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The New Covenant in the Context of the Book of Jeremiah

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1. Introduction

Amidst many condemnations and warnings, the prophet Jeremiah announces a new covenant (31: 31–34). This new covenant fulfills an important role in the New Testament and in Christian theology. The purpose of this article is to establish what this passage means within the context of the book of Jeremiah and from that basis to look at how the new covenant has been handled within theological circles.

This article begins with a discussion of the structure of the book of Jeremiah (section 2), of chapters 30–33 (section 3) and of 31: 31–34 (section 4). After this, the meaning of the word ‘covenant’ will be dealt with (section 5). Five aspects of the new covenant will then be addressed: the recipients (section 6), the law in the hearts (section 7), the knowledge of YHWH (section 8), forgiveness (section 9), and the future (section 10). We move on to a discussion of the new perspective of the covenant (section 11) and address particular issues in the relationship between exegesis and systematic theology (section 12).

2. The Structure of the Book of Jeremiah

It is not easy to detect a clear structure in Jeremiah. The completed book consists of several documents from the hand of the scribe Baruch (36: 4,32). Jeremiah himself also had a hand in the writing process (30: 2; 51: 60). The book itself witnesses to collections of materials, and Lundbom describes it as a “book of books.”¹ Several factors contribute to the difficulty in understanding the structure, such as the lack of chronological ordering, the reference to various scrolls and the switch between literary genres. The order of the chapters in the Masoretic tradition differs from the Septuagint.² This situation brought Thompson to the conclusion: “We have to confess that the plan employed by the editors finally escapes us.”³ However, Childs points to theological aspects in the canonical shape of the book, such as the examples of an eschatological hope. The element of salvation appeared right at the outset of Jeremiah’s ministry and was assigned a programmatic function within his call. His prophetic commission was both “to destroy and overthrow, to build and plant” (1: 10). This theme of a

¹ Jack R. Lundbom, *Jeremiah 1–20*, AB 21A (New York: Doubleday, 1999), 100. This article concentrates on the Masoretic version of the Hebrew text, not on diachronic analysis, as Hermann-Josef Stipp does in his commentary *Jeremia 25–52*, HAT 12.2 (Tübingen: Mohr Siebeck, 2019).

² The Greek version is about one seventh shorter than the Hebrew text. The materials are ordered differently. The oracles against the nations in 46–51 MT are placed after 25: 13 LXX. Fischer argues for the priority of the MT; Georg Fischer, “Die Diskussion um den Jeremiatext,” in *Die Septuaginta – Texte, Kontexte, Lebenswelten*, ed. Martin Karrer and Wolfgang Kraus, WUNT 219 (Tübingen: Mohr Siebeck, 2008), 612–29. Stipp defends the priority of the LXX; Hermann-Josef Stipp, “Zur aktuellen Diskussion um das Verhältnis der Textformen des Jeremiabuches,” in the same volume, 630–53. De Waard argues for the priority of the LXX; Henk de Waard, *Jeremiah 52 in the Context of the Book of Jeremiah*, VTSup 183 (Leiden: Brill, 2020). For details in the texts, see William McKane, *Jeremiah 26–52*, ICC (Edinburgh: T&T Clark), 1996.

³ J. A. Thompson, *The Book of Jeremiah*, NICOT (Eerdmans: Grand Rapids, 1980), 31.

dual role continues throughout the book (18: 7–9; 24: 6; 31: 28; 42: 10; 45: 4). “The prophetic book bears witness to the belief that, regardless of the severity of the divine judgment on Israel, the ultimate goal in the divine economy was redemption.”⁴

Murphy elaborated this approach. He describes the book as a message for the exiles. “The promises of restoration provided hope for the exiles because those promises were made by the same God who had brought about the judgments.”⁵ This author considers chapters 1 and 52 of the Masoretic text to be “entry and exit points” or “bookends” that hold the work together, forming a frame by their reference to the purpose and message of Jeremiah’s ministry as stated in 1: 9–10 (with the dual themes of judgment and hope or destruction and restoration) and thereby providing an interpretive lens through which to understand the larger collections of material. This leads him to propose the following structure of the final form of Jeremiah:

- I. Introduction: The ministry and message of the prophet Jeremiah are sourced in YHWH and deal with the declaration of judgment and restoration (chap. 1).
- II. The recurring declarations of certain judgment on Judah/Jerusalem for her covenant infidelity against YHWH contain glimpses of future restoration following the Exile (chaps. 2–25).
- III. The recurring declarations of certain restoration for Judah/Jerusalem, based on YHWH’s covenant fidelity, include reminders of the reality of oncoming judgment (chaps. 26–35).
- IV. The realization of the judgment on Judah/Jerusalem in the siege and fall of the city and deliverance of a remnant anticipates future restoration (chaps. 36–45).
- V. The declarations of judgment against foreign nations for their wickedness against YHWH include glimpses of future restoration (chaps. 46–51).
- VI. Conclusion: The ministry and message of Jeremiah are vindicated through the description of the judgment of Jerusalem and the anticipation of restoration in the release of Jehoiachin (chap. 52).⁶

According to this outline, the anthology has been carefully structured to present a recurring theological message of judgment and hope for restoration, which Murphy summarizes in a structural-theological message in one sentence: “The declared *and* realized judgment of Yahweh on his covenant people Judah and the nations because of sin encourages the exiles to hope, amid their misery, in the fulfilment of his promises of restoration.”⁷ Thus, the fulfilment of the tragedies Jeremiah had predicted demonstrate both God’s trustworthiness and his involvement in the events. The message of hope about the future of God’s people was as certain as the once foretold – but now realized – tragedies of their past.

Other structures are also possible, but what is important is the coherence of the different sections and their messages.⁸ This means that the message of hope in chapters 30–33 is not an isolated one, but that here the hope is more clearly expressed than in other chapters.

3. The Structure of Jeremiah 30–33

⁴ Brevard S. Childs, *Introduction to the Old Testament as Scripture* (London: SCM, 1979), 351.

⁵ S. Jonathan Murphy, “The Quest for the Structure of the Book of Jeremiah,” *Bibliotheca Sacra* 166 (2009): 315.

⁶ Murphy, “The Quest,” 316–17.

⁷ Murphy, “The Quest,” 317.

⁸ Lalleman takes the chapters 23–29 together, dealing with the theme true and false prophecy; Hetty Lalleman, *Jeremiah and Lamentations*, TOTC 21 (Downers Grove: IVP Academic, 2013), 63–68. For another proposal, see Eric Peels, “Jeremiah, Prophet of Ultimate Ruin and New Hope,” in *The Lion has Roared: Theological Themes in the Prophetic Literature of the Old Testament*, ed. H. G. L. Peels and S. D. Snyman (Eugene: Pickwick, 2012), 96–118 (100).

The clearest messages of hope are in Jeremiah 30–33. The first two chapters are known as the Book of Consolation or the Book of Restoration⁹, although the expressions are also used for all four chapters. The chapters 30–31 are largely poetry, whereas chapters 32–33 are written in prose. Considering the nature of the book of Jeremiah, this juxtaposition of various literary types should not be surprising. The poetic section expresses a future hope for YHWH's people in their restoration from exile and as recipients of the new covenant (30: 4–31: 40). The text then turns to the confinement of Jeremiah by Zedekiah and to God's instruction for Jeremiah to purchase a field (chap. 32). Rather than viewing this as an illogical literary leap, the text is arranged to present the same message from another angle. Jeremiah's purchase of real estate at a time of captivity emphasizes the prospect of future restoration for the nation – the land will be reclaimed. This is also the message of chapter 33: the restoration of exiled Israel as a consequence of the eternal covenant (as mentioned in 32: 40). This cycle of poems and prose narratives are held together by the “restoration of fortunes”¹⁰ and the hope for community and land restoration. This unity of Jeremiah 30–33 is confirmed by Rata's close reading of Jeremiah 31: 27–40, 32: 36–44 and 33: 14–26¹¹ through a text linguistic analysis (discourse analysis). He concludes that “the repetitive and sequential pattern of word clusters, key words, motifs, and formulas points to a coherent textual unity.”¹²

Recognizing some compositional unity of Jeremiah 30–33 and the more distinct unit of the chapters 30–31, it is important to identify the function of 31: 31–34 within both this smaller unit and within chapters 31–34 as a whole. Bozak, in her literary-theological study of Jeremiah, divides the unit of Jeremiah 30–31 into six poems, with boundaries marked by the recurrent “for thus says YHWH” formula (30: 5–11; 30: 12–17; 30: 18–31: 1; 31: 2–6; 31: 7–14; 31: 15–22). A prose introduction (30: 1–4) and a double prose conclusion (31: 23–34, 35–40) frame the cycle.¹³ The whole context connects the new covenant strophe with a literal restoration of the Jewish nation (Jer. 31: 23, 28, 38–40).

Now the remaining question is how 31: 31–34 functions in that literary structure, especially in relation to the surrounding verses. Bozak recognizes this pericope to be part of the literary unit of 31: 23–40. In this concluding unit, Keown et al. identify a concentric chiasmic structure of five oracles, with the promise of the new covenant (vv. 31–34) at the centre, the first (vv. 23–26) and fifth (vv. 38–40) oracles being about the restoration of Judah and Jerusalem, and the second (vv. 27–30) and fourth (vv. 35–37) forming a contrasting pair. Regarding that contrasting pair and in relation to the new covenant, Keown et al. assert that “the responsibility of each person for sin contrasts with God's enduring commitment to the survival of Israel as a nation. The logical tension between these two affirmations will be resolved by the initiation of the new covenant, which includes forgiveness of sin (v 34) and transformation of the human party to the relationship (v 32).”¹⁴ Here we get a glimpse of the function and significance of the new covenant in relation to the promise of restoration.

⁹ Werner H. Schmidt, *Das Buch Jeremia: Kapitel 21–52*, ATD 21 (Göttingen: Vandenhoeck & Ruprecht, 2013), 105–51; Bob Becking, *Between Fear and Freedom: Essays on the Interpretation of Jeremiah 30–31*, OtSt 51 (Leiden: Brill, 2004).

¹⁰ Note the recurrence of this phrase in Jer. 30: 3, 18; 31: 23; 32: 44; 33: 7, 11, 26. Cf. 29: 14.

¹¹ Jer. 33: 14–26 is the longest passage of Jeremiah missing in the LXX.

¹² Tiberius Rata, *The Covenant Motif in Jeremiah's Book of Comfort: Textual and Intertextual Studies of Jeremiah 30–33*, Studies in Biblical Literature 105 (New York: Lang, 2007), 69.

¹³ Barbara A. Bozak, *Life 'Anew': A Literary-Theological Study of Jer. 30–31*, AnBib 122 (Rome: Biblical Institute, 1991). A comparable structure in Jer. 30–31 has been identified by Charles A. Briggs, *Messianic Prophecy: The Prediction of the Fulfilment of Redemption through the Messiah; a Critical Study of the Messianic Passages of the Old Testament in the Order of Their Development* (Edinburgh: T&T Clark, 1886), 247–55. Fischer concurs with Bozak; Georg Fischer, *Jeremia 26–52*, HThKAT (Freiburg im Breisgau: Herder, 2005), 121.

¹⁴ Gerald L. Keown et al., *Jeremiah 26–52*, WBC 27 (Dallas: Word, 1995), 126–27.

4. Jeremiah 31:31–34

The promise about the new covenant consists of four verses: “31) See, the days are coming – oracle of YHWH – when I will make with the house of Israel and with the house of Judah a new covenant, 32) not like the covenant that I made with their fathers in the day I took them by the hand to bring them out from the land of Egypt, my covenant that they broke, though I was their master (or: husband) – oracle of YHWH. 33) But (or: Truly) this is the covenant that I will make with the house of Israel after those days – oracle of YHWH: I will put my law in their inward parts,¹⁵ and upon their hearts I will write it. And I will be God to them, and they will be a people to me. 34) And they shall not again instruct each person his follow and each person his brother, saying, ‘Know YHWH,’ for they, all of them, shall know me, from the least of them to the greatest of them – oracle of YHWH – for I will forgive their iniquity, and their sin I will not remember again.”¹⁶

The text is a separate unit, delimited by two setumah’s in the Hebrew text. The special status of the declaration is underscored by four “oracle of YHWH” formulas.¹⁷ The first oracle states what the new covenant will not be (vv. 31–32), the second oracle what it will be (vv. 33–34). In the first oracle reference is made to the covenant at Sinai (Exod. 19–24). However, this covenant is broken. In the future a new covenant will be made with the house of Israel and the house of Juda. Four promises are made:

- 1) God’s תּוֹרָה will be in the Israelites.
- 2) The covenant formula: I will be their God; they will be my people.
- 3) All the Israelites shall know YHWH.
- 4) Forgiveness of sins.

In the next paragraphs important aspects of these promises are discussed.

5. Covenant

The promise in 31: 31–34 is about a “a new covenant (בְּרִית הַדְּוִשָׁה) with the house of Israel and the house of Judah.” This covenant “will not be like the covenant” that God made when he led their forefathers out of Egypt. This earlier covenant was made with Israel at Mount Sinai (Exod. 24). There is some debate about the exact character and definition of the Hebrew term בְּרִית, which is usually translated as “covenant”.¹⁸ In the Old Testament several covenants between God and men are mentioned: with Noah, Abram, Israel, Levi, Phinehas and David. Much more times, God gave promises to people, but only in a few cases he confirmed these promises with a covenant. In the first chapters of Genesis, the word בְּרִית is not used.¹⁹ The relationship between God and mankind was determined at creation by other means: the Creator interacted with his creatures. Later people “walked with God” (Gen. 5: 22). In Genesis, the first mention of a covenant is in relation to Noah (6: 18; 9: 9–17). Abram’s call

¹⁵ LXX “in their mind” (δύναται).

¹⁶ Author’s translation.

¹⁷ MT 31: 31–34 = LXX 38: 31–34. LXX has only three formulas (not in v. 34).

¹⁸ Cf. Ernst Kutsch, “בְּרִית,” in *THAT*, 1:339–52 (interpreted as “Verpflichtung”), and J. Gordon McConville, “בְּרִית,” in *NIDOTTE*, 1:747–55. For covenant in the historical context of the Ancient Near East, see the contribution of Koert van Bekkum in this volume.

¹⁹ Cf. the contribution of Hans Burger in this volume.

preceded the two covenants that were made with him in Genesis 15 and 17.²⁰ David, too, was already God's chosen king before a covenant was made with him (2 Sam. 7; Ps. 89: 4). Therefore, we can characterize a covenant as an official agreement to seal a relationship between certain parties.²¹ This description is important, because it follows that the relationship between YHWH and his people involves more than just the aforementioned covenants.

Now we can look at the relation between the covenants. YHWH chose Abraham and his descendants. In the covenant that he made with Abraham, the emphasis is on the unconditional character of God's promises (Gen. 15) and in Genesis 17 the obligations for the patriarch are mentioned. Later on, God made a covenant with Israel.²² The covenant with Israel in Exodus (Exod. 24 and the renewal in Exod. 34) and the elaboration in Deuteronomy did not replace the promises to the patriarchs but contributed to their realisation.²³ As such, the Mosaic covenants are an elaboration of the Abrahamic covenant.

The Mosaic covenant in Exodus 24 emphasizes strongly the need for obedience by the Israelites. The consequence is that because of the sin of the Golden Calf, the covenant is broken (Exod. 32: 19). However, after a punishment, a renewal is possible. The fact that Israel, the human partner, is the one who broke the covenant, does not mean that God abolishes the relation.

The sanctions against breaking of covenants comes to the fore in the texts concerning the covenant curses (Lev. 26 and Deut. 28). Despite the warnings, in these books God's unconditional faithfulness is mentioned. Even in the context of exile, YHWH does not entirely reject the Israelites. He remembers the earlier covenant with their forefathers (Lev. 26: 44–45).

In Deuteronomy 30:1–10 a new future for the Israelites is referred to, after the implementation of the covenant curses (see also 4: 30–31). When the Israelites, having been punished, repent and turn back to their God, he will effect a complete renewal: 1) circumcision of their hearts, so that they shall worship their God with devoted hearts (30: 6); 2) listening to his voice and obedience to his commandments (30: 8,10). In the earlier situation these points were conditions (see 10: 12–16), but now they are promised. The new situation is better than the old, because YHWH himself realises the obedience of the Israelites. Because of the repentance of the Israelites, the covenant blessings will return to the people. This new situation is presented as the realization of many earlier promises to the forefathers (Deut. 30: 9; 9: 5,27).

What does this background mean for the covenant in the book of Jeremiah? The word ברית appears here twenty-three times. Jeremiah's preaching is firmly rooted in the theology of the Sinai covenant and of Deuteronomy.²⁴

²⁰ Cf. Gert Kwakkel, "Verplichting of relatie: Verbonden in Genesis; Henk de Jong en zijn visie op het verbond" [Obligation or relation: Covenants in Genesis; Henk de Jong and his view of the covenant], in *Verrassend vertrouwd: Een halve eeuw verkondiging en theologie van Henk de Jong* [Surprisingly familiar: Half a century of preaching and theology by Henk de Jong], ed. Jan Bouma, Freddy Gerkema, and Jan Mudde (Franeker: Van Wijnen, 2009), 117–30.

²¹ See Paul R. Williamson, *Sealed with an Oath: Covenant in God's Unfolding Purpose* NSBT 23 (Nottingham: Apollos/InterVarsity, 2007), 57, 75–76; John Goldingay, *Old Testament Theology*, vol. 2, *Israel's Faith* (Downers Grove: IVP Academic, 2006), 182–87; Peter J. Gentry and Stephen J. Wellum, *Kingdom Through Covenant: A Biblical-Theological Understanding of the Covenants* (Wheaton: Crossway, 2012), 151–52; Gert Kwakkel, "Berith and Covenants," in this volume.

²² The order according to the canonical presentation. It is not possible here to discuss the origins of the traditions. See the commentaries on Genesis and Exodus.

²³ Cf. Arie Versluis, "Covenant in Deuteronomy," in this volume.

²⁴ Walter Brueggemann, *The Theology of the Book of Jeremiah*, *Old Testament Theology* (Cambridge: Cambridge University Press, 2007), 10–27. He mentions also the relation with Hosea.

It is clear that the covenant with the Israelites after the exodus out of the land of Egypt has been broken by the time of Jeremiah (Jer. 11: 8,10; 22: 9; 31: 32). This is not the earlier breaking of the covenant in the desert because that situation was restored (Exod. 32–34), but this has happened because of recent incidents. This breaking of the covenant incurs a punishment, but the relationship is not ended as a result of this. YHWH maintains his promises even in the very midst of judgment and he promises a new covenant²⁵ with elements of the internalised obedience described in Deuteronomy 30. The basis of all covenants between God and Israel is God's desire to a close relationship, expressed in the words "I will be their God and they will be my people" (Jer. 7: 23; 11:4; 24:7; 30: 22; 31: 1,33).²⁶

The context of chapter 31 makes it clear that the relationship has been maintained and will continue. The direct consequence of the prophecy regarding the new covenant is that God will never turn his back on Israel as long as the cosmos exists (31: 35–37; cf. 33: 25–26). We can see here that 'covenant' is not just an obligation, but the gracious confirmation of an existing relationship. In addition, we see that a new covenant can incorporate the content of the old covenant as well as emphasize new elements.

6. Israel and Judah - as People and Nation

Many Christians consider the new covenant, quoted in the New Testament, as universal and addressed to all the nations on earth. However, in Jeremiah 31: 31, only the house of Israel and the house of Judah are mentioned. And in the next verse the broken covenant is mentioned, the covenant with Israel after the exodus out of Egypt. In verse 33 the promise of a new covenant is for "the house of Israel." The context shows that "all the families of Israel" can be seen as one unit (v. 1). There are references to Ephraim (vv. 9,18,20), to Judah and all its cities (v. 24), to the house of Israel and the house of Judah (v. 27). The following texts about Jacob and Israel (vv. 36–37) and the restoration of Jerusalem (vv. 38–40) make the same point. See also the reunion in 3: 18. In Jeremiah 31, the new covenant is with Judah and Israel and not with all the nations.

The situation of Israel (Ephraim) in the time of the prophet is very difficult. A time ago, a large part of the people was exiled by the Assyrians (2 Kings 17). In the time of Jeremiah Jerusalem and the temple were sacked and ruined, and a part of the people of Judah was in exile. In this very difficult situation the prophet promises a reunion of Israel and Judah, a spiritual renewal (v. 33), and a rebuilding of Jerusalem (v. 38).

Jeremiah speaks about a solution for the fundamental problem of Israel that God must punish his people for their transgressions (see also v. 30). The same people that are punished will also experience God's mercy and renewing activity. No other nations are mentioned, because the problem and the solution refer to the house of Israel.

Based on this view we may assume that the people of Israel are apparently intended to remain a 'nation' before God and that somehow this is connected to the promise of the new covenant. It is important to understand the meaning of the Hebrew words underlying these terms (עַם underlying 'people' and גּוֹי 'nation') and how they are used in reference to Israel (e.g. in 31: 33,36). The term עַם is predominantly used to express the relational and unifying aspects of a group of people and used extensively to express the covenant relationship between God and his people. The term גּוֹי is used rather to refer to specifically defined

²⁵ Peels, "Jeremiah," 114–15.

²⁶ Goldingay writes: "Thus the making of a new covenant (Jer 31:31–34) need not imply that the previous covenant is already annulled, but that Yhwh recognizes the necessity to improve how the covenant works in order to achieve the aim of having a people that does keep its side of the relationship." John Goldingay, *Old Testament Theology*, vol. 1, *Israel's Gospel* (Downers Grove: IVP Academic, 2003), 378.

political, ethnic or territorial groups of people without religious or moral connotation.²⁷ Block observes: “While *gôy* is often paired with ‘*am*, people, a warm, kinship term, the distinctly political nature of the former is reflected in its common pairing with *melek/mamlākā*, king/kingdom.”²⁸ These observations are significant in the light of the literary context about restoration in the land. This would imply that the parallel reference to Israel to remain a *gôy* before God in Jeremiah 31: 36 and 33: 24 reinforce the materiality of God’s promise of future restoration. Based on the observations made so far, the literary context of 31: 31–34 appears to favour a holistic view: the people of Israel will experience an inner renewal, with a circumcision of the heart and a life according to God’s *תורה*. As a consequence of this, promises from earlier covenants are realised: return from the dispersion (31: 8,10,17,21), possession of the land, the cultivation of the land and the rebuilding of Jerusalem (31: 5,24,38).²⁹

In certain passages in the book of Jeremiah, we can see that the future salvation is not limited to Israel, but that other peoples may also share in it, namely in 3: 17; 4: 2; 12: 15–16 en 16: 19.³⁰ In the book of Jeremiah, this situation is not linked to the covenant. The restoration of Israel is necessary for the achievement of that goal. In the promises made to Abraham, it was the intention that all the peoples should be blessed through Abraham (Gen. 12: 3; 18: 18; 22: 18; 26: 4).³¹ In the book of the prophet Isaiah there are more indications that a new dispensation is coming in which believers from among all the peoples may take part (e.g. Isa. 2: 1–5; 56: 3–8; 66: 18–20). Jeremiah concentrates on the problems of the house of Israel and on the solution for this people and nation. Once that is realized, other peoples will be blessed. There are no clear indications that a covenant will be made with the other peoples.

7. God’s Torah in the Hearts

One of the promises is: “I will put my law (*תּוֹרָתִי*) in their inward parts, and upon their hearts I will write it” (v. 33). The term *תורה* has a broad spectrum of meanings, varying from instruction to law. General speaking God’s *תורה* designates some divine instruction relating to conduct for his people. The term is not limited to cultic or ceremonial matters, but also includes civil/social law, and eventually the narrative portions of the Pentateuch as well.³² Jeremiah accuses his people that they have violated God’s *תורה* (6: 19; 9: 12; 16: 11; 32: 23; 44: 10,23; cf. 26:4). That same *תורה* that has been rejected and disobeyed, once again receives a prominent position.³³ The emphasis here is on God’s standard of conduct, not on the details or on the changes that have occurred through the passage of time (as in Deuteronomy in relation to Exodus). This is also the case in the prophecy of Isaiah about other nations coming to Sion to learn the *תורה* of the God of Jacob (Isa. 2: 3).

²⁷ E. A. Speiser, “‘People’ and ‘Nation’ of Israel,” *JBL* 79 (1960): 157–63.

²⁸ Daniel I. Block, “Nations/Nationality,” in *NIDOTTE* 4:966–72 (966). Hulst chooses a less obvious differentiation; A. R. Hulst, “גוי/עַם ‘*am/gôj*’,” in *THAT*, 2:290–325 (318).

²⁹ Cf. Maarten Zijlstra, “The New Covenant in Jeremiah 31:31–34” (M.A. Thesis, ETF Leuven, 2011), 30–37, 61–69; *Bijbelcommentaar Jeremia-Klaagliederen* [Bible commentary Jeremiah-Lamentations], ed. M. J. Paul, G. van den Brink, and J. C. Bette, SBOT (Veenendaal: Centrum voor Bijbelonderzoek, 2013), 833–48.

³⁰ This does not mean that all people are made equal, because Jerusalem fulfills a central role (3: 17). It is striking to see the wording “then they (=the other people) shall be established in the midst of my people (=Israel)” (12: 16).

³¹ For arguments for this passive translation, see Keith N. Grüneberg, *Abraham, Blessing and the Nations: A Philological and Exegetical Study of Genesis 12:3 in its Narrative Context*, BZAW 332 (Berlin: De Gruyter, 2003). See also the promise in Ex. 19: 6.

³² Peter Enns, “Law of God,” in *NIDOTTE* 4:893–900 (893). See e.g. Ps. 78.

³³ Jack R. Lundbom, *Jeremiah 21–36*, AB 21B (New York: Doubleday, 2004), 467–68.

The obedience will be no longer an outward obligation, because God's תורה will be engraved in their minds and will be written on their hearts. Several times Jeremiah speaks about the inward parts / mind and the heart, usually in a context of sin (5: 23; 4: 14; 9: 8). The prophet says that sin is "engraved" on the tablet of the heart (17: 1), and that the heart "is deceitful above all things" (17: 9). That is why it is necessary for the heart to be circumcised (4: 4). Many prophecies of Jeremiah outline how corrupt the Israelites are and show that disasters result from their violation of the original covenant. In this hopeless situation, the prophet points to a way out.

God will forgive and transform the attitude of his people. As a consequence, there will be an important change in quantity of obedient men and women: everybody in the covenant community knows God (31: 34).³⁴ This is as the circumcision of the heart, mentioned in Deuteronomy 10: 16 and 30: 6 (cf. Jer. 24: 7; 32: 39).³⁵

The Sinai covenant was written on tablets of stone (Exod. 24: 12; 31: 18) and in a book (Exod. 24: 7; cf. Hos. 8: 12), one of the promises of the new covenant is that the law will be written in the hearts. From the context we can see that there is a remedy for the violation of the covenant that has repeatedly occurred. This means, at the very least, that the Israelites receive another focus and a desire to be obedient. This is clear from the promise, wherein covenant, heart and obedience are connected: "I shall give them one heart and one way, that they may fear me....I will make an everlasting covenant with them....I will put my fear in their hearts, so that they will not depart from me" (32: 39–40). A similar message is to be found in 24: 7 "I will give them a heart to know me, that I am YHWH" (cf. Ezek. 36: 25–27).

While this new covenant is made with the nation, it nevertheless carries implications for personal religion. The emphasis is not on individual conversions but on the people as a whole. With this people the covenant relation will be renewed and the old promise will be realised: "I will be their God, and they will be my people" (31: 33).

8. *Knowing YHWH*

The next promise is: "And they shall not again instruct each person his fellow and each person his brother, saying, 'Know YHWH,' for they, all of them, shall know me, from the least of them to the greatest of them" (v. 34). The verb *know* (יָדָע) here probably carries its most profound connotation, the intimate personal knowledge which arises between two persons who are committed wholly to one another in relationship that touches mind, emotion, and will.³⁶ "Knowing YHWH" requires the expanded meaning of "knowing and doing God's will" (cf. Hos. 4: 1–2; Jer. 5: 4–5). In Deuteronomy many exhortations are mentioned (5: 1,32; 6: 3; 8: 11 etc.), but in the new situation obedience will no longer be a problem.

Because the verb לָמַד (Piel: teach, instruct) occurs here, it is assumed by many that teaching is at issue, but formal teaching is not meant. Exhortations as in Jeremiah 11: 4,7 ("listen to my voice") and 32: 33 ("though I taught them again and again") are no longer necessary. Driven by an inner motivation the Israelites want to recognise their God and to know more and more about him and his word (cf. Josh. 1: 8; Ps. 1: 2; Ps. 119). The new covenant and the renewal of the heart give a direct relation between God and his people. It is not necessary to assume that all religious education (as in Deut. 6 and Prov. 1–9) will become superfluous or that there will be no longer an increase in the knowledge of God. The emphasis

³⁴ Several times in history only few Israelites served God according to his will (Deut. 29:3[4]; 1 Kings 19:14–18).

³⁵ Cf. Ezek. 11: 19; 36: 26.

³⁶ Thompson, *Jeremiah*, 581.

here is on an end to inducement. The promise is in accordance with the words in Isaiah “All your sons will be taught by YHWH” (Isa. 54: 13).

9. *Forgiveness*

The last promise of the new covenant is the forgiveness of sins (v. 34). This subject is an important theme within these chapters. The sins of Israel were “numerous” (30: 14–15) and that is why they were punished, but God will have mercy on them (31: 20). The consequences of sin for the following generations will be undone (31: 29–30). The promises made in the new covenant are very generous, and can only be possible if God no longer punishes previous sins (see 32: 23,30–33; 33: 5). He is prepared to purify them from all unrighteousness and to forgive their sins (33: 8).

The promise of forgiveness begins with the word כִּי. This can be translated as an explanatory “for,” or as an exclamation of affirmation “truly!” (just like the first word of v. 33). The first translation is commonly used and it is indeed the case that forgiveness is necessary in order to make the aforementioned promises possible. It is however worth consideration to translate it as “truly,” since the earlier promises offer more than just the possibility of beginning again after forgiveness.

Lundbom considers the forgiveness of sins (v. 34) the really new element in the new covenant, finding expression elsewhere in Jeremiah and the prophets after him (33: 8; 50: 20).³⁷ Only a short time before, YHWH offered to pardon Jerusalem if just one righteous man could be found (5: 1,7) or if people would repent and turn from their evil ways (36: 3), but this offer came to nothing. As Joshua declared at Shechem, YHWH will not forgive the rebellious acts of the Israelites but will punish them (Josh. 24: 19–20).

However, McConville disagrees that the promise of forgiveness of sins is the essentially new thing in the new covenant, because the argument depends on a low evaluation of other texts. “The forgiveness promised here is not introduced as a new concept; rather it comes in the wake of the new possibilities which YHWH is creating by transforming the people themselves.”³⁸ He points to the “theology of illogical grace” at the end of the flood-narrative (Gen. 8: 21), and also in the story of the covenantal renewal after the great apostasy of Sinai (Exod. 34: 9).³⁹

Maybe we can formulate that forgiveness as such is not a new category, because it has been mentioned before in the Pentateuch (e.g. Exod. 32: 12–14; 34: 6), but the new aspect is the total forgiveness, even without a punishment for a part of the people (as deserved according to the preceding Jer. 31: 30). The prayer “Cause me to turn that I might turn” (31: 18) and God’s answer to this prayer are the solution in the relationship between God and his people.

10. *Future*

The vision of the new covenant is about the future: in the context a future day or future days are often mentioned by Jeremiah (30: 3,8,24; 31: 1,27,31,33,38; 33: 14–16). The expression הִנֵּה יָמֵי בָּאִים “see, days are coming” is used 15 times in the book of Jeremiah and three of

³⁷ Lundbom, *Jeremiah 21–36*, 470.

³⁸ J. G. McConville, *Judgment and Promise: An Interpretation of the Book of Jeremiah* (Leicester: Apollon, 1993), 98.

³⁹ McConville, *Judgment and Promise*, 95.

them in chapter 31 (vv. 27, 31 and 38 Qere).⁴⁰ Sometimes the announced future seems near in time,⁴¹ but this is not always the case, especially when the prophet announces an eschatological future (23: 5-8; 33: 14-16), and this may be also the case with the new covenant (31: 31; cf. 50: 4-5; Am. 9: 13).

The expression אַחֲרֵי הַיָּמִים הָהֵם “after those days” (v. 33) is remarkable. According to Rata this expression points to the same days as mentioned in verses 27 and 31.⁴² However, in the first announcement people die because of their iniquity (see v. 30), while in verses 31–34 people receive forgiveness. Riemersma argues for a later period: first the Torah in the hearts, and afterwards the covenant.⁴³ A problem with this view is that the new covenant is already announced in verse 31. Therefore a distinction between a new spiritual condition and a new covenant is not very likely. It is also possible that the expression “after those days” refers to the return from exile and the repopulation of the land already referred to in verses 27–28. The sequence “repentance – return to the land – a new spiritual condition” is also presupposed in other new covenant passages such as Deut. 30: 1–6; Ezek. 11: 17–20 and 36: 24–28. In that case the words of verse 33 make explicit the content of the announced covenant in verse 31. This fits well the view of Becking, who describes the verses 31–34 as one complex sentence, with verses 32 and 33 as parenthesis.⁴⁴

The message is about a reality not yet realized and, in many aspects, a very different situation from that in the time of the prophet. As usual there is no differentiation between realisation in the near future or in a more distant time. “Curiosity in regard to calendaring and sequencing is understandable, but it was not the centerpiece of the prophets’ speech about the future.”⁴⁵

Various promises in Jeremiah 31 are realised once the Babylonian exile has ended: a part of the people have returned to the promised land, although the impression is that more members of the house of Judah than of the house of Ephraim have returned (Ezra 2 and 8). Judaeen towns are indeed inhabited once more (Jer. 31: 24). However, the inner renewal of the people and their dedication to YHWH have not been realized in that period, as is clear from the books of Ezra and Nehemiah. Prophets such as Haggai, Zechariah and Malachi give a number of encouragements to obedience, and the future painted of Jerusalem serving as a holy place of YHWH (v. 40) has also not been realised.

Since the terms used to describe the future are very general, it is possible that a much later future and fulfilment are intended. Although the expression “new covenant” in Jeremiah 31:31 is unique in the Old Testament, the idea of a future covenant between YHWH and Israel is present in several passages.⁴⁶

⁴⁰ Jer. 7: 32; 9: 24; 16: 14; 19: 6; 23: 5,7; 30: 3; 33: 14; 48: 12; 49: 2 en 51: 47,52. Cf. 1 Sam. 2: 31; 2 Kings 20: 17 and Is. 39: 6; Am. 4: 2; 8: 11; 9: 13.

⁴¹ Paul Joüon and T. Muraoka, *A Grammar of Biblical Hebrew*, 2nd ed., SubBi 27 (Rome: Pontificio Istituto Biblico, 2006), 372 (par. 119n): “The future expressed by the participle is usually a near future. The nuance of proximity is often emphasized by הָהֵם.”

⁴² Rata, *The Covenant Motif*, 35.

⁴³ Nico Riemersma, “JHWH sluit een nieuw verbond (Jeremia 31:31–34) [YHWH makes a new covenant (Jeremiah 31: 31–34)],” *Nederlands theologisch tijdschrift* 65 (2011): 137–48.

⁴⁴ Becking, *Between Fear and Freedom*, 252. According to Keil the expression “after these days” is inexact, and probably owes its origin to the idea contained in the phrase “in the end of the days”, as in 23: 20; C.F. Keil, *Jeremiah, Lamentations*, vol. 2, Commentary on the Old Testament (Grand Rapids: Michigan, 1973), 38.

⁴⁵ E. A. Martens, “Eschatology,” in *Dictionary of Old Testament Prophets*, ed. Mark J. Boda and J. Gordon McConville (Nottingham: IVP Academic, 2012), 178–85 (184).

⁴⁶ In addition to Jeremiah’s notion of a new covenant, the expression ‘everlasting covenant’ is a reference to an eschatological covenant (Isa. 55: 3; 61: 8; Jer. 32: 40; 50: 5; Ezek. 16: 60; 37: 26), as are the expressions ‘covenant of peace’ (Isa. 54: 10; Ezek. 34: 25; 37: 26) and simply the term ‘covenant’ (Isa. 42: 6; 49: 8; 59: 21; Ezek. 20: 37; Hos. 2: 18) in an eschatological context.

11. *The New Perspective of the New Covenant*

Jeremiah offers his fellow countrymen a new prospect. The question can be posed what is the new perspective of his message, and which of the promises fit in with God's earlier revelation. Certain elements are revised, but the core remains the same. In this case the continuity is primarily to be found in the relationship as promised earlier, but now realised: "I shall be their God and they shall be my people".

It is to be expected that the content of God's תורה is largely the same, because it is assumed that this is known. The problem that Jeremiah has highlighted is the disobedience to God's תורה and that problem would be solved in the new covenant. Therefore it can be presumed that the content of the obedience that is asked in the new covenant, will not be substantially different than was earlier the case.

A covenant is the sealing of an relationship and usually the ratification of mutual commitments.⁴⁷ Jeremiah 31 pursues the discussion of the relationship of God with the people of Israel. The strong calls for obedience have not resulted in much in the past and now a new situation has come in which God himself provides the obedience. This promise matches with expectations in Leviticus and Deuteronomy (Lev. 26: 40–45; Deut. 4: 29–31; 30: 1–10). In those texts we read that this gift occurs on the basis of the covenant with their forefathers, the patriarchs (Lev. 26: 42; Deut. 4: 31; 30: 9). It is notable how often Jacob is mentioned in Jeremiah 30–33, in the context of the new covenant (30: 7,10,18; 31: 7,11; 33: 26). On this basis, it is plausible that for Jeremiah, the covenant with Abraham (Gen. 15 and 17) remains valid.

God is faithful to earlier commitments and covenants. On the basis of previously agreed sanctions, he can give punishments, such as the exile (Lev. 26:33–39; Deut. 28: 63–68), but such punishment does not mean the end of the relationship. It was possible to continue the relationship under the old conditions, with or without additional regulations, such as happened with the covenant at Sinai after the sin of the Golden Calf (Exod. 34). In Jeremiah 31, however, it is the promise of a new form of mutual relationship. The new promises could also be given without a new covenant sealing the relationship, but apparently the promises are underlined in the form of a covenant and by the fourfold mention of the "oracle of YHWH."

Related to the new covenant is the promise of a King David who is raised up (30: 9; 33: 15,17,21,22,26). This and the earlier details lead to the conclusion that the earlier covenants remain valid.⁴⁸ Referring to the covenants with Noah, Abraham, Phinehas⁴⁹ and David, Briggs writes: "All these covenants are alike inviolable, and are sure of fulfilment notwithstanding the impending destruction of Jerusalem and dispersion of the nation."⁵⁰

Jeremiah mentions several times that the covenant at the Sinai is broken.⁵¹ In this situation the scope of the new covenant is mentioned: Israel and Jerusalem will be restored to their old lustre and the new covenant will have a permanent character (vv. 35–40).⁵² In the following chapter, the new covenant is even referred to as "an eternal covenant" (32: 40; cf.

⁴⁷ The mutual aspect is lacking in the covenant with the animals in Gen. 9.

⁴⁸ In Jer. 31: 35 and 33: 25, God's relation with Israel is compared with the appointed times of the day and the night and the fixed laws of heaven and earth. There is a relation with the covenant with Noah (Gen. 8: 22; cf. Ps. 74: 16–17).

⁴⁹ Num. 25: 12–13; cf. the covenant with Levi in Jer. 33: 18–22.

⁵⁰ Briggs, *Messianic Prophecy*, 246.

⁵¹ Jer. 11: 10; 31: 32 (פרר); 22: 9 (עזב); 34: 18 (עבר). Cf. Lev. 26: 15; Deut. 31: 16,20.

⁵² Cf. Becking, *Between Fear and Freedom*.

50: 5). There is also a relationship between the new covenant and the promise of the land (32: 41–44). This theme harks back to the promises made to Abraham and to Moses.⁵³

In the new covenant, God creates the conditions for the fulfilment of his promises, because he changes the hearts of the Israelites. This is God's answer to the sinful nature of the human heart. This is the new element in the new covenant, but in terms of the content, many elements from earlier revelations remain in place.

These conclusions are of great importance for discussions of the new covenant in the New Testament and Christian theology, because often the new covenant is discussed in isolation.

12. Systematic Theology

Following on from the preceding explanations, the following points are important to further considerations of the exegesis and for a systematic theology.

a. If a ברית is the sealing of a relationship and various samples of a ברית can exist alongside one another, the question is raised of how systematic theology deals with the concept of a covenant. In the reformed tradition the concept is often used in a comprehensive sense (“covenant of grace”), as an overarching concept, to describe God's work of the salvation for the people. It is worth realising that there are important differences here, because in the Old Testament only concrete examples of a ברית are mentioned, sometimes with a person and sometimes with a people. Further it is important that Hebrew ברית does not denote a well-defined concept and therefore it is important to establish the meaning in the context. In the discussion of theologians different definitions of the term can be used.⁵⁴ b. In Jeremiah 31, the promise of the new covenant is addressed to Israel and to the house of Judah, in which the people as a whole are intended. The other peoples are not mentioned. Only in earlier chapters in Jeremiah, is it mentioned that in the future other peoples will share in the salvation of Israel. This raises the question of whether other peoples will also share in the new covenant and, if so, whether they will share in all or merely in some of the covenant privileges. Paul says in Ephesians 2–3 that the peoples were foreigners to the covenants (2: 12). Through Christ the wall of separation has been broken through and they have become fellow-citizens and members of the same household (2: 19; cf. 3: 6). In this way they receive salvation, but that does not have to mean that they partake in all aspects of the covenants.⁵⁵ Within the spiritual unity of the believers, various differences remain. Certain concrete, physical aspects (the land, Jerusalem) seems to be preserved for Israel alone. This conclusion has consequences for the current day relationship between Israel and the church and goes against the replacement theology that has existed for centuries.

c. We also have the question of the relationship between people and persons, between collective and individual. In Jeremiah 31 the emphasis is on the people as a whole and from that basis the promises are for all members of that people. In systematic theology, the emphasis is often on the individual believer. In this way Gentry and Wellum take Jesus's reference to the new covenant in instituting of the eucharist to mean that the new covenant is only made with the followers of Jesus: “... the new covenant is not made with the house of Israel and the house of Judah interpreted as all of Judaism indiscriminately in the first century, but rather it is interpreted specifically as those *who are followers of Jesus*, regardless of ethnicity, Jew first, and later on, also non-Jew” (p. 497). These authors define the new

⁵³ Cf. *The Earth and the Land: Studies about the Value of the Land of Israel in the Old Testament and Afterwards*, ed. Hendrik J. Koorevaar and Mart-Jan Paul, EDIS (Berlin: Peter Lang, 2018).

⁵⁴ Cf. Kwakkel, “Berith and Covenants,” in this volume.

⁵⁵ *Jeremia-Klaagliederen*, ed. Paul, Van den Brink and Bette, 844.

covenant as “one in which all covenant members are faithful, i.e., believers” (p. 504). One does not become a member by physical birth but rather by the new birth. “Jeremiah 31: 34 is important since it shows that the Presbyterian understanding is flawed. There are no covenant members who are not believers” (p. 510).

It seems to me that Gentry and Wellum incorrectly see the twelve disciples as simply representing individual believers and not as representatives of the twelve tribes of Israel. They also fail to take into account of the people (also as a nation!) in Jeremiah 31. The whole people are addressed (just as in Deut. 30: 1–10), with the intention that everyone will put the message into practice (cf. Jer. 31: 29–30). For systematic theology, it is a challenge to do justice to both the collective and to the individual. That is also the case for the relationships within the Christian church, wherein members are seen as parts of the body of Christ, with rights and responsibilities (1 Cor. 12: 12–21; 3: 1; 5: 1–13).

d. We must also deal with the question of when the prophecy about the new covenant is fulfilled. After the return from exile, there was some restoration of the cities, but the promised spiritual renewal did not come, even in the intertestamental period. At the Last Supper, when Jesus instituted the practice of communion, he mentions the new covenant. For Christians, as Messiah from the house of David (see 31: 9; 33: 15), he has set the new covenant in motion. In 2 Corinthians 3 and Hebrews 8, conclusions are made on the basis of the presence of the new covenant, but not all the promises in Jeremiah 31 have been fulfilled in the time of the New Testament and the later history of Israel.⁵⁶ The complete renewal and devotion to God have not yet been fully realized, not even after the outpouring of the Spirit (Acts 2).⁵⁷ It is not the case that everyone amongst the Jewish people and in the Christian church has a deep knowledge of YHWH and serves him. It is therefore not possible to say that the church now fully experiences the blessings of the new covenant. In the tension between the promise and the not yet fully realized reality, it is useful to look at what a fulfillment in phases means and what prospects that offers for the future.

e. Are the promises of the new covenant unconditional? God gives obedience in order to prevent his people from breaking the covenant and as a consequence the blessings of the covenant can come to fruition. In Leviticus and Deuteronomy a situation is described wherein there is punishment and the possibility of repentance. The responsibility lies with the people: “If they confess their sins” (Lev. 26: 40); “But if from there you seek YHWH your God, you will find him if you seek him with all your heart and with all your soul” (Deut. 4: 29); “When you and your children return to YHWH your God and obey him with all your heart and with all your soul” (Deut. 30: 2). God’s intervention and circumcision of the heart is in line with this (30: 6). Promises in the Old Testament are partly dependent on human behaviour. That is to be seen, for example, in the prolongment of Israel’s time in the wilderness before entering the Promised Land. The promises as part of the plan of God will be realised sooner or later, but the reaction of those receiving them are important. It therefore seems obvious that Jeremiah does not intend that his audience should see the announcement of the new covenant simply as information, but that they, in their faith and lifestyle, will work towards its fulfilment.⁵⁸ This relationship between the sureness of the promises and the human responsibilities are important for the explanation of the New Testament and for any dogmatic consideration of the nature of the promises for believers.

f) In the consideration of the meaning of the new covenant it is also important to look at the literary context of Jeremiah. An exegete such as G. Ch. Aalders does not do that, because he

⁵⁶ For an overview of the new covenant in the New Testament and Patristic Literature, see Lundbom, *Jeremiah 21–36*, 474–82.

⁵⁷ Fischer writes: “... gibt es viele Christen, die hinter den Zusagen von V 33f. zurückbleiben”; Fischer, *Jeremia 26–52*, 175.

⁵⁸ Fischer speaks of “ein Angebot Gottes”; Fischer, *Jeremia 26–52*, 175.

sees the prophecies in Jeremiah 30–31 as a collection of prophetic statements. He wishes to think about the prophecy of the new covenant and restoration in different and broader terms than occurs in the context of the passage. That is why the return of Israel out of exile is not a provisional fulfilment, in his view.⁵⁹ Whoever belongs to the new people of God, is not, according to him, decided by nationality, but by the fact that God's law is written in their hearts. That is those who are the living members of Christ's body, the members of the invisible church.⁶⁰ According to Aalders, personal belief is a mark of participation in the covenant, while Jeremiah started with the covenant. Looking at this view of Aalders, it is important to realise that the context points to the people of Israel. Thereafter, we can, with the help of other prophecies and the teaching in the New Testament, apply aspects of the covenant to the Christian community.

g) The terms 'Old Testament' and 'New Testament' have been used since around 200 AD to denote the two parts of the canon. This terminology fits in with the references to an "old covenant" and a "new covenant" (2 Cor. 3), but because the old covenant refers to the covenant at Sinai, one can speak of a shift in meaning. A reference to the relationship between God and Israel from the time in the desert became a reference to a collection of books.⁶¹ The name 'Old Testament' for a large part of the canon does not do justice to the remaining covenants, such as that made with Abraham. So too does the name 'New Testament' suggest a complete fulfilment of Jeremiah 31 in the form of the Christian church. As mentioned earlier, we encounter here a number of bottlenecks and it is a challenge to consider the relationship between both parts of the canon and to describe them better.

h) For Christians the concept of the new covenant is very important and it is used as a legitimisation of belief in Jesus and of a lifestyle that differs from several regulations in the Torah (2 Cor. 3; Hebr. 8). In the Jewish tradition the consideration of covenants in general and reflection on the new covenant occupy a much smaller role than is the case in Christianity.⁶² The reception history helps to illustrate the different positions in the course of the centuries and in a dialogue this approach is valuable for a more balanced description of the Christian position on the new covenant.

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⁵⁹ In this Aalders goes against the interpretation of J. Ridderbos in *Het Godswoord der Profeten* [The word of God in the prophets], 4 vols (Kampen: Kok, 1930–41).

⁶⁰ G. Ch. Aalders, *Het verbond Gods: Een hoofdstuk uit de geschiedenis der openbaring* [[God's Covenant: A chapter from the history of revelation]] (Kampen: Kok, 1939), 152–61.

⁶¹ Mart-Jan Paul, "Das Neue Testament als Fortsetzung und Vollendung des Alten Testaments," in *Theologie des Alten Testaments: Die bleibende Botschaft der hebräischen Bibel*, ed. Hendrik Koorevaar and Mart-Jan Paul (Giessen: Brunnen, 2016), 324–47 (331–33).

⁶² Alon Goshen-Gottstein, "The New Covenant - Jeremiah 31:30–33 (31:31–34) in Jewish Interpretation," *SCJR* 15-1 (2020): 1–31; Aaron Chun Fai Wan, "The Concept of the 'New Covenant' (Jeremiah 31: 27–40) in Ancient Jewish Reception History," in this volume.

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