(Little) Book of Comfort,” or the “Book of Consolation.” The Book of Restoration was originally written as a separate book (Jer. 30:2), and was later inserted into the larger book of Jeremiah. Chapters 30-31 are thought to be the original scroll written by Jeremiah mentioned in Jer 30:2, and then chapters 32-33 were added later.<sup>6</sup> This Book of Restoration fulfills God’s commission to Jeremiah that he is to not only “to root up and to tear down”, but is also “to build and to plant” (Jer. 1:10).<sup>7</sup> Indeed, in the oracle immediately preceding the oracle of the new covenant, the LORD refers to Jeremiah’s commission when he says, “As I once watched over them to uproot and pull down ... so I will watch over them to build

---

<sup>5</sup> Lundbom, 464.

<sup>6</sup> Lundbom, 368.

<sup>7</sup> Lundbom, 369.

and to plant” (Jer. 31:28). The contrast of judgment and restoration found in the structure of Jeremiah is also found within the new covenant prophecy.

Although there are some scholars who say the new covenant prophecy was originally given to exiles of the Northern Kingdom during the reign of Josiah, and some place it in the post-exilic period, Lundbom considers both alternatives unlikely. The prophecy was probably given to Judah just before the destruction of Jerusalem while Jeremiah was imprisoned in the court of the guard,<sup>8</sup> which would be around 587 B.C. (Jer 32:1-2).

The passage begins with the formula, “The days are coming, says the LORD.” A search on BibleGateway.com of the English Standard Version shows the same formula occurring in Jer 7:32, 9:24, 16:14, 23:5, 23:7, 31:27, 31:38, 33:14, 48:12, 49:2, and 51:52. Some of these, Jer 7:32, 9:24, and 48:12, introduce prophecies of future punishment of God’s people, but the rest introduce prophecies of future restoration, fulfillment of promises, and destruction of Judah’s enemies. The formula also appears twice in Amos, the first (Amos 8:11) being a prophecy of judgment against Israel, and the second (Amos 9:12) a prophecy of future restoration. 1 Sam 2:31, 2 Kgs 20:17, and Isa 39:6 use a similar formula to introduce prophecies of coming judgment. This formula introduces a prediction of a future intervention of God, which can be either of judgment or restoration.

Verse 31 continues with, “when I will make a new covenant with the house of Israel and the house of Judah.” This verse is the only place in the Old Testament where the expression “new covenant” is used. However, the language of restoration that Jeremiah uses here is not unique. Other prophets speak of restoration with similar language.<sup>9</sup> Terms such as “everlasting

---

<sup>8</sup> Lundbom, 471.

<sup>9</sup> Miller, 812.

covenant”<sup>10</sup>, a “new heart and new spirit,”<sup>11</sup> and “a covenant of peace”<sup>12</sup> describe a future work of God that seems to be the same as what is called the new covenant by Jeremiah.<sup>13</sup>

The term “new covenant” raises the question of how does this covenant relate to the previous covenants God has made with Israel? Is there a continuity with the Sinai covenant, or is it completely new? Verse 32 uses the words “it will not be like the covenant I made with their fathers” to show that there is a difference. Also, v. 34 uses the language “no longer will they have need...” to show a change in how the covenant is lived. While there are some major changes in the new covenant, there are also points of continuity with the past. St. John Chrysostom points out that the same God who will make the new covenant was the one that made the old covenant with their fathers.<sup>14</sup> This unity of one covenant maker for the two covenants became important to the Church Fathers who dealt with heretics like Marcion and other gnostics. Most of these gnostics either completely rejected the Old Testament, or saw the God of the OT being different from the God of the NT. Jeremiah shows that the same God made both covenants, and supports the importance of the Old Testament for Christians.<sup>15</sup>

The next question addressed in v.31 is with whom is the covenant made? The text specifically says “with the house of Israel and the house of Judah,” which is consistent with the

---

<sup>10</sup> Jer.32:40, 50:5, Ezek.16:60, 37:26, Isa.24:5, 55:3, 61:8.

<sup>11</sup> Ezek. 11:19, 18:31, 36:26.

<sup>12</sup> Isa. 54:10; Ezek. 34:25; 37:26.

<sup>13</sup> Walter C Kaiser, Jr., “The old promise and the New Covenant : Jeremiah 31:31-34.” *Journal of the Evangelical Theological Society* 15, no. 1 (1972): 14. *ATLA Religion Database with ATLASerials*, EBSCOhost (accessed October 31, 2009).

<sup>14</sup> Dean O. Wenhe, *Ancient Christian Commentary on Scripture: Jeremiah, Lamentations* (Downers Grove, IL: InterVarsity Press, 2009), 212-213.

<sup>15</sup> Lundbom, 482.

introduction to the Book of Restoration which says “the days will come ... when I will change the lot of my people (of Israel and Judah, says the Lord), and bring them back to the land which I gave to their fathers” (Jer. 30:3). The new covenant, like the other prophecies in this section, are for the entire people of God, both Israel and Judah.<sup>16</sup> In the text as it would have been understood by its original audience, there is no indication that this covenant would be extended to the Gentiles.<sup>17</sup> However, as was noted earlier, the New Testament and Church Fathers did apply this passage to the Church, and Origen draws from it when he refers to the inspired writings of the Church as “The New Testament.”<sup>18</sup> How did Christians take a prophecy for Israel and Judah and apply it to a Church made up mostly of Gentiles? St. Augustine’s defense of this application is based on the Apostle Paul’s teaching that Christians are descendants of Abraham by faith (Rom 4:17, Gal 3:7).<sup>19</sup> Therefore, if Christians are spiritual descendants of Abraham, prophecies addressed to Israel can be seen to apply to the Church. The wild olive shoot of the gentiles was grafted in to the olive tree of Israel and shares in the rich root of that tree (Rom 11:17).

Looking at v. 32, it begins with “It will not be like the covenant I made with their fathers the day I took them by the hand to lead them forth from the land of Egypt.” The new covenant is contrasted with the Sinai covenant God made with the Israelites in the Exodus.<sup>20</sup> Even though God lovingly “took them by the hand”, the Israelites broke the covenant. The expression “took them by the hand” evokes the image of a father guiding his child, showing the father-son relationship between God and Israel. Another image is given at the end of the verse which the

---

<sup>16</sup> Couturier, 289.

<sup>17</sup> Lundbom, 466-467.

<sup>18</sup> Kaiser, 14.

<sup>19</sup> Wenthe, 217.

<sup>20</sup> Couturier, 289.

NAB translates as “I had to show myself their master.” This can also be translated “though I, I was their master,” and the Hebrew word for “be master over” can also be translated “be husband.” The terms for “master” and “husband” are interchangeable in ancient culture, especially when used metaphorically, so this phrase could be intended to convey a husband-wife image. If so, we see the relationship broken by the Israelites described in both father-son and husband-wife language.<sup>21</sup> God’s loving care is contrasted with Israel’s breaking of the covenant, but the fact that Israel broke the covenant does not result in the ending of God’s relationship with them, but instead results in a new, better covenant. The letter to the Hebrews picks up this theme saying, “if that first covenant had been faultless, no place would have been sought for a second one, But he finds fault with them...” (Heb. 8:7-8) The first covenant is faulty because the Israelites failed to keep up their side of the covenant, but God, persisting in his pursuit of a relationship with Israel, responds with a new covenant that is better.

Verse 33 begins the second part of the prophecy, starting with the words “But this is the covenant I will make,” which describes what the new covenant will be. This is a repetition of who the covenant will be made with, but this time the text only says “with the house of Israel” instead of Israel and Judah. This difference has led some scholars to say that the mention of Judah in v. 31 was a later addition, and that originally the prophecy was only for the Northern Kingdom after the Assyrians took them into exile, and was later reapplied to the Babylonian threat to Judah. However, Israel in this case can mean all of the descendants of Jacob, and the context of the passage is the Book of Restoration which is addressed to Israel and Judah (Jer. 30:3-4), lending support for both kingdoms being the original recipients of this promise.<sup>22</sup>

---

<sup>21</sup> Lundbom, 467.

<sup>22</sup> Lundbom, 466.

The timing of the new covenant is given by the phrase “after those days.” This is an expression that Jeremiah frequently uses for an eschatological time period that is a “rupture in the course of Israel’s history” brought about through an intervention of God.<sup>23</sup> After the exile, the Israelites evidently did not see themselves as living in the days of the new covenant. Post-exilic Judaism was reconstructed along the lines of the Sinai covenant and the law, and the new covenant was looked for in the future Messianic Age. Baruch 2:35 still anticipates a future eternal covenant when God will never again remove the people from the land.<sup>24</sup> However, the Essenes at Qumran saw themselves as living in the “last days.” For them, the new covenant prophecy was fulfilled by their separating themselves from the rest of Judaism, and forming a community in the Qumran desert in order to be the New Israel.<sup>25</sup> However, the Qumran interpretation is unusual, and common midrashic interpretation was that the new covenant fulfillment would be in the world to come.<sup>26</sup> The typical Christian interpretation is that Christ establishes the new covenant at the cross, but complete fulfillment awaits his second coming.<sup>27</sup>

Verse 33 continues with “I will place my law within them, and write it upon their hearts.” Here we have the first key difference between the old and new covenants, as well as a similarity. What is similar is that both covenants include God’s law. What is different is how the law is given. The old law was written on stone tablets or in a book, but the law of the new covenant is written on men’s hearts.<sup>28</sup> There is an interior aspect to the new covenant that was not in the old.

---

<sup>23</sup> Couturier, 289.

<sup>24</sup> Lundbom, 472.

<sup>25</sup> Lundbom, 473.

<sup>26</sup> Lundbom, 474.

<sup>27</sup> Kaiser, 21-22.

<sup>28</sup> Couturier, 289-290.

The heart aspect of the new covenant links this prophecy to the other restoration promises that include a new heart and a new spirit (Ezek 11:19-20, 18:31, 36:26). Not only is the new law interior, but it is put there by God, not by human effort, and the result of God's work is that the new covenant people will be able to keep the law. The constant disobedience of Israel has led to judgment, but it does not mean the end of God's relationship with Israel. "On the contrary, in the future the Lord will make a new covenant and will effect in the minds and hearts of the people the will to obey."<sup>29</sup>

The nature of law in the new covenant, and how it will be written on people's hearts is a subject of much debate. One extreme of interpretation is that the new law is the exact same law of the old covenant, only given in an internal way. There is no difference in content of the law, only in how it is given. The other extreme of interpretation is that the old law was impossible for sinful man to keep, so the new covenant does away with the old law, and replaces it with new laws. The focus here is a change in the content of the law. The common view, however, is that the main substance of the law as an expression of God's will for man is the same in both covenants. Some details change, such as ceremonial requirements, but the core of the law is eternal. What is new is a change in the heart that enables people to know and follow God's will.<sup>30</sup> "The law (*tôrâ*) will remain in the new covenant and the obligation to comply with its demands will still exist; nevertheless, conditions will be vastly improved because Yahweh promises to write the law on the human heart."<sup>31</sup> One interesting example of a patristic application of this is

---

<sup>29</sup> Miller, 812.

<sup>30</sup> Femi Adeyemi, "What is the new covenant 'law' in Jeremiah 31:33?." *Bibliotheca sacra* 163, no. 651 (July 2006): 314-316. *ATLA Religion Database with ATLASerials*, EBSCOhost (accessed October 31, 2009).

<sup>31</sup> Lundbom, 467.

St. Augustine's explanation of why Christians are not permitted to write out the creed in any way, but must learn it by heart. He appeals to Jer 31:33, understanding the law of the new covenant to encompass the whole Christian faith as taught in the Scriptures and summarized in the creed.

“For whatever you will hear in the creed is contained in the inspired books of the Holy Scriptures.”<sup>32</sup> St. Bede, while commenting that the Scriptures will endure until the end of time, says that they will no longer be needed when Jer 31:33 is fulfilled. He focused on an eschatological fulfillment of this prophecy, and saw the Scriptures as needed for instructing us in the present age.<sup>33</sup>

Verse 33 continues with “I will be their God, and they shall be my people.” This is a common clause describing God's covenantal relationship with his people. It is used many times in the prophets<sup>34</sup>, and even as early as Leviticus 26:12.<sup>35</sup> It continues to be used all the way to the book of Revelation when John describes the vision of the new heaven and new earth, and hears a loud voice from the throne of God saying, “Behold, God's dwelling is with the human race. He will dwell with them and they will be his people and God himself will always be with them” (Rev 21:3).<sup>36</sup>

The beginning of v. 34 causes a lot of difficulty. “No longer will they have need to teach their friends and kinsmen how to know the LORD. All, from least to greatest, shall know me.” How is it that teachers will no longer be needed? If I am living in the age of the new covenant, why am I taking courses in Theology? One interpretation is that “intermediaries such as Moses,

---

<sup>32</sup> Wenthe, 216.

<sup>33</sup> Wenthe, 218.

<sup>34</sup> Jer 7:23, 11:4, 24:7, 30:22, 31:1, 32:38, Ezek 11:20, 36:28, Zech 8:8.

<sup>35</sup> Couturier, 290.

<sup>36</sup> Kaiser, 13.

priests, and prophets will be useless, for Yahweh will intervene directly.”<sup>37</sup> A different interpretation ties back to the fact that the law will be written on people’s hearts. The heart is where the will resides, according to ancient Hebrew thinking, so if the law is written on the heart, the will is inclined to obey God. Also, the ancient concept of instruction is not so much the imparting of information as it is to admonish each other saying, “Know the LORD!” Knowledge of God is tied to obedience to the law, so what this verse is saying is that under the new covenant, people will have hearts that are inclined to know and obey the LORD without needing prophets to exhort them to do so.<sup>38</sup>

Another interesting interpretation begins with Jeremiah’s reaction to the failure of the deuteronomistic reforms that occurred under Josiah. Jeremiah might have been initially enthusiastic about these reforms, but would have then seen the people revert to idolatry and injustice after Josiah’s death. Clearly the reforms were insufficient to cause a lasting change.<sup>39</sup> The failure of the reform is seen to be rooted in the leadership of the nation, including those who were responsible for spiritual leadership: the priests, scribes, and prophets. These people held elite positions in society, and the people were dependent on them for instruction in the law. However, if the spiritual leadership did not themselves know and obey the LORD, they could pervert the teaching of the law to justify their own evil. Jeremiah says that under the new covenant, knowledge of the LORD will not be limited to the elite, but given to all, “from least to

---

<sup>37</sup> Couturier, 290.

<sup>38</sup> Lundbom, 469.

<sup>39</sup> Harry D. Potter, "The new covenant in Jeremiah 31:31-34." *Vetus testamentum* 33, no. 3 (July 1983): 350. *ATLA Religion Database with ATLASerials*, EBSCOhost (accessed November 1, 2009).

greatest.” Therefore one of the concerns of the new covenant may be to eliminate the potential of abuse by spiritual leadership by giving knowledge of God directly to everyone.<sup>40</sup>

It is interesting to see how the members of the Qumran community, who saw themselves as living in the new covenant, interpreted and lived this out. They were required to observe strict obedience to the Mosaic law as interpreted by the priestly hierarchy headed by the “Teacher of Righteous.” The community believed in the message of the prophets that the root of sin was deep in the human soul, and purification and repentance was required to restore relationship with God. Repentance was followed by purification in baptism. The community was run according to the *Manual of Discipline*, which was much like Deuteronomy, except that rather than God’s relationship being corporate with the whole nation, the blessings and curses fell upon individuals. However, the Holy Spirit is not given to individuals, but to the community as a whole, and admonitions are still required in order for individuals to obey.<sup>41</sup>

St. Augustine, the great teacher that he was, references this phrase in one of his letters. “I have acted thus, not as a finished master but as one needing to be perfected with his pupils ... I am more anxious for you to be learned than to be in need of my learning ... It surely is much better for all of us to be ready to be taught of God what will certainly be perfected in that country on high when the promise will be fulfilled in us ... ‘for all shall know him.’”<sup>42</sup> St. Augustine does not interpret this verse to mean that Christians will instantly have perfect knowledge of God. He sees perfect knowledge to be fulfilled in the future, but in the mean time, there is no elitism.

---

<sup>40</sup> Potter, 353.

<sup>41</sup> Lundbom, 473-474.

<sup>42</sup> Wenthe, 216.

Even the greatest teacher needs to grow in knowledge himself, and his goal is not to maintain a status above his pupils, but to see that everyone knows the LORD.

The most important and radical statement of the new covenant prophecy occurs at the end, “for I will forgive their evildoing and remember their sin no more.” Although the LORD is revealed as merciful, gracious, and forgiving sin in the Sinai covenant (Exod 34:6-7), “forgiveness of sins is not what undergirded the Sinai covenant,” and there was a limitation to God’s forgiveness under the Sinai covenant.<sup>43</sup> The sins of Israel and Judah appear to have exhausted the forgiveness of God under the terms of the old covenant. “The LORD has no pleasure in them; now he remembers their guilt, and will punish their sins” (Jer 14:10). The terms of justice in the old Sinai covenant demand punishment. The new covenant is based on a radical change, using language such as “not like” (v. 32) and “no longer” (v. 34). Even though forgiveness was always a part of God’s ways, the new covenant brings it to a new level.<sup>44</sup>

New Testament understanding of the new covenant is tied to the forgiveness of sins, which is central to Christianity. We have the new covenant mentioned by Jesus at the Last Supper saying that the cup is “the new covenant in my blood” in the longer text of Luke 22:20 and in 1 Cor 11:25. Mark 14:24 says “This is my blood of the covenant,” and Matthew 26:28 adds “which will be shed ... for the forgiveness of sins” which ties in to Jeremiah 31:34.<sup>45</sup> Therefore, in the institution of what was to become the core of Christian worship, we see Jesus tying together the new covenant and the forgiveness of sins with the shedding of his own precious blood.

---

<sup>43</sup> Lundbom, 471.

<sup>44</sup> Miller, 812.

<sup>45</sup> Lundbom, 475.

## Bibliography

- Adeyemi, Femi. "What is the new covenant 'law' in Jeremiah 31:33?." *Bibliotheca sacra* 163, no. 651 (July 2006): 312-321. *ATLA Religion Database with ATLASerials, EBSCOhost* (accessed October 31, 2009).
- Couturier, Guy P. "Jeremiah." In *The Jerome Biblical Commentary*, ed. Raymond E. Brown, Joseph A. Fitzmyer, and Roland E. Murphy, 300-343. Englewood Cliffs, NJ: Prentice-Hall, 1968.
- Couturier, Guy P. "Jeremiah." In *The New Jerome Biblical Commentary*, ed. Raymond E. Brown, Joseph A. Fitzmyer, and Roland E. Murphy, 265-297. Englewood Cliffs, NJ: Prentice-Hall, 1990.
- Kaiser, Walter C, Jr. "The old promise and the New Covenant : Jeremiah 31:31-34." *Journal of the Evangelical Theological Society* 15, no. 1 (1972): 11-23. *ATLA Religion Database with ATLASerials, EBSCOhost* (accessed October 31, 2009).
- Lundbom, Jack R. *The Anchor Bible, Jeremiah 21-36, A New Translation with Introduction and Commentary*. New York: Doubleday, 2004.
- Miller, Patrick D. "Jeremiah." In *The New Interpreter's Bible*, ed. Leander E. Keck and David L. Petersen, vol. 6, 553-926. Nashville: Abingdon, 2001.
- Potter, Harry D. "The new covenant in Jeremiah 31:31-34." *Vetus testamentum* 33, no. 3 (July 1983): 347-357. *ATLA Religion Database with ATLASerials, EBSCOhost* (accessed November 1, 2009).
- Senior, Donald, Mary Ann Getty, Carroll Stuhlmueller, and John J. Collins, eds. *The Catholic Study Bible: New American Bible*. New York: Oxford University Press, 1990.
- Wenthe, Dean O. *Ancient Christian Commentary on Scripture: Jeremiah, Lamentations*. Downers Grove, IL: InterVarsity Press, 2009.
- Yates, Gary E. "New Exodus and no Exodus in Jeremiah 26-45: promise and warning to the exiles in Babylon." *Tyndale Bulletin* 57, no. 1 (2006): 1-22. *ATLA Religion Database with ATLASerials, EBSCOhost* (accessed October 31, 2009).