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Biblical Concept of **Διαθηκη**

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CONCORDIA SEMINARY

THE BIBLICAL CONCEPT OF

Διαθῆκῃ

A DISSERTATION

SUBMITTED TO THE SEMINARY FACULTY

IN CANDIDACY FOR THE DEGREE OF

BACHELOR OF DIVINITY

DEPARTMENT OF NEW TESTAMENT

BY

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Introduction

Διὰ θνήκην is a key-word in Scripture, used to describe the relationship of God to man and man to God. There can be nothing more valuable for man than a right relationship to God. With God, man is supremely happy. Without God man is totally unhappy, and is doomed to eternal unhappiness and misery.

This relationship in its truest sense is not an outward, external thing, but is an inner, spiritual connection between the Creator and creature. *Διὰ θνήκην* is a concept that really involves more than man's limited understanding can grasp.

The frequent occurrence of *Διὰ θνήκην* in both the Old and the New Testament testifies to its importance. According to the Expositor's Greek Testament, it occurs about 280 times in the Septuagint¹, in all but four instances of which it is used as the translation of "berith", the Hebrew word for covenant. Kittel² states that *Διὰ θνήκην* is used by the Septuagint 270 times to express the Hebrew "berith", and that it is used also for other Hebrew concepts, so that the total number of times that it occurs is 286. A word that is used almost 300 times in Old Testament Scripture certainly deserves special consideration.

1. Expositor's Greek Testament, Vol. IV, p. 355.

2. Kittel, Theologisches Woerterbuch, Band II, p. 106f.

In the New Testament *διαθῆκη* occurs thirty-three times. In contrast to the Hebrew "berith," which at times expresses a relationship between man and man, the New Testament term is never used in this sense. It always implies a relationship between God and man.

Our guiding principle in determining the limits of the concept under discussion will be the hermeneutical rule: Scriptura Scripturam interpretatur. We must understand Scripture in the light of Scripture. If ancient customs, vernacular speech or classical usage can shed some light on the Scriptural interpretation, well and good. If, on the contrary, an attempt is made on the basis of inquiries in secular writings to contradict or modify a truth of Scripture, it must be rejected. Scripture stands as the final authority, not an isolated ancient custom or an instance of classical or vernacular usage of the word in question. It is God alone who can supply the right understanding of His Word through the working of the Holy Spirit. He desires that we search for the true meaning and that we find the beauty and simplicity that He has placed there. It is God who has established His *διαθῆκη* with men and it is He alone who can bring men to an appreciation of its meaning.

Much has been written on the meaning of this term. Scholars and exegetes, such as Cremer, Deissmann, Riggenbach, and Franz Dibelius have advocated that in the Septuagint and New Testament the meaning "testament" be favored. In the year 1909 Norton published a work entitled: A lexicographical and

historical study of $\delta\epsilon\alpha\theta\eta\kappa\eta$ from the earliest times to the end of the classical period.³ This work, however, does not include biblical literature, but is important for the current understanding of the term at the time when this concept was included in Scripture.

Behm wrote a monograph on the concept $\delta\epsilon\alpha\theta\eta\kappa\eta$ in 1912 entitled, Der Begriff $\Delta\epsilon\alpha\theta\eta\kappa\eta$ im Neuen Testament. Gerhardus Vos reviews this work in the Princeton Theological Quarterly.⁴ Whereas Behm tries to show a wide divergency of meaning in the Old and New Testament, Vos attempts to knit the two concepts "berith" and $\delta\epsilon\alpha\theta\eta\kappa\eta$ together by suggesting the meaning "disposition," "authoritative arrangement."

Peters in an article entitled "Diatheke in the Old and New Testament,"⁵ attempts to make the proper distinction between the Old and the New Covenant. He adopts the meaning of "covenant" throughout. The purpose with which he sets out is that of refuting modern students of the Bible who speak of a development or rather evolution of the Biblical religion from an old religion of fear into a new religion of love which is in reality not a religion of love, but rather the old apostasy of work righteousness.

It becomes evident at the outset that a misinterpretation of a key-expression in Scripture will lead to serious difficulties. The wrong conception of a Scriptural

3. Chicago Historical and Linguistic Studies in Literature related to the New Testament, II, 1.

4. Princeton Theological Quarterly, Vol. II (1913), p. 513f.

5. Theologische Quartalschrift, Oct. 1942, no. 4, p. 203f.

word may lead to a wrong conception of the doctrine involved and ultimately cause one to uphold error.

The misconception of the cardinal doctrine of justification by faith is the result of a misconception of the Scriptural *Scabonnn*. The enthusiasm of the Anabaptists is an outgrowth of the false view that God establishes His

Scabonnn with men without the means of grace. All of the warped views on Christian liberty may directly be attributed to the false synergistic understanding of *Scabonnn*. The relation of Church and State is so often misunderstood because men confuse the Old Testament and the New Testament on this point. In the New Testament there is no state in which God has taken a special interest over and above any other State. Also the error of the Chiliasts that God will establish a new and temporal regime upon earth in the last times is a rejection of the spiritual character of God's

Scabonnn with men. Thus all who despise the spiritual blessings that God offers to man through Christ are bound to follow Chiliastic tendencies. Really then, the existence of many sects is due to the fact that they have cut themselves off from God's *Scabonnn*.⁶

We therefore approach this study with the prayer that the Holy Spirit may enlighten our understanding of this highly significant term and help us to avoid misconceptions and error. The writer's limited understanding of Scripture and the inability to grasp fully all the implications involved

6. Verhandlung der Elften Jahresversammlung des Nördlichen Districts, 1866, p.50.

will be a handicap in the preparation of this thesis. In part, this paper will be a compilation of some of the more significant observations of aforementioned authors, and a judgment as to their deductions. The failure to secure all of the source material furnished by these men is a further handicap. The conclusions arrived at will be the result of a closer study of most of the New Testament passages where the word *διαθήκη* occurs.

It is impossible, however, to get a clear conception of the New Testament *διαθήκη* without first making a study of the covenant idea in the Old Testament. It is not the purpose of the writer to examine every phase of the covenant idea in the Old Testament. It is doubtful whether such a study could be brought within the scope of a single volume. Certainly, then it is impossible to include a comprehensive account within a single thesis. We shall therefore give a general survey of the etymology and usage of the Old Testament concept of "berith."

I. An examination of the Hebrew concept "Berith."

The meaning of a word is determined by its usage. However to establish the usage intelligently and correctly, one should know something of its past history. Words like the human beings who coin them and speak them have past histories, lines of descent, relationships, which if understood properly, will give one a better understanding of how they are employed.

This compels us in the first place to examine the etymology of the concept "berith."

A. Etymology of "Berith."

"Berith" is said to be a derivation of the root form of "barach." While some have tried to show that it is a feminine infinitive of "barach" in some cases governing an accusative, their view seems doubtful since in most cases "berith" evidently stands as a noun. The fact that "berith" is somewhat similar to the word "beriah" or even to the word "baruth" which has the meaning "food," is pointed out as evidence that "berith," too, might be taken in this meaning. Others take "beriah" in the concrete sense of good, and "berith" in the abstract sense, as though it were the act of eating or the meal. However, it is not certain that "berith" is derived from the stem "barach", to eat. It is difficult⁷ thing to find any sure and exact translation of this word.⁷ Peters suggests that the root idea is "to bind."⁸

"Berith" is most frequently found in the Old Testament with the verb "carath," cut off. However, "berith" is not to be taken as the object of this verb. The two words, when found together, have this meaning that something or some persons are cut apart with the result that a "berith" originates. That the cutting does not have as its object the animals which may have been cut in an offering is seen from

7. Verhandlung, op. cit., p. 107f.

8. Peters, op. cit., p.254.

the frequent use of prepositions with the term "carath berith." Thus one party cuts "berith" with ('im or 'eeth) another, or both have mutual, joint, combined dealings with each other.⁹

When the phrase is found with the preposition "le" meaning "to", or "with regard to," a greater emphasis is laid upon the initiative of the subject, the one who "carath berith" with regard to another. Whether it can be argued from this that God is the originator of the "berith" seems doubtful to Kittel who ascribes the change of prepositions either to the convenience of the various authors or to legal or dogmatic considerations. This point cannot be stressed according to Kittel because the same phrase is used in connection with Joshua at Shechem and the latter takes no position of prominence. It seems however that Joshua is represented as exerting an influence there as leader of the people, and that similarly Jesus, the true spiritual leader of His covenant people expects them through His merits to receive the power to put away idols and serve the true God, and ultimately enter the Promised Land.¹⁰

The terminology used in 1 Sam. 18,3 is that Jonathan entered a covenant (le) in relation to (mit Bezug auf) David. He took the initiative for the reason that he loved him as his own soul.

Therefore the idea of a mutual covenant is not always the exact equivalent of "berith." Also the German word

9. Kittel, op. cit., p. 108f.

10. Ibid., p. 113.

"Bund" does not convey everything that is contained in the concept "berith."

B. Usage of "Berith".

Some interpreters distinguish between a so-called profane and religious usage of the covenant -idea. This distinction arises from the fact that there is a difference between a covenant which is made between men and men, and one between God and men. To call the former profane seems a bit crude, since even a covenant between men and men has something of a sacred nature to it; for example in the oath, God is called upon as a witness of the dealings. The main distinction to be made between the two is that of the purpose in view, the intent of the covenant as a designated arrangement, and the degree to which the purpose in view is attained, or will be attained must be noted, in an evaluation of it. ¹¹

In the case of a partnership of men in a covenant, the relationship may be based upon legal proceedings. For where men come together and declare formally that they belong together under certain specified stipulations, the requirement of the law is satisfied, and an effectual law has thus been established.

1. The Covenants of Men with Men.

The meaning of "berith will be better understood after we examine a few instances of its use in the Old Testament.

~~11. Ibid., p. 110.~~

We shall consider first of all those covenants which men make with men. Jonathan and David are a classic example. Here it is interesting to note that the real grounds for this covenant was the fact that they loved each other dearly. It was a spontaneous feeling that moved them to make a covenant. It was an acknowledgement and confirming of their mutual feelings. The legal aspect, as Kittel chooses to call it, is brought in to confirm the agreement and in every possible crisis to preserve it. The sacredness of their agreement is seen from the fact that Jonathan showed mercy ("hesedth") toward David in a time when he was being persecuted by his father Saul. The outward manifestation of the covenant is seen from the fact that David received from Jonathan a robe, garments, a sword, a bow, and a girdle. 12 It seems that throughout Jonathan's love was especially evident, moreso than that of David, who acknowledges at the death of the former: "I am distressed for thee, my brother Jonathan: very pleasant hast thou been unto me: thy love to me was wonderful, passing the love of women". We remember that David showed his respect for this covenant even after the death of Jonathan by giving Mephibosheth, a son of Jonathan, a place at his table.

Another interesting example of a covenant in the Old Testament is that of Jacob and Laban. Several points are noteworthy here:

- (a.) "Carath berith" is used as a designation of the mutual proceedings.

12. Ibid., p. 113.

- (b.) A heap of stones is set up as a witness.¹³
- (c.) Laban defines the practical meaning of the two-sided agreement.
- (d.) There is an oath of acknowledgment of the divine surety in the right understanding of the covenant.
- (e.) The sacrifice and the meal¹⁴ of the brothers of both parties of the covenant.

The importance of the covenant - concept for the Jewish people is amplified when it is taken into consideration that the entire development of Israel as a chosen people was dependent on the covenant, the "berith 'olam". They were all Israelites related to each other. A natural covenant existed among them in that they were all of common ancestry.¹⁵

Where the natural relation of two parties was not discernible, a blood relationship did not exist, a legal relationship might be instituted which in effect established a brotherly relation between the two parties.

How binding a covenant was when once contracted, can be seen from the fact that when the Gibeonites made a covenant with Joshua that he would not destroy them, the agreement was kept, in spite of the fact that they had deceitfully withheld their true identity, and in spite of the fact that Joshua had orders from God to destroy the heathen nations of Canaan.

13. Ibid., p. 114. Kittel calls this the "document".

14. Ibid.

15. Ibid., p. 115.

A "berith" among men in the Old Testament is usually then a compact, a mutual covenant. There are several kinds as to their purposes, the most frequent being international alliances, as between the Israelites and the Gibeonites, or as between Abraham and Abimelech. Another type of covenant is a judicial decision or code, or agreement between a ruler and his people, as in the case of David, when anointed king at Hebron. Likewise as we have seen in the story of David and Jonathan, it was a term designating an alliance of friendship, or as in Proverbs 2,17, of marriage. Job 31, 1 speaks of a covenant with the eyes, which Hastings in his Bible Dictionary explains as a covenant in the sense of an imposed will.¹⁶ Job also uses the metaphor of a league with the stones of the field (5,23), and in the same metaphorical sense he warns against a covenant with leviathan (Job 41, 4), and Isaiah speaks of a covenant with death (28, 15. 18.)

In Daniel 11, 22 there is an interesting phrase, namely, the "prince of the covenant". In his prophecy, Daniel speaks of a vile person generally held to be Antiochus Epiphanes, the type of the Anti-Christ, before whom armies will be submerged and also "the prince of the covenant. This worker of deceit will come into a kingdom gradually and obtain the kingdom by flatteries and after making a league with their leader, will destroy him deceitfully."¹⁷

16. Op. cit., p. 161.

17. Kretzmann, P. E. Popular Commentary of the Bible, O.T. Vol. II, p. 630.

Some hold that this "prince of the covenant" is the high priest of the covenant people and mention in particular Onias III¹⁸ who was deposed by Antiochus about 174 B.C. But most commentators agree that the "prince of the covenant" was Antiochus Epiphanes himself. That is correct as far as the writer is able to determine. For since the "holy covenant" is mentioned in a later verse and especially designated as "holy", because it was the covenant of God with Israel, it is evidently right to classify the "prince of the covenant" as the leader of a covenant made between men.

In summarizing the various types of relationships among men, we find that in the instances cited emphasis can be laid upon some specific feature of the covenant idea:

- (a.) Jonathan and David- the spontaneous nature.
- (b.) Jacob and Laban- the legal aspect.
- (c.) Joshua and the Gibeonites- the binding force.
- (d.) Abraham and Abimelech-international alliance.
- (e.) David at Hebron- a ruler's initiative.

Though containing some features of resemblance to God's *διαθῆκη*, these interesting examples do not approach the majesty of God's covenant with men. Many of these covenants begin with friendly relations and often end by emphasizing the legal nature.

18. Hastings, op. cit., p. 161.

With God the situation is entirely different. He stands in an entirely different relationship to men than men do to themselves. As their Creator, He stands far above them. Due to the fact that man has denied himself his adherence to God by sinning, God must deal with an enemy. The great task of bringing the enemy over to His side is accomplished by God on the basis of His love and mercy. How much greater is God's *ḥabn n* in comparison to covenants contracted by men.

2. Covenants between God and Men.

Mention has already been made of the fact that the Israelites were a chosen people, or more specifically a covenant people of Jehovah. This existing situation leads us into a consideration of the covenants between God and men.

This use of the word covenant is much more frequent in the Bible than that of a covenant between men and men. The initiator is thought of as being God. Burton states in his treatise on *ḥabn n* in his Critical Commentary on Galatians: "Only rarely are men said to make a covenant with God (2 Kings 11, 17; 23, 3; 2 Chronicles 34, 31), and even in these passages the act is perhaps thought of as an acknowledgement of the obligation imposed by God." ¹⁹

We might improve the statement above by eliminating the "perhaps." In any relationship that exists between God and man,
 19. Op. cit., p. 497.

God takes the initiative. The passages cited above refer to the attempts of kings Jehoiada and Josiah to re-instate true worship in Israel and renew the covenant which was violated by the people themselves. The Lord used these kings as His instruments to bring His people back into the covenant relation. In all other passages the emphasis is on the fact that God made the covenant.

The covenants of God with men have been variously interpreted, and also variously enumerated. The first indication of a covenant, we find in the simple injunction of Genesis 2, 16-17:

And the Lord God commanded the man, saying,
Of every tree of the garden thou mayest freely eat: but of the tree of the knowledge of good and evil, thou shalt not eat of it: for in the day that thou eatest thereof, thou shalt surely die.

Note the goodness of God, the Creator in making this arrangement. This was an agreement between God and man allowing man great privileges, yet putting his obedience to and willing dependence on God to a test in one very definite matter. 20

20. The Constitution of the Presbyterian Churches of the United States of America, p. 35f. calls this "a covenant of works, wherein life was promised to Adam, and in him to his posterity, upon condition of perfect and personal obedience. Man by his fall having made himself incapable of life by that covenant, the Lord was pleased to make a second, commonly called the covenant of grace; wherein he freely offered unto sinners life and salvation by Jesus Christ, requiring of them faith in him, that they might be saved from sin; and to give unto all those that are ordained unto life, his Holy Spirit, to make them willing and able to believe."

One ought not to conceive of this covenant as a legalistic one in view of the fact that man was yet in a state of innocency, bearing the image of God and walking before Him in perfect righteousness and holiness. For that reason the term "a covenant of works", seems out of place. While it is true that Adam worked in the garden of Eden, yet this work had not the disagreeable nature which we in our sinful state associate with the idea of working and which we would associate with the idea of working and which we would associate with the concept "covenant of works." The relation of God to man before the fall and after is so different, that we now cannot as yet grasp what a complete restoration of the image of God implies.

Man succumbed to the subtilty of Satan in that first test, but God with a wisdom all His own was on the scene immediately with a plan of salvation. Sin as predicted by God brought on death, but sin had not been long in this world, before God was there with a promise to remove it.

The covenant of God with sinful man in Eden and the promise of God are since the fall correlative terms. Wherever this covenant of grace is spoken of, there the promise of a Saviour is inseparably connected with it, either expressed or implied. God now makes a covenant with man and with all succeeding generations that they might all be restored to eternal bliss. Whereas God remains the same, man because of his sin, perishes. God

makes a free promise, however, whereby the death of a man can culminate in the joys of heaven through the merits of the Seed of the woman.

The covenant to Noah, whereby God "guarantees the stability of natural law", follows as an evidence of God's grace. Vischer in his commentary, *Das Christuszeugnis des Alten Testaments*, calls it "das göttliche Stillhalteabkommen mit der verschuldeten Erde."²¹²²

It is more than a mere temporal promise, for in the temporal promises of God in the Old Testament there usually lies concealed a spiritual blessing. This is true also in the case of Abraham and others who received the promise.

Luther says on this point:

Das Alte Testament fäheth an am Leiblichen und ist doch das Geistliche darunter verborgen, nämlich dass man im Glauben müsse genug haben. Es ist einerlei Ding im Alten und Neuen Testament; es ist aber eine andere Ordnung. Das neue fäheth an am geistlichen, schleift das Leiblich mit sich hernach.....Abraham ward zugesagt, er sollt das Land Kanaan einnehmen, und hat's doch nicht ein Fuszess breit eingenommen, Apostlegeschichte 7. Er trauet aber Gott und gläubet, er würde es einnehmen, starb also dahin, und gläubet bis ans Ende, er würde es einnehmen, und ist doch leiblich nicht dahin kommen. Im Glauben aber hat er's eingenommen, denn seinem Samen ward's gegeben. Also ist unter der leiblichen Verheissung eine geistliche Zusage mit einge-
loffen, auf welche auch Abraham mehr hat ge-
sehen, denn auf die leibliche Verheissung.²³

21. Hastings, op. cit., p. 162.

22. Peters, op. cit., p. 257.

23. Auslegung der 10 Gebot, E. A. 36, 63-69. Verhandlung, p. 45.

The covenant God made with Abraham was confirmed in its promise to Isaac and Jacob. From Abraham's time on God is beginning to deal with a chosen people. This fact, however, does not exclude believers of other nations since through the Seed of Abraham, that is, through Christ, a blessing of spiritual and eternal good is assured to all nations. ²⁴

The covenant of Mt. Sinai follows which is binding only for the chosen people of God. It must be noted in particular that this covenant has two parts which must be sharply distinguished. The first part is concerned with the giving of the law, which it must be noted, was a conditional covenant. God gave ten commandments, and promised eternal life on the condition that these be kept perfectly. The Lord makes it very plain throughout Scripture that if there is any man who has kept the law, that is, his part of the agreement with God, he shall surely live. Since the fall it is evident that no human being is capable of this. God shows in this first covenant that man left to himself is helpless. God must provide salvation for him.

God's dealings over and against man have a purpose. They have a definite end in view, that of establishing first a fear of God, a conviction of sin, and

24. This accounts for God's special consideration of Lot, Job, Namaan, the widow of Sarepta, and the inhabitants of Nineveh, all of whom were not included in God's chosen people.

thus preparing the sinner for the acceptance of the
²⁵
 Gospel.

To consider all of the covenants of God as given to succeeding generations as a series of concentric circles, all having as their center, Christ, is obviously therefore a mistake. ²⁶ Certainly the law covenant of Mt. Sinai must be put in a different sphere and kept separate, for the redemption of Christ is not always connected with this covenant. We have throughout Scripture a recurrence of the law covenant as well as repetitions of the gospel covenant, the purpose of the one being to convict a man of sin and the purpose of the other to forgive a man his sins. The former is a manifestation of God's wrath, the latter a manifestation of God's love and mercy.

The Gospel part of the Sinaitic covenant is seen in the ceremonial side, which served as a shadow of that which was to come, the sacrifice of Christ. The believing Israelite knew well enough that the blood of calves and goats could not forgive his sins, but in faith he looked ahead to the fulfilment of the promise of a Messiah, the Lamb of God, through whom redemption was to be gained.

If one wants to operate with concentric circles, one should first separate all passages dealing with the law covenant from the passages dealing with

25. Kittel, op. cit., p. 125 f.

26. Peters, op. cit., p. 257.

dealing with the gospel covenant. It will be interesting to note that the moral law given on Mt. Sinai is a fixed standard. The limits of this circle do not grow larger or smaller, but remain throughout all ages the same. The ceremonial law however, which was at first very prominent and should have remained so until the entering in of the new covenant, finally waxes old and decays.

That the Old Testament covenant should vanish slowly before the Messiah came, was a punishment for Israel's externalizing the worship of Jehovah. They had cast away the essence and now gradually the symbols were taken away, and at the time of the exile nothing of its one time glory remained to Israel. The final rejection of apostate Israel dates from the exile and continues
27
until the end of days.

The ceremonial law which was abrogated by Christ's redemption might then represent a series of decreasing circles which fade out of the picture at Christ's appearance. One might also represent the history of the ceremonial law with a line descending and rising at various points until it finally breaks off at the arrival of the Messiah.

The covenants of promise or the gospel covenant works the other way, representing a line leading upward, or a series of increasing circles, each representing a
27. Laetsch, Theo, Classroom Lectures.

promise, adding and confirming what has been promised at first until we reach the culmination in the all-inclusive circle of Christ's actual appearance. This should not, however, create the idea that the first promise was less significant than any of the others. A believer who clung to that first promise had as the object of his faith the same Christ that we have today. The only difference lies in the fact that he had just the one promise of God, whereas we have the complete record of all the promises plus the account of the actual fulfillment on which to base our faith. For us, all the evidence is complete. To remain members of God's covenant, we need only accept the grace of God in Christ. What that implies will be further set forth after an investigation of the Greek concept

διαθηκη. The fact that this term is used to translate both the "berith" of the law covenant and the "berith" of the gospel covenant, demands a consideration of its possible uses.

In summarizing the covenants of God with men we find that there are two major divisions to be noted, Law and Gospel. The law-idea, especially in the covenant that God made on Mt. Sinai, emphasizes both the factor of God's transcendent holiness and the factor of man's depraved condition.

The inability of man to keep the Law has prompted God in His providence to establish His eternal covenant of grace in order to bridge the gap that exists between His holiness and man's sinfulness. But the two covenants of God with men must always be sharply differentiated. Error creeps in very readily wherever the Law and the Gospel are confounded. The matter of confusing Law and Gospel is at the outset a crux in the discussion of *Sabbath*. The subsequent treatment of texts dealing with this matter should help to clear up the matter.

In concluding this section on the concept of "berith" in the Old Testament, it must be noted that the covenant idea is prominent throughout. In the case of covenants of men with men, the agreement is usually a mutual one. In the case of God's covenant with men there is also a mutuality to be found in the relation, but at the same time there is a one-sided action on the part of God.

In God's law covenant, the emphasis is place on the quality of justice and judgment. His gospel covenant emphasizes His love and mercy. Both are "covenants" however, since in both God draws man into the agreement.

II. An examination of the Greek concept

A suitable Greek word had to be found to convey to the Greek reader the "berith" covenant idea. Strangely enough, the word *διαθῆκη* is not that which properly denotes a compact, agreement, or covenant.

The word expressive of a covenant or compact is

²⁸
συνθῆκη. There must have been a special reason then why the term *διαθῆκη* was so suitable a rendering of the covenants mentioned in the Old and New Testament. This will be better illustrated after a consideration of the etymology of *διαθῆκη* and its use in classical Greek, in the Septuagint, and in the New Testament.

A. Etymology of *διαθῆκη*

The noun *διαθῆκη* is related to the verb *διατίθημι*. The latter is a combination of two Greek words, the preposition *δια* and the verb *τίθημι* and means to place, or set, apart. The idea is that of setting aside a portion of goods to be given or bequeathed to another.

We have almost an exact equivalent in the Latin word disponere from which the English word disposition is derived. The corresponding German expression would

be "die Anordnung, insbesondere die letztwillige Verfügung." ²⁹

28. Barnes, A., Notes on the Epistle to the Hebrews, p. 185.

29. Eger, Th., Griechisches Deutsches Woerterbuch zum Neuen Testament, p. 95.

B. Usage of *διαθήκη*.1. The classical Greek usage of *διαθήκη*.

The Greeks employed *διαθήκη* to denote a disposition, ordering or arrangement of things, whether of religious rites, civil customs or property, or if used with reference to a compact it would be a compact with the idea of an arrangement or ordering of matters, not with the primary notion of an agreement with another.³⁰

Thayer lists two distinct meanings of *διαθήκη*:³¹

1. Disposition, arrangement, testament, Willensverfügung.
2. Compact, covenant. (Occasional in classical Greek).

Others, as for example Kittel,³² list three separate meanings of the word. Kittel explains *διαθήκη* first as a last will, disposition or arrangement, testament, a technical term among the Greeks of all times, used also in Scripture and in ordinary conversation.

It is often found together with the verb *διαθήκη* meaning to make a testament. Due to the tendency of older Greeks to regard a testament as a donatio inter vivos, a gift given to another while the donor was still living and due to the later custom of regarding a testament as a bequest, valid only after the death of a testator, there is the question whether

30. Barnes, op. cit., p. 185.

31. Op. cit., p. 136.

32. Op. cit., p. 127.

to regard *Scabonon* as a one-sided or a two-sided transaction. The donatio inter vivos would carry with it something of the two-sided idea, whereas the bequest is more one-sided. In the Hellenistic epoch the bequest was the predominant meaning.

An interesting observation is that *Scabonon* is used as a literary designation of a philosopher's testament. Out of the legal concept there originates the idea of a spiritual bequest of a wise man, implying that his last ordinances, teachings and exhortations have special obligatory force.

A second meaning suggested by Kittel for the word *Scabonon* is the same as that mentioned by Thayer, that of an agreement, covenant, or compact, between two parties, but with the exclusive obligation of the one conformable to the requirement of the other.^{33.}

Kittel lists however, a third use which is almost identical with his first meaning: a disposition, an arrangement, ordinance, properly an arrangement made by one party with plenary power, which the other party may accept or reject, but cannot alter. A will is simply the most conspicuous example of such an instru-

³³ The only instance of this meaning in classical Greek, says Kittel, p. 128, is that of Aristophanes Av. 440 f. : Peisthetairos will lay down his weapons only if the birds make a compact with him to do him no harm and obligate themselves to the oath and the writing on tablets.

ment, and this meaning ultimately monopolized the word because it suited its different meanings most completely.

34

Ernest De Witt Burton supplies further significant data on *διαθνήκη* in his Critical Commentary of Galatians. He writes: "of the usage of Greek writers to and including Aristotle, an extended examination has been made by Dr. F.O. Norton. Of 212 writers whose extant remains have been examined the word was found in only nine, viz., Aristophanes, Lysias, Isocrates, Isaeus, Plato, Demosthenes, Aristotle, Dimarchus, and Hyperides; Isaeus being the most important. The following is substantially Norton's tabulation of uses, slightly changed as to form:

1. Arrangement, disposition, testamentary character.
 - (a.) In the plural of the simple provisions of a will, but not designating the will as a whole. 35
 - (b.) In the plural, of the sum total of the provisions of the will, so that the plural is equivalent to will and can be so translated. 36
 - (c.) In the singular of a will or testament as a whole. 37

34. Op. cit., p. 496f.

35. Isae. 1, 24, *εἰ γὰρ ἐν, ὡς ἄνθρωποι, ὡς οὐτοὶ φασὶν, ἐν ταῖς νῦν γεγραμμέναις διαθνήκαις ἐδωκεν αὐτοῖς τὴν οὐσίαν*
 "For if now, O men, as these men say, in the present written provisions he gave you the property....."

36. Lys. 19, 39 *αὐτὴ διαθνήκαι, ὡς διαθεσὶς*
 "the will, which he made."

37. *ὅς αὖ διαθνήκει γράφει τὰ αὐτοῦ διατεθειμένος*
 "whoever writes a will disposing of his possessions.."

2. An arrangement or agreement between two parties in which one accepts what the other proposes or stipulates; somewhat more one-sided than a *συμβολή*. It may include provisions to be fulfilled after the death of the party making the stipulations, but is not strictly testamentary in character. 38 The close relation between the two general meanings of the word is seen where *διαθήκη* is classed among *συμβολαί*, agreements or contracts. In Aristophanes Ave. 435-461, *διαθήκη* denotes a compact.

"Norton's further conclusions from his investigations are the following:

- (a.) The custom of will-making among the Greeks arose from the adoption of an heir.
- (b.) Adoption inter vivos was irrevocable except by mutual agreement; but adoption by will became operative at death, and such adoption and the will might be revoked at the discretion of the testator.
- (c.) A *διαθήκη* in the sense of a covenant was revocable only by mutual consent.

In summarizing the classical usage of *διαθήκη*, we find that the meaning of *διαθήκη* fluctuated between a strict testamentary sense and a one-sided covenant agreement. The former sense implied the death of a testator. The latter sense allowed for the thought of a contract between two living parties, the one party taking the initiative by proposing, offering, giving, and the other party passively accepting the terms of the agreement.

Kittel has come to the conclusion that the

38. Isae. 6,27 *καὶ γραψας διαθήκην, ἐφ' οὗς εἰς ἡγήγε τοῦ παιδὸς, κατατίθει μετὰ τούτων Πυθοδώρῳ.*
 "And having written out an agreement, by which he introduced the boy (into his *φρατρία*) he deposited it with their concurrence, with Pythodorus".

"testamentary sense", that of a bequest at a man's death is the most common usage in the Hellenistic era. It is significant that at the end of this period, about 280 B.C. the Septuagint was written.

2. Septuagint usage of *διαθήκη*.

Before we consider the use of *διαθήκη* in the New Testament, it is well that we give some consideration first to the oldest and in all respects the most important translation of the Old Testament into the Greek language. This translation originated because many of the Alexandrian Jews could not read the Old Testament in the original.

Now how did these Greek translators go about translating the Hebrew concept "berith"? One might have expected them to use the word properly expressive of a covenant or compact among the Greeks, *συμβόλη*. But this word according to Cremer's New Testament Greek Lexicon³⁹ occurs in the Septuagint only three times: Isaiah 28, 15; 30, 1; Daniel 11, 6. It is never used as a translation of "berith" and only once is it used in a parallel with "berith", Isaiah 28, 15. Never is *συμβόλη* used in the Septuagint with reference to any arrangement or covenant between God and man. When it occurs, it refers to compacts between man and man.

³⁹. *Op. cit.*, p.887.

Why is it then that in the great majority of cases between man and man, $\delta\iota\alpha\theta\eta\kappa\eta$ is used as a translation of "berith"? In many of these cases the covenanting parties were on an equal footing, and $\sigma\upsilon\gamma\theta\eta\kappa\eta$ would have been just the right word to describe the relation. The fact that $\delta\iota\alpha\theta\eta\kappa\eta$ was used instead might be explained variously. Possibly the Septuagint translators had a great reverence for the "berith" idea since it conveyed to them the unilateral idea of the covenant of God with men, and consequently they hesitated to translate it with two different words. Or they may have been of this opinion that the covenant idea entered into the concept of $\delta\iota\alpha\theta\eta\kappa\eta$, and the Greek reader would naturally understand the term correctly in its context as either a covenant or an ordinance or disposition.

Hastings in his Bible Dictionary says that in classical Greek $\delta\iota\alpha\theta\eta\kappa\eta$ means "a testamentary disposition", and $\sigma\upsilon\gamma\theta\eta\kappa\eta$ a covenant. The latter word designates an agreement between two equals ("sun"), hence it is unsuitable as a designation of God's covenants with men. The Septuagint, therefore, uses $\delta\iota\alpha\theta\eta\kappa\eta$ as the equivalent of the Hebrew "berith" for the reason that the Divine covenants are not matters of mutual arrangement between God and his people, but are rather "analogous to the disposition of property by testament".⁴⁰

40. Op. cit., p. 162.

But Westcott says, "There is not the least trace of the meaning "testament" in the Greek Old Testament Scriptures, and the idea of a testament was indeed foreign to the Jews till the time of the Herods."⁴¹

There was a turning over of goods and property from father to son at the father's death. Of Abraham we are told that he gave all that he had to Isaac (Genesis 25,5). We read also of the laws of inheritances in Numbers 26, 52-56 and Numbers 27, 8-11; where we are told that if a man die having no son, the inheritance is to pass to his daughter; and if he have no daughter, to his brethren; and if he have no brethren, to his kinsmen next to him in his family. That arrangement among the Israelites is not however the equivalent of a testament, though somewhat related to the idea. The difference is that the law prescribed the inheritance regulations among the Hebrews, not the individual.

Since in the concept "berith" we have primarily the meaning of a contract between two parties, and since in the classical concept of *διαθήκη* we have as the most frequent usage "testament", one thinks chiefly of the possibility of interpreting *διαθήκη* in the Septuagint as "covenant" or "testament". Since we have already ruled out the latter, the "covenant" meaning

⁴¹. Commentary on Hebrews, Additional Note on 9,16.
(Quoted from Hastings)

holds the predominance.

Due to the fact that already as a covenant concept in the relation of God with men in the Old Testament there was a one-sidedness on the part of God, a secondary meaning of "ordinance" or "disposition" has been suggested.⁴² This meaning has possibly been introduced as a result of the connection that "berith" has in the Septuagint with the Hebrew words "ed'uth", testimony or precept; "thorah",⁴³ law; and "chok", statute. The law covenant that God made with the children of Israel contained many ordinances made obligatory upon the covenant people. Now since they had given their consent to enter this covenant, the ordinances and statutes were the stipulations of the two contracting parties, and the "berith" that existed between God and His chosen people was entered into as a one-sided covenant, not far away from the idea of an "ordinance" or "disposition".

The fact that in poetical parallelism as well as in prosaical arrangement *δικαίωμα* appears with concepts like "nomos", "prostagma", "entolai", "dikaioomata", and "krimata", and that it stands with verbs like "entellesthai", "phulattein", "emmenein", or "poreuesthai" as the above concepts are often construed, shows that it can be closely related to these concepts. In these

42. Vos, Princeton Theologic 1 Review, Vol . XI, p.514.

43. Kittel, Op. cit., p. 106.

instances we have the law-covenant idea emphasized. As a synonym of law, "nomos", it cannot strictly have the meaning of a compact or covenant, at least from the view-point of sinful men who as sinners are unable to comply with such a compact, but rather the meaning of ordinance or disposition. It is used in this sense for the many religious ordinances of God.⁴⁴

The remarkable fact that *διαθῆκη* in the Septuagint does not have one specific meaning, but fluctuates between the idea of "covenant" and "ordinance" or "arrangement" is not only due to the fact that the Greek concept permits both possibilities, but is better explained by the complex content of the concept "berith". It ultimately came to this that when the translators wanted a Greek term that could match the content of "berith", no more suitable term was available than the Greek concept *διαθῆκη*.

Summarizing the Septuagint usage of *διαθῆκη*, it seems that the "covenant" and the "ordinance" ideas are most prominent with the emphasis on the former, while the "testament" idea, which is so common in the classical meaning and which was the most prevalent meaning in the Hellenistic era, is lacking.

⁴⁴. Kittel, op. cit., p. 129f. - Where "ana meson", and "meta" stand with *διαθῆκη* in the Septuagint, the idea is that of a compact, or covenant relation. (Genesis 9, 15, 17; Judges 2, 1; Jeremiah 14, 21; Ezekiel 16, 8). Passages where *διαθῆκη* is used as an ordinance (Verfügung) made by God are the following: Genesis 6, 18; 9, 9ff; 15, 18; 17, 2ff.; Exodus 2, 24; 6, 4; 31, 16; 34, 10; Leviticus 24, 8; 26, 9, 11, 45; Deuteronomy 4, 23; 4, 31; 8, 18; 9, 5; 29, 1; 29, 12; 29, 14, 25; Joshua 7, 11; 23, 16; I Kings 8, 21; 2 Kings 18, 12; and Nehemiah 9, 8.

3. The New Testament usage of *διαθήκη*.

The Septuagint is of course authoritative insofar as it adheres to the sense of the original Hebrew text. The Septuagint is a translation. It is not divinely inspired as the legend regarding its formation asserted. Are we sure then that it does adhere strictly to the original sense by translating "berith" with *διαθήκη* ?

We can answer that question best by looking into the authoritative source of the New Testament, which we know to be divinely inspired. And when quotations taken from the Septuagint are used in the New Testament, we know that the passage is inspired and authoritative. In the New Testament we stand on solid ground.

What word is used in the New Testament to translate "berith" into the Greek? Invariably we find that it is never *συμβολή* but that *διαθήκη* is used throughout. In all the allusions to the transactions between God and man this Greek word seems to fit the situation best. It seems that any other word would have left a wrong impression of the divine and human relationship. ⁴¹

We shall now treat under three heads the New Testament passages where *διαθήκη* occurs. First of all we shall consider the passages where *διαθήκη* occurs in quotations from the Old Testament, for there one is dealing with the original "berith" concept.

41. Barnes, op. cit., p. 185.

Secondly, the passages where *διαθῆκη* occurs in allusions to the Old Testament are to be considered, and there too the original "berith" idea enters in. And finally we shall examine instances where *διαθῆκη* occurs in terms of the New Testament only.

In some passages it will be difficult to determine a dividing line between the Old and New Testament. For instance a passage may clearly refer to the New Testament only, yet its context may be dealing with ideas and thoughts of the Old Testament. This is frequently the case in several Hebrews passages. The difficulties involved will be considered more in detail as we come to these passages.

(a.) Passages where *διαθῆκη* occurs in quotations from the Old Testament.

There are really only two instances of this use, namely Hebrews 9,20 and Hebrews 8, 8-10. In Hebrews 10,16 a portion of the latter quotation is quoted again.

Hebrews 9,20 is a reference to the privileges of the children of Israel as instituted on Mt. Sinai. The quotation reads thus: "This is the blood of the testament, which God hath enjoined unto you"; *τοῦτο τὸ αἷμα τῆς διαθήκης ἧς ἐπέταλτο πρὸς ὑμᾶς ὁ θεός.*

This passage is taken from Exodus 24, 6-8. The point in quoting it is to show how inferior the rites and sacrifices of the law are in comparison with the sacrifice of Christ.

The citation is not an exact duplicate of the Septuagint translation. In the New Testament passage we have "touto" instead of the "idou" of the Septuagint, "ho theos" instead of "kurios" and "eneteilato" instead of "dietheto". Yet there is no doubt at all of the identity of the two passages, these changes being made purposely to emphasize the deeper significance of those words now since the anti-type, the Lamb of God, had appeared and completed His perfect sacrifice.

The expression in the original Hebrew is "carath berith", and the preposition "'im" is used, which, we said earlier, was an indication of a mutual agreement.

The ten commandments had been given. Now the "mishpatim", the judgments, are given. Both Kittel and Pieper, the latter in his article, "Die Herrlichkeit des Herrn"⁴² see in this formal transaction on Mt. Sinai a covenant. Pieper lists five points that are to be noted:

1. Moses built an altar for the Lord and set up twelve pillars representing Israel.
2. Burnt offerings and peace offerings of oxen are brought to be accepted as an atonement removing the sin of the people who are now taken into communion with the Holy God and are bound to His service; half of the blood is put in basins for Israel, and the other half is sprinkled over the altar indicating that the life of the sacrificing one belonged to the Lord body and soul.
3. The open reading of the covenant book and the consent of the people once more to it: "All that the Lord hath said will we do, and be obedient."

⁴². Op. cit., Theologische Quartalschrift, 1933-1934, p. 21.

4. The sprinkling of the people with the half of the blood in the basins as the actual cleansing from the guilt of sin and acceptance into communion with God.
5. The covenant-meal, bringing to a climax the transaction. The fact that God does not stretch out His hand against them is proof that they are accepted in His covenant of mercy.

Obviously then the covenant idea is here primarily the meaning of the original "berith" and the translation *διαθήκη*. This necessarily involved a great condescension on the part of God. Since God in His holiness was so far removed from the Israelites in their sin, there must have been a basis of some kind by means of which this covenant, this mutual agreement, was made possible. God in eternity already saw how He would make it possible through Jesus' blood. It had to be impressed upon men through special rites and ceremonies.

Now the author of Hebrews takes this passage which is located in a covenant atmosphere in the Old Testament and places it close to the idea of a testament⁴³ in the New Testament, showing thereby that the thought of Christ's death was not lacking in the "berith" of the original. Through the sacrificial death of Christ the covenant was made possible. The proceedings in Exodus pointed ahead to the shedding of Christ's blood. Blood had to be shed for the remission of sins. A sacrifice was a part of the

⁴³. Hebrews 9, 16.17 will be interpreted later as containing the testament-idea.

covenant idea.

The believing children of Israel were aware that the sacrificing of animals did not remove sin. If that were the case a man could cut off the head of his neighbor and then cut off the head of an animal, and his sin of murder would be removed.⁴⁴ That the symbolical meaning of shedding the blood of animals was in this that they served as types of the coming Lamb of God is apparent in other prophecies. It is especially clear in Isaiah 53,7: "He is led as a sheep to the slaughter".

The blood of calves and goats was enjoined upon the children of Israel that when the fulness of time would come, and the true sacrifice would be offered, the meaning of it might be grasped more clearly.

The second quotation we were to consider, namely Hebrews 8, 8-10, is valuable in that it points out the difference between the old covenant and the new covenant.

The citation itself reads:

Behold the days come, saith the Lord, when I will make a new covenant with the house of Israel and with the house of Judah; not according to the covenant that I made with their fathers in the day when I took them out of the land of Egypt, because they continued not in My covenant, and I regarded them not, saith the Lord. For this is the covenant that I will make with the house of Israel after those days, saith the Lord; I will put My laws into their mind, and write them in their hearts; and I will be to them a God, and they shall be to Me a people."

⁴⁴. Laetsch, Th., Classroom Lectures.

Ἰδοὺ ἡμέραι ἐρχοῦνται, λέγει κύριος,
 καὶ συντελέσω ἐπὶ τὸν οἶκον Ἰσραὴλ καὶ ἐπὶ
 τὸν οἶκον Ἰουδα διαθήκην καινὴν, οὐ κατὰ τὴν
διαθήκην ἣν ἐποίησα τοῖς πατράσιν αὐτῶν ἐν
 ἡμέρᾳ ἐπιλαβομένου μου τῆς χειρὸς αὐτῶν ἐξαγαγεῖν
 αὐτοὺς ἐκ τῆς Αἰγύπτου, ὅτι αὐτοὶ οὐκ ἐνεμείναν
 ἐν τῇ διαθήκῃ μου, καθὼς ἡμελησά αὐτῶν, λέγει
 κύριος. ὅτι αὕτη ἡ διαθήκη ἣν διαθήσομαι τῇ
 οἰκῇ Ἰσραὴλ μετὰ τὰς ἡμέρας ἐκεῖνας, λέγει κύριος,
 δίδους νόμους μου εἰς τὴν διάνοιαν αὐτῶν, καὶ
 ἐπὶ καρδίας αὐτῶν ἐπιγράψω αὐτοὺς καὶ ἔσομαι
 αὐτοῖς εἰς θεὸν καὶ αὐτοὶ ἔσονται μοι εἰς λαόν.

The citation adduces the Scripture proof of the preceding statement that God found fault with the first covenant. In the context of the Jeremiah passage the censure seems to fall with the people and strikes the covenant but indirectly. Here in the Hebrews passage both are censured, the people for failing to keep the covenant, and the covenant because it could not serve in any way to help the people in the condition in which they were in. The author puts "suntelesoo" for "diatheesomai" and "epoieesa" for "diethemeen, with the evident design of indicating even in the very words of the New Testament that it is on the part of God accomplished.

45. Lange Schaff, Commentary on the Holy Scriptures, p. 146.

The word covenant occurs in this passage four times. Interesting is the employment of the figure of speech called chiasmus. In the first instance, the new covenant is spoken of. Then the old covenant is twice referred to, and finally the new covenant is further explained and enlarged upon.

The new covenant holds the position both of primacy and of finality. The same arrangement is found in Scripture. First came the promises and then the giving of the Law which could not make void the promises. And finally the terms "the days come" and "after those days" are to be regarded as key phrases which point directly to the ushering in of a new era, the New Testament times, in which the new covenant would flourish.

God purposed to take sinful man with Himself in a covenant relation. Thereby he wished to adopt sinful man as His children and heirs. It was also His purpose to enable His children and heirs to serve Him with the ready obedience of a child, with holy works. "The covenant I made with their fathers", v.32, can only mean the Law given on Mt. Sinai. This was a pact, a contract freely entered into by God and His chosen people. Israel failed to keep this legal covenant. The entire history of Israel is a constant repetition of relapsing into sin, especially the sin of idolatry. Thus Israel could not and did not achieve holiness under this arrangement.

⁴⁶ Concordia Theological Monthly, Vol. XIV, No.2., p. 119.

This same truth holds good today. Any religion stressing works as a means of gaining heaven is attempting the impossible, outmoded method which has long since decayed and vanished away.

The new covenant is better than the old in various respects. In the one God demands of sinful man, "Thou shalt". In the old covenant Law was stressed; duty and sacrifice came before the pronouncement of grace. It was made conditional and its promise was neutralized by the disobedience of man. In its scope it was restricted to the members of the Jewish race, to their families and to their kindred.

In the new, God promises, "I will". There is the manifestation of God's free grace and unlimited power. It is unconditional and there are no restrictions whatsoever, there is neither Jew nor Greek, neither bond nor free, male nor female, for all are one in Christ.

The author of the Hebrews wants to emphasize the permanence of the new covenant by quoting only the part that refers to the new covenant a second time in Hebrews 10, 16.

47. "We must needs contrast Law and Gospel. Let us never forget that the Law from the very outset showed its temporary character, pointed beyond and away from itself, sighed as it were after Him who by fulfilling would take it away, and by taking it away would fulfill it in us." Saphir, Epistle to the Hebrews p. 508.

48. "Kaine" represents that which is new in regard to quality embodying that which is entirely different from anything that went before as new heavens and the new earth, the new commandment of Christ, and the new covenant. Peters, op. cit., p. 270.

As yet we have not answered the question: What is the sense of *διαθῆκη* in the Jeremiah passage? Is it covenant or testament? Obviously it means a covenant and a covenant only in the case of the old. The idea of a testament does not enter in there at all. In this case then the Greek *διαθῆκη* submits completely to the covenant concept of "berith", retaining however the thought of God's initiative in the giving of the Law. And the idea of covenant is also contained in the new *διαθῆκη*. God, the Father, who did not die for our sins is here dealing with His covenant people.

As the first covenant was based on hard stipulations it could not be kept. Now God makes a second covenant based on love and the sacrifice of Christ. The testament idea is lacking.

(b.) Passages where *διαθῆκη* occurs in allusions to the Old Testament.

In certain cases it is difficult to determine the dividing line between a quotation and an allusion. Generally, however, we mean by an allusion that a phrase of a quotation of the Old Testament has been woven into the New testament narrative. Usually there is some very obvious sign of a direct connection with an Old Testament passage.

In treating these passages we shall again find a correspondence to what has gone before. Our best method of procedure is perhaps that of the method of Scripture, namely, treating first the general promises upon which the covenant was based, especially the promises treating of Abraham; then, considering once more in a more detailed manner the Sinaitic covenant and finally returning to the general promises of the new covenant given to the Chosen People; and treating also the references dealing with the Lord's Supper which we shall see were also allusions to the Old Testament.

(a'.) New Testament allusions to the
"berith" of Abraham.

It is significant that at the birth of John the Baptist, the forerunner of the messenger and mediator of the covenant, Christ, Zecharias his father should make mention of the promises and the covenant which God had sworn unto Abraham, the father of the Jewish race. The unilateral nature of this covenant is shown by the fact that God repeatedly says: "I will establish My covenant between Me and thee and thy seed after thee in their generations for an everlasting covenant." The seed was Christ. "Thy seed after thee in their generations" means that all believers who are included in this covenant of grace are one in Christ. "He who sanctifies

and those who are sanctified are from one." Hebrews 2,11.

The sum and substance of the covenant was the providing of free grace unconditionally, so that all who like Abraham believed on the Lord, and said Yea and Amen to the promise of God, would be delivered from spiritual enemies and would receive the privilege of serving God without fear in holiness and righteousness all their days. Believers would be counted righteous, however, not through their works, but through faith in the promised Seed. God entered into a covenant relation with Abraham, not a testament relation. The testament idea is not included in this passage. That concept enters in only when the testator knows he will die and makes disposition of his property in view of his own death. But God does not view His own death. It is not in that sense that He makes a covenant with Abraham. That the fulness of time was being ushered in when Zecharias alluded to this covenant of Abraham has no connection as yet with Christ's death. We are closer to the incident of Christ's birth than we are to His death. Thus the covenant idea is the better interpretation.

After the miracle of the healing of the lame man as recorded Acts 3, we find the Apostle Peter addressing an assembly of Jews. After reminding them that the God of their fathers had just recently glorified His

Son, Jesus, whom they had delivered up and killed, Peter still pleads with them to take recourse to the covenant God made with Abraham. He reminds them in verse 25: "Ye are the children of the prophets, and of the covenant which God made with our fathers, saying unto Abraham, And in thy Seed shall all the kindreds of the earth be blessed."

There is a close connection between this passage and that of Galatians 3, 16: "Now unto Abraham and his seed were the promises made. He saith not, And to seeds, as of many; but as of one, And to thy Seed, which is Christ."

Peter speaking to the Jews here is attempting to prove the very same point that Paul proves when he writes to the Galatians.

All nations were to be blessed in this promised Seed. That included both Jews and Gentiles. The Jews were especially privileged in having Christ come from their nation. But they had despised, rejected, and killed Him. Did that eliminate them from the covenant promise? Not at all, for Peter tells these Jews to whom the covenant of Abraham still pertained: "Unto you first God, having raised up His Son Jesus, sent Him to bless you, in turning away every one of you from His iniquities."

Whereas those who favor the "testament" meaning of *διαθήκη* might argue here that the mention of Christ's death substantiates their view, there are more convincing arguments in favor of the "covenant" meaning. This passage points directly to the "berith" concept of the Old Testament which had no connection with the testament idea. God the Father is dealing with Abraham, and it was God the Son who died. Though it is impossible to separate Father and Son, yet Scripture plainly speaks of Father and Son as two of the persons of the God-head. In the Old Testament the Father promised His grace, which reached its culmination when the Son through His death procured the blessings inherent in the covenant. Christ had to die, but the fact of His resurrection, which is mentioned in the succeeding verse, Acts 3, 26, overthrows any validity that the thought here of a testament might have. We therefore conclude that the covenant between God and Abraham referred to here in the New Testament by the Apostle is truly a covenant and that that interpretation is the best one.

In the other passage of Acts where *διαθήκη* occurs, this time also in a covenant with Abraham, the scene shifts to the covenant of circumcision. Stephen is relating Old Testament history to his accusers. After describing Abraham's departure from Mesopotamia,

Stephen also mentions the rite of circumcision which God gave to Abraham. Acts 7,8: "And he gave him the covenant of circumcision; and thus he begat Isaac, and circumcized him on the eighth day."

The rite of circumcision and the Passover were the Sacraments of the Old Testament and were not strictly a part of the ceremonial law. Those who in faith received them acquired also the forgiveness of sins, life and salvation.⁴⁹ As we in addition to the Word of God, the Bible, receive the benefits of the Word also in the Sacraments of the New Testament, so in addition to the aforementioned promises God gave to Abraham, the covenant of circumcision.

Upon considering Genesis 17, 10 where the rite of circumcision is inaugurated, it seems almost possible to regard the genitive as appositional, as though this were a separate covenant. However, it is more likely to be regarded a qualitative genitive, since circumcision was to be a sign and seal of the covenant.⁵⁰

This circumcision should be a token and ~~sign~~ of the circumcision of the heart. Stephen reminds the Jews that they are members of the circumcision, but regrets bitterly that it is with them an outward thing, no longer a sign of the covenant God made with them, but a legalistic act, which had become mechanical to them.

49. Verhandlung, op. cit., p. 46.

50. Lenski, R. G.H., Commentary on the New Testament, Vol. 4, p. 261.

He calls them later on "stiffnecked and uncircumcized in heart and ears," always resisting the Holy Ghost.

The fact that God "gave" this covenant is to be noted. It is God's covenant, never Abraham's. Here are not two equals making an agreement; here is no exchange for this or that. Here is only a giver and a recipient, only a great blessing and the obligation properly to receive and use it. God's initiative is here stressed.

We see then how Stephen thought of God. How well he understood God's covenant with Abraham and all the chosen nation to which all the Jews belonged. What a hopeless accusation to prove Stephen a blas-
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 phemer.

Circumcision was for Abraham an outward token then of the the covenant relation. It should have for him and his descendants, however, the spiritual meaning of the circumcision of the heart, the renouncing of the devil, the world and sinful flesh, in favor of being reunited with God.

The covenant relation is the most prominent here again.

The final passage where the covenant with Abraham is alluded to, is found in Galatians 3, 17, where after proving that the Seed promised to Abraham is Christ, the apostle affirms: "And this I say, that the covenant,

that was confirmed before of God in Christ, the Law, which was four hundred and thirty years after, cannot disannul, that it should make the promise of none effect."

Luther in his commentary on Galatians emphasizes the last will idea in this passage. We quote from Dr. Theo. Graebner's translation of Luther's work the following:

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The word testament is another name for the promise that God made unto Abraham concerning Christ. A testament is not a law, but an inheritance. Heirs do not look for laws and assessments when they open a last will; they look for grants and favors. The testament which God made out to Abraham did not contain laws. It contained promises of great spiritual blessings.

To illustrate the wide divergence of the law from the promise, Luther employs the picture of a youth receiving an inheritance from a wealthy man. He writes:

In due time he appoints the lad heir to his entire fortune. Several years later the old man asks the lad to do something for him. And the young lad does it. Can the lad then go around and say that he deserved the inheritance by his obedience to the old man's request? How can anybody say that righteousness is obtained by obedience to the Law when the Law was given four hundred and thirty years after God's promise of the blessing? One thing is certain, Abraham was never justified by the Law, for the simple reason that the Law was not in his day. If the Law was non-existent how could Abraham obtain righteousness by the Law? Abraham had nothing else to go by but the promise. This promise he believed and it was counted to him for righteousness. If the father obtained righteousness through faith, the children get it the same way.

Luther himself does not hold then to the strict testamentary usage when he brings in his illustration of a donatio inter vivos. His illustration of an heir opening up a last will to secure the grants and favors might possibly apply to the New Testament situation, but from the view-point of Abraham, it certainly does not apply. Can we picture Abraham in a spiritual sense opening up Christ's last will when as yet the death of Christ had not occurred? Hardly.

The fact that this covenant is said to be confirmed before of God "in Christ", shows indeed that it is based on the merits procured by the promised Seed. This constituted the one great Sacrifice which was part and parcel of the new covenant. Toward this great sacrifice Abraham's faith was directed. Abraham himself, the father of the covenant people, in showing his willingness to sacrifice his own Son at God's command, was a type of God the Father, who willingly sacrificed His own Son. Abraham did not see the fulfillment of all the temporary blessings promised him and his seed, but in his heart he grasped the deeper spiritual meaning of the promised blessings and thus became the father of the members of God's eternal covenant. We note then that every *Scabner* referring to God's covenant with Abraham has the connotation of a covenant.

The fact that in Galatians 3, 17, we find much Hellenistic legal terminology has been the basis for arguing that here the testament idea prevails. Such technical terms as "athetein", "epidiatassesthai", "kuroun", "akuroun", and "prokuroun" seem to imply that Paul's thinking is bound up with the testament idea. But Burton⁵³ has two arguments against this view. He says that a will becomes effective only on the death of the maker of it. In Galatians 3 we are treating again the covenants that God made with Abraham. It is not God the Father but Christ who died, and at the time of Abraham the death had not yet occurred. Abraham himself died and received His eternal inheritance before the death of Christ. Burton's second argument is that the words "no man disannulleth or addeth thereto" are true of an agreement of two parties, but not of a testament. He believes that there is not sufficient evidence that a testament of Paul's day was irrevocable.

Much has been written on the revocability and the irrevocability of last wills and testaments at Paul's time. Hastings⁵⁴ says that the Epistle to the Hebrews was written to people who knew only the Roman will, which was revocable. However, he quotes Ramsay as saying that the Epistle to the Galatians was written at a time when in

53. Op. cit., p. 502.

54. Op. cit., p. 907.

Hellenized Asia Minor 'irrevocability was a characteristic feature' of Greek will making. The Galatian will had to do primarily with the appointment of an heir; no second will could invalidate it or add essentially novel conditions. Such a will, says Ramsay, furnished Paul with an analogy. Like God's word and promise it was irrevocable. It might be supplemented in details, but 'in essence the second will must confirm the original will.'

But granting that Paul did have reference to an irrevocable will among the Galatians, the element of doubt still is there. Where this letter was read in countries where wills were revocable, a misunderstanding might enter in. Not so, if one held here the meaning of covenant. Covenants were generally stable, when the contract was once signed.

In the Galatians passage, the true meaning is therefore not definitely ascertainable. Sincere scholars argue both sides very ably. Whereas Burton accepts the covenant view, Ramsay upholds the testament view. Peters⁵⁵ says: "In Galatians 3, 17 the Apostle also speaks of the "covenant that was confirmed before of God in Christ", although in the preceding verse he is undoubtedly using diatheke to convey the meaning of a testamentary provision, which "no man disannulleth or addeth thereto".

⁵⁵. Op. cit., p. 266f.

To us Burton's arguments for the covenant idea seem convincing. The fact that we are dealing in Galatians 3 with a covenant made to Abraham together with the fact that a covenant when once contracted remains without change seems to outweigh all the evidence for the testament meaning.

We are now ready to make a more or less detailed examination of that group of allusions in the New Testament which deal particularly with the Sinaitic *διαθήκη*.

(b'.) New Testament allusions to the Sinaitic "berith".

"Abraham believed in the Lord, and it was counted to him for righteousness". None of his descendants were saved in any other way. Yet God so arranged it, that four hundred and fifty years after the promise was given to Abraham, his descendants would be taken into a special covenant, which God would arrange on Mt. Sinai. Every descendant of Jacob, the grandson of Abraham was to be included in this covenant. They were to have the privilege of being his chosen people. The covenant was dependent upon the fulfillment of the Law given from Mt. Sinai, including both the moral and the ceremonial law. The whole life of the Children of Israel was to be bound by prescriptions. They were trained to be constantly on the alert not to offend the God with whom they were in covenant.

The moral law is something unchangeable and eternal. The ceremonial law begins at Sinai and gradually fades

away."The ceremonial laws were to consolidate the fact that God was in their midst in His glory. The civic laws were to consolidate the fact that they were brethren as sharers in one covenant and that a sin committed by one was ultimately a sin committed by all and a transgression of the covenant, as Joshua for instance calls Achan's sin Joshua 7, 15; 22, 20). Both the ceremonial and the civic laws were again founded on the moral law, the Ten Commandments, das Grundstatut, which as a law impressed upon Israel the great truth that God was their God and they His people and as such should do God's will." ⁵⁶

The Old Testament covenant also had the Gospel as its basis. But the form in which this Gospel was preached and forgiveness was available, the form of sacrifice brought by the Israelite was of a nature that many Israelites regarded the form, their work, as a condition for forgiveness rather than the blood of the Saviour symbolized by the sacrifice.

Old Testament passages pointing out that the sacrifices were only symbols of Christ's sacrificial death are for example Psalm 50, 8-14, the entire first chapter of Isaiah and also Isaiah 53. This proves that the Old Testament had no different way of salvation than the New Testament. Yet the prescribed form had to be retained by them. ⁵⁷

56. Peters, op. cit., p. 263.

57. Laetsch, Classroom Lectures

Constantly the members of the Israelite nation were kept under supervision, constantly held by the law to the conditions of their covenant. We note there already a weakness in this covenant. It was one in which the people continued not. Their history was one of continual apostasy. They desired freedom from these restrictions. The very nature of the covenant was such that the fulfillment of it was impossible, and still on the fulfillment of it depended their life as God's chosen nation. Yet the law itself could give them no strength to live up to the requirements.

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Still God considered these conditions favorable for the Old Testament believer to worship His Lord in true faith in His great covenant promise. Hebrews 9, 4 treats a very important phase of the Sinaitic covenant. The point in alluding to it is to show the inferiority of the Old Testament rites compared to the privileges of the New Testament times. The passage describes the Holy of Holies,

which had the golden censer, and the ark of covenant overlaid round about with gold, wherein was the gold pot that had manna, and Aaron's rod that budded, and the tables of the covenant; and over it the cherubims of glory shadowing the mercyseat.

The ark of the covenant was the symbol of God's covenant. The fact that it stood in the Holy of Holies

where God had His special dwelling and which the High Priest entered once a year makes it the center of God's relationship with man in the Old Testament. We have here the very essence of the covenant idea, God receiving the High Priest of the people into the inner sanctuary of the Holy of Holies.

Inside of the ark were the tables of the covenant. The tables of stone represented the law of God, or the conditional covenant of God which man failed to keep. The golden pot that had the hidden manna, in that it pointed to Christ, the Bread of Life, typified the gospel covenant.

But especially also do the ceremonies in connection with the mercy seat typify the covenant relation. That the covenant was based upon Christ's sacrifice was symbolized by the mercy seat, upon which the High priest sprinkled blood, Leviticus 16, 11-15. Thus the mercy seat represented the Gospel of the forgiveness of sins through blood. The ark of the covenant was therefore the pledge of God's abiding presence with the people.

The destruction and complete disappearance of the ark at the time of the exile in 586 B.C. was a reminder for the covenant people that the dissolution of the old covenant was approaching. This was a judgment of God upon Israel for the externalizing of the worship of Jehovah. They had first of all cast away the kernel, and had kept only the outward shell. They had cast out the essence, namely the spiritual covenant relation with God, and now gradually the symbols

were taken away.

It is significant that in the book of Revelation the Holy Seer speaks of the anti-type of the ark of the covenant of the Old Testament. He beholds in connection with the the final judgment the temple of God in heaven, and in it the ark of His covenant. God grants the Holy Seer a vision of the completion of His spiritual temple of believers and a view of that upon which His communion with His own is based, the eternal inheritance of heavenly joys based on Christ's meritorious redemption.

Israel broke the covenant both by unbelief toward the promise and disobedience toward the law. It is especially in regard to the former that the Apostle Paul takes the Jews to task in Romans 9,4, where speaking of apostate Jews he says:

Who are Israelites; to whom pertaineth the adoption, and the glory, and the covenants, and the giving of the law, and the promises.

There are various interpretations as to what the plural, *διὰ διαθηκῶν*, here signifies. The International Critical Commentary holds the view, which we believe is correct, that the plural indicates that the original covenant of God with Israel was again and again renewed. The same commentary quotes Irenaeus as upholding the existence of four different covenants: one of the flood, concerning the bow, the second of Abraham, concerning the sign of circumcision, the third

of the giving of the law by Moses, and the fourth, the Gospel of our Lord Jesus Christ. In the Latin versions the four covenants are described as being those of Adam, Noah, Moses⁶¹ and Christ.

Salvation was of the Jews. They had the adoption. They were the sons of Abraham with whom God had entered into covenant. They had the glory, that is the glory of the Lord filled the tabernacle, Exodus 40, 34. They had the giving of the Law and the promises.

Paul wants to emphasize the fact that God had given Israel every possible chance. He gave them first the covenants with the patriarchs, offering free grace unconditionally. Many refused to accept the free offer. God then made the arrangement of the law covenant given on Mount Sinai, but many regarded this arrangement as irksome and legalistic, and so God repeatedly kept them in mind of His original promises. But it seemed that for the greater majority of the covenant people, no arrangement with God could satisfy them. They wanted to dictate to a perfect God their own imperfect terms.

The legalistic tendencies of the Jews throughout their history, which shut off from their view the true spiritual meaning of the old covenant is best seen from II Corinthians 3, 14:

But their minds were blinded: for until this day remaineth the same vail untaken away in the reading of the old testament; which vail is done away in Christ, but even unto this day, when Moses is read, the vail is upon their heart.

61. Op. cit., Epistle to the Romans, p. 230.

Paul here compares the ministry of the Old Testament with the ministry of the New Testament, and shows how much more glorious the latter is. How much more boldly should not the ambassadors of the New Testament step forth to present their message which in contrast to the old covenant ordinances will not vanish away.

The Apostle describes the glory of the old covenant as seen from the strange phenomena of the shining face of Moses. God wanted Israel to show due reverence toward the divine Author and the human mediator. They were to recognize, in the person of Moses, God's ordained representative, who spoke not his own thoughts, but the words of the Lord of Glory. 62

Yet God wanted to teach Israel the lesson, that the first covenant, though glorious, possessed really a perishing glory. A vail was placed over his shining face after he had given the people "in commandment all that the Lord had spoken with him in Mount Sinai." The reason for this is given in II Corinthians 3, 13, namely, "that the children of Israel could not stedfastly (sic) look to the end of that which is abolished."

The same vail that had lain over the face of Moses still remains in the reading of the Old Testament but in the New Testament this vail is done away in Christ.

"The message of the New Covenant is, The veil is put away! .. The veil that caused the Jews to regard the

62. Laetsch, "Study on 2 Cor. 3, 12-18", Concordia Theological Monthly, February, 1943, p.98.

outward fulfillment of the Mosaic Law or the performance of sacrifices or the mere membership in the commonwealth of Israel as a guarantee of everlasting salvation, how completely and gloriously destroyed by Christ, who was made unto us the righteousness of God".⁶³

Yet throughout the New Testament era, people have misread Moses, have failed to get the true significance of the old covenant. They do not get the connection of the allegory which Paul sets forth in Galatians 4, 24. This passage is the last New Testament allusions to the Sinaitic

Σκλαβότης which we shall treat under that head. It reads:

These are the two covenants; the one from mount Sinai, which gendereth to bondage, which is Agar, for this Agar is mount Sinai in Arabia, and answereth to Jerusalem which now is and is in bondage with her children. But Jerusalem which is above is free, which is the mother of us all.

The characteristic feature of the two covenants are discussed in the context. The Sinaitic covenant is, of course the Law covenant, its members being "under tutors and governors until the time appointed of the father", Galatians 4, 2. It implies "bondage under the elements of the world." The Sinaitic covenant was just that. Hagar, the hand-maid, typified the Sinaitic covenant. As she was in bondage under Abraham, the father of the covenant people,

63. Ibid. p. 103.

so those who attempt salvation through works are in bondage under the law. This bondage God offers to remove, by pointing to Christ, the "telos nomou", the end of the law and the fulfillment of every promise.

The unbelievers of the Old Testament times who kept the Law outwardly were no doubt regarded by their fellowmen as members of the covenant, but their slavish keeping of the law was not motivated by God, but by their own selfish interests. They missed the true spiritual significance of the Sinaitic covenant.

Believers in the Old Testament times were outwardly under the bondage of the Sinaitic covenant, but spiritually they had true communion with God, and were like Isaac children of the promise. Persecuted like him by those who were born after the flesh, and who were materialistically inclined in their observance of the Law, they put their trust in God's promise and were heirs with the son of the free woman.

The situation is very similar to that of two trees in the same orchard. The one is barren, while the other is loaded with fruit. Both would come under the classification of tree, yet there is a world of difference in the two. The law covenant may likewise be classified as a covenant. A covenant relation was also the primary objective of this compact. Yet it never worked out. As far as sinful man is concerned it is a barren covenant. It does him no good and serves no purpose. The opposite is true of the gospel covenant.

This is a fruitful covenant, fruitful in the sense that God through the fruits of Christ's redemptive work assures men of eternal life and makes of men through faith in that promise, fruitful branches receiving nourishment from Christ's all-sufficient sacrifice.

The mention of Mount Sinai here recalls the "berith" that was established there between God and His covenant people to our minds. That was a covenant in the truest sense of the term, though a barren one. On that mountain God inaugurated the sacrifice of animals to be performed by men.

The parallel mention of Jerusalem, the anti-type of Mount Sinai, must necessarily also imply a connection with a covenant relationship. We recall that there God sacrificed His own Son, forming the sole basis of His free communion with sinful mankind.

To bring in the testament idea here would spoil the allegory, since the underlying thought is that the animals remained dead. Their sacrifice freed no one. But Christ because He arose again is the true mediator of the covenant, capable of bringing the true covenant people to the new Jerusalem.

(c') New Testament allusions to more general Old Testament promises.

We are still discussing the passages where διαθήκη occurs in allusions to the Old Testament. That necessarily involves a study of what Jeremiah calls the old and the new covenant. We have just discussed the old covenant and its nature and now we should like to know what further

evidences we have other than the promises to Abraham of the new covenant in the Old Testament. Obviously the new covenant occurs in no other form in the Old Testament than that of promise or prophecy.

There are yet two passages in the New Testament where the word *διαθῆκη* is found alluding to promises given the nation Israel. They are of a more general nature. The first one is Romans 11, 26-27:

And so all Israel shall be saved: as it is written, There shall come out of Sion the Deliverer and shall turn away ungodliness from Jacob: for this is My covenant unto them when I shall take away their sins.

It is difficult to determine the exact Old Testament passage of which this is a quotation. Some believe it to be taken from Isaiah 59, 20 and 27, 9 while others see a connection with Jeremiah 31, 33. In view of the variations we believe it not out of place to regard this as an allusion to the Old Testament.

Paul is quoting from the Old Testament in order to prove that all Israel, that is, the true spiritual covenant people will be saved. It is certain that not all who belonged outwardly to the covenant people were saved. This is a proof then that the true covenant of God with men is that which is established as a spiritual relationship. This fact would seem to bolster the idea that *διαθῆκη* generally has the meaning of covenant in Scripture where covenants of God

with men are spoken of, since one can conceive of a covenant relation in the spiritual realm, but can once conceive of a testament relation in the spiritual sphere? This can be done only by analogy. Our ignorance of the spiritual sphere prevents us from judging further in this matter. Suffice it to say, that the covenant, compact idea lends itself more readily to the thought of our spiritual relationship to God than the testament idea. The latter seems to be a concept more suited to the physical world.

The statement: "There shall come out of Sion the Deliverer" refers to the redemptive work of Christ on Calvary near Jerusalem. Sion is a poetical name for Jerusalem. It was from this city that the apostles were first to proclaim the New Testament message of a completed redemption. Beginning at Jerusalem they were to go out into the uttermost parts of the world. The message which they were to proclaim was the forgiveness of sins: "This is My covenant unto them, when I shall take away their sins". This is the shortest and most concise definition of the new covenant
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that we have.

The fact that God calls it "My covenant" indicates the divine initiative. The fact that Paul uses *εὐλογίαν* where the Septuagint has the Greek word for "blessing"

εὐλογία, indicates also God's special hand in the establishing of the covenant. God is pronouncing His divine benediction over all mankind because of Christ's redeeming work.

$\Delta\iota\alpha\theta\eta\kappa\eta$ is used in the sense of a unilateral spiritual covenant with God taking the initiative also in Ephesians 2,12. Paul is here speaking to people who were formerly Gentiles, and as such outside of God's spiritual $\delta\iota\alpha\theta\eta\kappa\eta$:

Wherefore remember, that ye being in time past Gentiles in the flesh, who are called Uncircumcision by that which is called the Circumcision in the flesh made by hands; that at that time ye were without Christ, being aliens from the commonwealth of Israel, and strangers from the covenants of promise, having no hope and without God in the world: but now in Christ Jesus ye who sometimes were far off are made nigh by the blood of Christ.

"Being aliens from the commonwealth of Israel" means a total separation from the communion of the spiritual Israel, that being the miserable condition of the Gentiles before their conversion. Being "strangers from the covenants of promise", implies a complete ignorance of the repeated promises of Christ made to Israel, the congregation of God. To be in this vain and passing world, without God, without hope of deliverance out of this misery, without hope of a better life and existence, is by all means the most abjectly miserable condition that one can think of. Those who were once such Gentiles should not forget that they had been graciously removed from this pitiful condition, and brought directly into communion with God. The idea of a congregation of God is prominent in this Ephesians passage

and its context. The plural *διαθνηκαι* refers to a repeatedly revealed covenant idea based on the promises of Christ.
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(d'.) Passages where *διαθνηνη* occurs in accounts of the Lord's Supper.

In all four of the accounts of the Lord's Supper we have a mention of the word *διαθνηνη* . Matthew 26,28 reads:

For this is my blood of the new testament, which is shed for many for the remission of sins.

Mark 14, 24 has a similar account:

This is my blood of the new testament, which is shed for many.

Matthew and Mark point directly to the essence of the Lord's Supper, the blood of Christ as the gift of the Sacrament. Matthew adds the phrase "for the remission of sins" whereas Mark according to most manuscripts does not. The fact that Mark has the phrase: "which is shed for many" shows that he is thinking of the forgiveness of sins. Both, therefore identify the forgiveness of sins with the blood of Christ and think of the Lord's Supper not only as to its essence but also as to its function, namely as a means of grace, not of course in an ex opere operato manner but in its true spiritual significance. Matthew and Mark with the exception of some few manuscripts do not have the word "new" with *διαθνηνη* . That the *καινη διαθνηνη* is meant
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65. Stöckhardt, Epheserbrief, p. 143.

66. Matthew has "kaine" according to the A.V. translation.

implying one that is "new" as to nature and content, is clear from Matthew's direct statement and Mark's implication of the forgiveness of sins, the very heart and core of the new covenant.

In Luke's and Paul's account we have the designated specifically as "new"; Luke 22, 20 reads:

This cup is the new testament in My blood,
which is shed for you.

And similarly we read in I Corinthians 11, 25:

This cup is the new testament in My blood:
this do ye, as oft as ye drink it, in remembrance of Me.

In both of these accounts we have the important phrase: "in my blood" - *ἐν τῷ αἵματι* - that is, "by means of My blood", "because of My blood", "by virtue of My blood". The same phrase occurs in Romans 3, 25, where it speaks of God setting forth His Son to be a "propitiation" (*ἱλαστήριον* - the Septuagint word for "mercy seat") through faith in His blood".

As the blood of the sacrifice in the Old Testament covered the mercy seat, so the blood of Christ covers sin. "It is 'in His blood' that Christ is endued with propitiatory power; and there is no propitiatory power of blood known to Scripture unless the blood be that of sacrifice..... For the Apostle the ideas of blood with propitiatory virtue, and sacrificial blood must have been the same."⁶⁷

67. Expositor's Greek Testament, Vol. II, p. 611.

Thus when Paul in I Corinthians 11, 25 describes the account of Christ instituting the Eucharist with the words "this cup is the new *σλαβνην* in my blood", He pictures Christ on the evening before His great sacrifice as the Great High Priest officiating in the covenant relation between God and man, defining the ground, the basis on which God grants and man accepts the covenant. Christ as both mediating Priest and the Sacrifice takes the initiative in arranging and disposing the blessings that are made possible through the shedding of His blood. So sure is Christ of carrying out the proposed sacrifice, that already before it occurs by the institution of a special Sacrament He makes provisions that His great sacrifice will be remembered and cherished by those who are in the covenant relation with Him. In this Holy Sacrament, He offers, in a manner which human reason is unable to fathom, the actual blood that He shed as a propitiation, a covering for sin.

The cup then does not simply signify the remission of sins. If that were the case, the *σλαβνην* spoken of here would be something artificial. In and with the cup the remission of sins is real and actual by virtue of the blood of Christ offered in the Sacrament, so that every one who partakes of the cup can also by faith take from this cup or appropriate the remission of sins. By offering and sealing to the communicant the forgiveness of sins through this Sacrament, Christ makes sure to us our covenant

relation with God. Our sins forgiven through the blood-atonement, we are at one with God.

Many argue that *διαθῆκη* here has the meaning of testament because Christ instituted the Sacrament the night before His death. That Christ had to die is clear from Scripture. That he died for our sins is corroborated by the Apostle Paul. The question is whether we shall view His death as a sacrifice forming the basis of a covenant relation or whether we shall view Christ as a possessor of spiritual blessings which are inherited by His followers at His death. Both ideas are found in Scripture. But it seems that the former has more of a Scriptural basis than the latter. If we adapt the covenant meaning in the Lord's Supper, we can see more readily the connection between the New Testament Sacrament and the Old Testament Sacrament, the Passover. At the institution of the latter the angel of the Lord showed grace toward His covenant people at the sight of the sacrificial blood on their door-posts. In the Lord's Supper the "messenger of the covenant" offers in with and under the elements His own sacrificial blood which covers sin and thereby brings us into communion with a gracious God.

Whereas the covenant idea agrees perfectly with the whole analogy of Scripture, the testament meaning has its basis more from the classical meaning of *διαθῆκη*. For that reason we give the preference to the covenant view.

Luther consistently translates the *διαθικη* of the Lord's Supper as a testament. He may have been influenced by the Vulgate, which has testamentum as the only translation of *διαθικη*. It seems however that the very terms used in connection with the Lord's Supper give the preference to the covenant idea: "the Lord's Supper" I Corinthians 10, 21, and "the communion of the blood of Christ" I Corinthians 11, 16. The better we understand this truth that we are actually brought into communion with God in the Sacrament through Christ's merits, the more we shall appreciate the spiritual significance of the Sacrament.

Macknight says on this point in his commentary on Apostolical Epistles: "The word *διαθικη* which our translators have rendered "testament", signifies a "covenant", especially when the epithet new is joined to it. Our Lord did not mean, that the new covenant was made at the time he shed his blood; it was made immediately after the fall, on account of the merits of his obedience to the death, which God then considered accomplished, because it was certainly to be accomplished at the time determined." ⁶⁸

c. Passages where *διαθικη* occurs without reference or allusion to the Old Testament.

We have treated New Testament quotations of the Old Testament in which *διαθικη* occurred and also New Testament allusions to the "berith" of the Old Testament, the promises to Abraham, the Sinaitic covenant, general

68. Op. cit., p. 182.

promises to the Israelite nation, and the passages pertaining to the Lord's Supper. We have found that in all of these occurrences the covenant meaning is in every case the most prominent.

Now we wish to consider the use of *διαθῆκη* where it occurs in passages that have little or no connection with the Old Testament. Such passages are rare due to the fact that the New Testament throughout reveals what lies concealed in the Old Testament. But at times New Testament passages occur which have a direct connection to the New Testament era only, having no reference to the Old Testament.

We have already considered passages in the letter to the Hebrews which refer directly to the Old Testament. This epistle repeatedly contrasts the old and the new covenant. Now it is our purpose to deal with just those passages in this epistle which show some of the characteristic features of the new covenant. In almost all passages of Hebrews

διαθῆκη again has the covenant meaning. But in one passage, Hebrews 9, 16, 17, the author seems to be intimating the testament idea.

In Hebrews 8, 6 the new covenant is described as being founded on better promises; in Hebrews 8, 7 as blameless. It is called in Hebrews 8, 7 second in the sense that it follows directly as the fulfillment of the Old.

In Hebrews 9, 15 we find that Christ has brought us away from ("apolutrosis") transgressions that were committed on the ground of the first covenant, that is the

Law. A death has taken place as a result of this redemption of transgressions on the ground of that first covenant.
 69 It is a death not of animals, nor of a mere human being, but a death of Him who is the Mediator of the New Testament, and ever since this death has taken place, the called ones may receive the promise of eternal inheritance. The called ones, *οι κεκλημενοι*, refer not only to the Old Testament believers. The author uses a perfect participle to indicate that the calling is a fact in the decree of God already completed and extending into the present time, including therefore also the New Testament believers. The called ones then of both the Old and the New Testament times receive the promised blessings, not because they were the only ones redeemed, but because such an effective call was possible only on the basis of a death of a Mediator whose death occurred
 70 for a redemption.

In this verse then the covenant and the testament ideas are combined. The term "mediator" implies a covenant. The mention of a death implies a testament. For the Old Testament believers the covenant idea was in the foreground. For the new testament believers who repeatedly hear of the completed suffering and death of Christ the testament idea may enter into the concept *διαθηκη*.

Hebrews 9, 16 now states that where there is a *διαθηκη*, there must also of necessity be the death of the *διατιθεμενος*. If you hold by the idea of a covenant then you

69. "Epi nekrois" is interpreted by some commentators as dead sacrificial victims ("thumasi"), by others as dead persons.

70. Laetsch, Classroom Lectures.

must make "diatithemenos" refer to the victim slain at the making of it; but such reference is inconsistent with the usage of the language. In all writers, sacred and profane, "diathesthai" is applied to persons entering into a covenant, but never to the ratifying sacrifice. The gender, too, of "ho diatithemenos" naturally points to the person making the

Scabnkn ; we should have expected the neuter gender, if the victim *Anna Swor* had been the thing referred to. Tholuck, indeed, alleges that the use of the masculine may be accounted for on the ground that the victim in the case of the new covenant was a man; but this argument is not conclusive, for the 16th and 17th verses do not refer to the new covenant specifically, but to covenants in general, if they refer to covenants at all. Furthermore, the words "epi nekrois" are ~~alleged~~ to be inconsistent with the idea of covenant, for in that case they would require to be viewed as meaning dead sacrifices. But "nekros", when it stands without a substantive, is applied only to human beings. Besides, it was not a universal custom, even among the Jews for covenants to be confirmed by sacrifice, as is obvious from Genesis 23, 16; 24, 9; Deuteronomy 25, 7. 9; Ruth 4, 7.

Hence "diatithemenos" must here mean, not as Pierce,⁷² Michaelis, Stuedel, Macknight, Tholuck, and Ebrard assert, a sacrifice, but a maker of either a testament or a covenant. It cannot mean here the maker of a covenant for he does not

71. Lindsay, Hebrews, Vol. 2, pp. 45ff.

72. For Macknight's views on *Scabnkn* see appendix.

necessarily die. Who would want to make a covenant with a dead person? The meaning here must be that of a testament ⁷³

Hebrews 9, 17 reads:

For a testament is of force after men are dead.

"Epi nekrois" then must be interpreted "on the occasion of deaths." It has no force whatsoever while the testator lives. A covenant is surely in force where a covenanter lives. "Diathemenos" must have the special connotation here, then, of a testator making a testament.

The fact that verse 18 speaks again of the old covenant has caused many interpreters to hold the view that in verses 16 and 17 the covenant idea also may be deduced from the word *διαθενω*. However, the arguments based upon "diathemenos" and "nekrois" cannot very well be put aside.

In addition to this, however, the following four points favor the "testament" concept. here:

1. The blessings secured for us by Christ are designated "kleeronomia".
2. A written description of the blessings destined for us, a document, duly authenticated has been placed into our hands
3. Those who are to receive the inheritance are actually styled "kleeronomoi", Romans 8, 17.
4. The party who secures the inheritance for His people, dies to establish their right to it. It is the unvarying doctrine of Scripture, that without the death of Christ, there could have ⁷⁴ been no hope of future blessedness for sinful man.

73. Lindsay, op. cit., pp. 45ff.

74. Ibid.

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Burton in refuting the testament idea points out that the idea of inheritance does not always imply that one inherits under a will, but that it may mean that one is the destined recipient of a promised possession.

Macknight argues also in support of the covenant view that "diatithemenos" may be taken in the sense of "appointed sacrifice", the covenant being of no force as long as the appointed sacrifice lives. That interpretation is, however, impossible since "diatithemenos" is a middle not a passive.

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By those who prefer the sense of testament in the 16th and 17th verse, the apostle is conceived as led, by the mention of an inheritance in the 15th verse, to a use of διαδοῖν in a signification which it nowhere else has in Scripture. The classic meaning of the word is remembered by him; and he illustrates his subject by the analogy which it suggests. The Mediator of the new covenant died, and the called in consequence receive an eternal inheritance. The same thing happens in wills: the testator dies, and then the disposition he has made takes effect. It is thus merely a passing reference that is made to wills for the sake of illustration.

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We are come, according to Hebrew 12, 24:

to Jesus, the Mediator of the new covenant, and to the blood of sprinkling, that speaketh better things than that of Abel.

75. Op. cit., p. 503.

76. Macknight, Apostolical Epistles, p. 503.

77. Lindsay, op. cit.

The blood of sprinkling under the old covenant was in itself inefficacious. But the blood of Jesus, speaking out not the vengeance of the blood of Abel, but the free boundless mercy of a gracious God, cleanseth us from all sins. The sprinkling of blood was common in covenants, not in testaments.

The passage says "we are come". Man performs the act of coming into a covenant relation. But that does not make man responsible for his salvation. This is what actually happens. God brings man first of all to a realization of his sins, which separate him from God. But just man's knowledge of his sins cannot as yet reestablish the covenant relation. So the next step is this that God causes the sinner to look to Jesus in faith. He illustrates how Christ has done everything for man and especially how Christ's supreme sacrifice, the basis for a covenant, and His testamentary provisions of an eternal inheritance have removed all cause for separation between God and man. Moved by the Holy Comforter, the Spirit of God, the man comes back to his God, through the merits of Christ.

As yet, man has a treacherous enemy to contend with. Satan the originator of sin, who first caused man to break God's covenant relation, has no intentions of permitting that relation again to exist. He does everything in his power, to arouse into action his treacherous ally in the bosom of man, the old Adam.

It is a question, then, whether God is going to be in covenant with man on the basis of Christ's righteousness, or whether Satan is going to be in covenant with man on the basis of sin. In the former case Christ's righteousness makes us sharers of God's bliss eternally. In the latter case sin makes us partakers of eternal death together with Satan.

These are the two great alternatives that God presents in His Word. They are clearly set forth so that any one who reads the Word can see the great contrast. Anyone who examines passages dealing with God's covenant relation, must become convinced that God has taken the sole initiative in the covenant relation and He alone can bring His covenant with men to a successful culmination. Man broke the peace; God reestablished the peace by causing His Son to be humiliated, to suffer and to die and to rise again. Our Saviour became our peace. Looking to Him, we are at peace with God; we love God; we do things for God, not because He has laid down a law, which He requires us to keep, but because we are at one with God. God is in us and we are the temples of the Holy Spirit, offering ourselves as living sacrifices to His cause, fully conscious of the fact that Christ's one great sacrifice has redeemed us completely and that we by our works need add nothing to what Christ has done. The works of Christian flow purely out of the joy that he has in being brought into a covenant relation with God. The whole matter is ably summed up by the author of Hebrews in the last passage

where *ḥiḡḡḡḡ* occurs in the Epistle:

Now the God of peace, that brought again from the dead our Lord Jesu, that great Shepherd of the sheep, through the blood of the everlasting covenant, make you perfect in every good work to do His will, working in you that which is well-pleasing in His sight, through Jesus Christ, to whom be glory forever and ever. Amen.

The new *ḥiḡḡḡḡ* is referred to yet in the passage II Corinthians 3, 6:

Who also hath made us able ministers of the new testament, not of the letter, but of the spirit, for the letter killeth, but the spirit giveth life.

Moses, the man through whom God gave the Law, hid his face. Paul, a minister of the Gospel had nothing to conceal. The confidence, the frankness, the courage of Paul are outward manifestations of the freedom of the Gospel. The way is now cleared for free access to God. The Gospel opens up new vistas for all who are brought under its influence. Like Paul every Christian will ascribe all glory to God, for his privilege of being included in the gospel covenant. Looking at himself, he despairs of his sufficiency. But looking to Christ, he finds much trust toward God. In fact all of his sufficiency is of God. The Gospel given by Jesus Christ is therefore a ministration of righteousness, spirit and life. To all those who thirst for its life giving stream it will be a well of water springing up unto eternal life.

The merciful covenant relation of God with men has not changed in the New Testament. Jehovah, the unchanging God of the covenant, through the mediatorship of Christ, makes sure His covenant relation also with New Testament believers.

Conclusion: Views of various writers
discussed in the light of our findings.

In the term *ḥabnkn* then we strike a happy medium between a one-sided and a two-sided agreement. Both of these ideas are clearly set forth in this one concept. The one-sided sense is manifested in this that the Creator is obviously above the creature, and therefore any agreement between the two must originate with the Creator. The first agreement was a failure because of the creature's stubborn resistance to its demands. The second agreement must be successful because God Himself fulfills all the demands. God in Christ has done everything for our salvation. The concept *ḥabnkn* comprises all the wonders and grace of God fulfilled in Christ. The work of Christ is definitely the basis for the new *ḥabnkn*. It is the mistake of Calvinism to regard God's covenant with men as one-sided in the sense that God works by His sovereign will independent of the sacrifice of Christ. It is the same mistake that the Israelites made when they lost sight of the promise and tended towards legalism. Christ offers the only hope for a continued spiritual covenant relation.

The two-sided feature of the covenant relation comes about in this way that God actually comes into communion with men. He becomes a part of them and makes them sharers with Him of eternal life. The new *ḥabnkn* is not two-sided in the sense that we cooperate in effecting our salvation. That is the opposite extreme leading to the synergistic error.

A. Views of Behm and Vos.

Gerhardus Vos in his review of Behm's monograph entitled, "Der Begriff *Διαθῆκη* im Neuen Testament," objects to the latter's statement that the covenant idea transformed in the Septuagint and the New Testament, becomes a "witness borne by the consciousness of primitive Christianity to the majesty of the God of the Bible in the unconditionality and monergism with which He makes His saving disposition."⁷⁸ Vos says this lacks of the Augustinian and Calvinistic idea. Furthermore it depreciates the the Old Testament standpoint to view it as a primitive Christianity. Vos questions Behm's view that the anthropomorphism found in the two-sided "berith" conception should be an inadequacy, or that the two-sidedness should create the idea of synergism. Vos views ~~the views~~ the relation of the one-sided relation and the two-sided relation of God with men in this way:

The dipleurism of the Old Testament Berith certainly stands to the religious consciousness of the Old Covenant itself for something of positive and abiding significance, which even the New Testament development of the idea could not have stripped off without serious loss. If we are not mistaken, the two elements of supreme gracious condescension and of close intimacy of life are inherent in it, inherent we mean not in the general notion of the Berith, but in the covenant aspect, the dipleuric aspect of the Berith. And what looks like synergism, hardly-(rather not at all)-deserves this evil name, if it is remembered that the covenant rests in the Old Testament on the basis of the accomplished redemption. The sovereign and the condescending aspects of it illuminate and accentuate each other. That the sovereign majestic procedure issues in condescension and fellowship of life,-- that is that

78. Gerhardus Vos quotes this passage from Behm's monograph, Princeton Theological Review, Vol. XI, pp. 513f

religious treasure which the covenant idea carries in itself. That the monergism and the majesty are constantly present to the Old Testament mind appears from the many passages where Berith assumes the meaning of "ordinance", "disposition." 79

Vos in his review of Behm's work is charging the latter with the mistake of conceiving of the idea as having two successive stages, first that of a covenant, the "berith" idea, and secondly that of a testament, the *διαθήκη* idea. From the above citation it is clear that Vos himself distinguishes between a general notion of the "berith" and the dipleuric or covenant aspect of it. According to Vos however there are not two successive stages in the idea two-coexisting elements that are there from the outset, with varyingly distributed prominence or emphasis.

Is Vos right in condemning Behm's view of a transformation of the concept? Certainly he is, since a covenant always remains a covenant and a testament always remains a testament. If this fact is true generally among men, why should there be a change in the relation of God with men. God remains the same. He does not change his principles. Also men remain the same throughout the ages. The covenant made with Abraham is the same as that made with the believers of the New Testament. The testament idea we have seen enters into the concept only in passing. Hebrews 9, 17 merely alludes to this thought. This passing

analogy certainly does not change the nature of God's covenant.

But can we approve of the view of Vos? Can it be said that the testament idea enters into the covenants of the Old Testament as a coexisting element? On the basis of our own reasoning it seems that the testament idea was not very prominent in the Old Testament. In fact, it was almost a foreign concept due to the arrangement that property was handed down to succeeding generations not by an individual at his death but by a specific arrangement as regulated by the law, this being an agreement among the people generally. It is an overstatement then to speak of the testament idea as a coexisting element in the covenant concept of the Old Testament. In the New Testament also we can hardly speak of the testament idea as a coexisting element since it is barely alluded to and there only with the object in view to give a fuller and a richer meaning to the one-sided covenant idea.

B. View of Macknight.

Macknight who follows Pierce in his interpretation, holds the view of a covenant in all passages of Scripture, even in Hebrews 9, 16.17. He says that this meaning makes much better sense, agrees better with the scope of the apostle's reasoning, so that we can be at no loss which translation of *διαθήκη* ought to be preferred. He ascribes the entrance in of the testament idea to the absurdity of a

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80. Macknight obviously regards the Apostle Paul as the author.

phraseology to which the readers have long been accustomed,
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 without attending distinctly to its meaning.

C. View of Peters.

Peters in his article "Diatheke in the Old and New Testament" simply takes it for granted that the covenant concept is the most accepted meaning.
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 He admits the possibility of the testament idea. On the twofold meaning of *diatheke* he says: "From the viewpoint of the twofold background which the term for covenant has in the Bible it really is not surprising that diatheke is used in two meanings. This twofold use need not be designated as a play of words and need not be contrary to the sensus litteralis and the inspiration of the Bible, since one of the two meanings of the word is specified in every case by the sacred writer. Therefore the Formula of Concord is quite scriptural in defining the Lord's Supper once as a will and testament and then again as a covenant and a union. (Trigl. 989,50)."

He says further: "As a covenant and union we find diatheke used in all those New Testament passages, which are direct or indirect citations from the Old Testament". Even regarding the idea of an inheritance, Peters believes that

81. Macknight, op. cit., p. 549. See appendix for further views of Macknight in defending the covenant view.

82. Peters makes use of Prof. A. Pieper's article "Die Herrlichkeit Gottes", Quartalschrift, 1932-1934 in which the covenant view is set forth clearly.

this thought is just as applicable to a covenant as to a testament, explaining the inheritance in reference to a covenant as a destined promised possession. Burton holds the same view.

But the object of Peters throughout his article is to contrast the old and the new covenant. The old covenant is certainly no testament, and therefore the new covenant which like the old is classified as a *διαθήκη* evidently has the meaning of covenant. Speaking of the Jeremiah passage cited in Hebrews, Peters says we can without a shadow of doubt translate *διαθήκη* with covenant.

D. Views of Dr. Walther.

That Dr. Walther favored the covenant idea is apparent throughout his great work, Law and Gospel. The fact that he chose as his favorite passage: "Ye are a chosen generation, a royal priesthood, an holy nation, a peculiar people, that ye should show forth the praises of Him who has called you out of darkness into His marvelous light", I Peter 2, 9, seems to indicate also that he had a special veneration for the covenant idea. He himself is known to have been a master in the art of contrasting
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the old and the new covenant.

83. For Walther's interpretation of the Jeremiah passage see the appendix.

In the entire *δολογία* idea this one factor stands out: the thought of God's initiative in His covenant relation with men. His initiative begins already with the creation of man. It continues to act in man's favor after he voluntarily disowns His Creator. God's mercy and love provides a means to re-create the image of God that has been lost. God first comes forward with the promise of a Saviour. But in order to make man conscious of his sinfulness before God's holiness, the law covenant is put forth. But that demonstration of the difference between God and man is not to be the final word in the relation between God and man. It can not be, because as a compact or covenant it is not kept. Man by nature can not see the binding force of this covenant. Failing in one or the other stipulation of the covenant, the entire compact is thereby violated. God therefore binds Himself to do it all, to put away all obstacles that prevent a harmonious covenant relation, to forgive the sins of all, to make redemption accessible to all, to set up a covenant relation which is not precept at all, but all promise, all grace, all mercy, and which when entered into is binding insofar as the promise accepted through faith by man will be realized, God remaining true to His promise.

Coupled with the idea of God's initiative, however is the idea of God's great condescension. Whereas the factor of God's initiative makes the *διαθενη* a one-sided relation, the factor of God's condescension brings about a two-sided communion with God. The great condescending qualities of God are apparent in the Old Testament, but reach their culmination in the New Testament at the incarnation of the Son of God.

God stoops under a stable door and leaves us a Child. Through the active and passive obedience of this Jesus, He declares the whole human race at peace with Himself. The life that was lived by the Savior of the world testifies to all men what God's covenant relation implies. It means that God gives man his entire salvation and man need only to receive it, God giving him even the power to do that. All the wonders of God's grace are verit-
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ably bound up in God's *διαθενη*.

When sincere and competent scholars can come to no agreement as to the exact meaning of this important Biblical concept, it is certainly not within the ability of the present writer to make a definite tabulation of the true meaning in the passages examined. If the factors of God's initiative and condescension are kept in mind, however, the generally accepted meaning can be no other than a unilateral covenant with the added thought of a testament entering in to emphasize the importance of Christ's suffering and death.

By rising on the third day, Christ Himself entered into a new life. He proved Himself the conqueror of all spiritual enemies and loosed His followers from their bonds, and bound them to Himself in love. He went to prepare a place for His covenant people to fulfill His ultimate purpose of removing them from a sin-tainted world to a realm where perfect harmony and bliss obtain.

Christians, however, who are to receive the joys of heaven as a result of their spiritual covenant relation with God do not exult primarily at the thought of bliss that is there, though that is inseparably connected with heaven. They rather exult at the thought of the Christ who is there, who has provided the basis for their bliss.

As the prodigal son cared not so much for the garment and the ring as he did for the loving reception that he found on the part of his father, so too the believers in the words of the poet "will not gaze at the glory, but on the King of grace - not at the crown He giveth, but on His pierced hand; the Lamb is all the glory of Immanuel's land."

There in the final consummation, God through Christ will be to us a God, and we shall be to Him a people perpetually.

Appendix

James Macknight, who holds strictly to the cove-
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idea reasons thus:

The word *διαθῆκη*, here translated covenant,² answers to the Hebrew "berith", which all translators of the Jewish Scriptures have understood to signify a covenant. The same signification our translators have affixed to the word *διαθῆκη*, as often as it occurs in the writings of the evangelists and apostles, except in the history of the institution of the Lord's Supper and in 2 Corinthians 3,6 and Hebrews 7,22 and in the passage under consideration:³ in which places, copying the Vulgate version, they have rendered *διαθῆκη* by the word testament. Beza, following the Syriac version, translates everywhere by the words foedus pactum, except in the 16th, 17th, and 20th verses of this chapter, where likewise, following the Syriac version, he hath testamentum. Now if *καινη διαθῆκη*, the new testament, in the passages above mentioned, means the gospel covenant, as all interpreters acknowledge, *παλαια διαθῆκη*, the old testament, 2 Cor. 3, 14 and *πρωτη διαθῆκη*, the first testament, Hebrews 9, 15 must certainly be the Sinaitic covenant, or law of Moses, as is evident also from Hebrews 9, 20. On this supposition it may be asked: 1. In what sense of the Sinaitic covenant, or law of Moses, which required perfect obedience to all its precepts under the penalty of death, and allowed no mercy to any sinner, however penitent can be called a testament, which is a deed conferring something valuable on a person, who may accept or refuse it as he thinks fit? Besides the transaction at Sinai, in which God promised to continue (to be a God to) the Israelites in Canaan, on condition they refrained from the wicked practises of the Canaanites and observed His statutes, Lev. 18, can in no sense be called a testament.

2. If the law of Moses is a testament, and if to render that testament valid, the death of the testator is necessary, as the English translators have taught us, ver. 16, I ask, Who was it that made the testament of the law? Was it God or Moses? and did either of them die to make it valid? 1337 I observe, that even the gospel covenant is improperly called a testament, because notwithstanding all its blessings were procured by the death of Christ, and are most freely bestowed, it lost any validity which as a testament it is thought to have received by the death of Christ, when he revived again on the third day.

1. Macknight, op. cit., p. 549.

2. The passage under consideration is Hebrews 9, 15-18.

3. Ibid.

4. The things affirmed in the common translation of ver. 15 concerning the new testament, namely that it hath a mediator; that that mediator is the testator himself; that there were transgressions of a former testament for the redemption of which the mediator of the new testament died; and, ver. 19, that the first testament was made by sprinkling the people in whose favour it was made with blood; are all things quite foreign to a testament. For was it ever known in the practice of any nation, that a testament needed a mediator? Or that the testator was the mediator of his own testament? Or that it was necessary the testator of a new testament should die to redeem the transgressions of a former testament? Or that any testament was ever made by sprinkling the legates with blood? These things however were usual in covenants. They had mediators who assisted at the making of them, and were sureties for the performance of them; they were commonly ratified by sacrifices, the blood of which were sprinkled on the parties; withal, if any former covenant was infringed by the parties, satisfaction was given at the making of a second covenant.

5. By calling Christ the mediator of the new testament, our thoughts are turned away entirely from the view which the scriptures give us of his death as a sacrifice for sin: whereas, if he is called the Mediator of the new covenant, which is the true translation of *διαθήκη* *καὶ νέου* *καταθήκης*; that appellation (sic) directly suggests to us, that the new covenant was procured and ratified by death as a sacrifice for sin. Accordingly Jesus on account of his being made a priest by the oath of God, is said to be the Priest or Mediator of a better covenant! than that of which the Levitical priests were mediators.-- I acknowledge that, in classical Greek, *διαθήκη* commonly signifies testament; yet since the Septuagints have uniformly translated the Hebrew word "berith", which properly signifies a covenant; by the word *διαθήκη*, in writing Greek, the Jews naturally used *διαθήκη* for *συμβολή* as our translators have acknowledged by their version of Hebrews 9,16. --To conclude, seeing in the verses under consideration, *διαθήκη* may be translated a covenant, and seeing, when so translated, these verses make better sense, and agree better with the scope of the apostles reasoning, than if it were translated a testament, we can be at no loss to know which translation of *διαθήκη* in these verses ought to be preferred. Nevertheless, the absurdity of a phraseology to which readers have long been accustomed, without attending distinctly to its meaning, I am sensible does not soon appear. 4

Dr. Walther in his lectures to his students
 5
 had this to say of the prophetic passage of Jeremiah:

A new covenant then, God is going to make. Note this well. This covenant is not to be a legal covenant like the one which He established with Israel on Mount Sinai. The Messiah will not say: "You must be people of such and such character; your manner of living must be after this or that fashion; you must do such and such works." No such doctrine will be introduced by the Messiah. He writes His Law directly into the heart, so that a person living under Him is a law unto himself. He is not coerced by a force from without, but is urged from within. "For I will forgive their iniquity, and I will remember their sin no more,"--these words state the reason for the preceding statement. They are a summary of the Gospel of Christ: forgiveness of sin by the free grace of God, for the sake of Jesus Christ. Anyone therefore, imagining that Christ is a new Lawgiver and has brought us new laws cancels the entire Christian religion. For he removes that by which the Christian religion differs from all other religions in the world. All other religions say to man: "You must become just so and so and do such and such works if you wish to go to heaven." Over against this the Christian religion says: "You are a lost and condemned sinner; you cannot be your own Saviour. But do not despair on that account. There is One who has acquired salvation for you. Christ has opened the portals of heaven to you and says to you: Come, for all things are ready. Come to the marriage of the Lamb." That is the reason, too, why Christ says: "I heal the sick, not them that are whole. I am come to seek and to save that which was lost. I am not come to call the righteous, but sinners, to repentance."

Everywhere in His conversation among men we see the Lord Jesus surrounded by sinners, and behind Him stand lurking the Pharisees. Sinners, hungering and thirsting, stand round about Him. He has won their hearts. Though the divine majesty shines forth from Him, they are not afraid to approach Him; they have confidence in Him. The Pharisees utter bitter reproach: "This man receiveth sinners and eateth with them." The Lord overhears the remark, and even if he had not heard it, He nevertheless would have known it. What does He do? He makes no apologies; He does not say: "I do not wish to have sinners, but only righteous people, about Me!" No, He confirms the truth of their statement, which by them was meant as a reproach, by continuing the censured action, as if He wished to say: "Yes, I want sinners about Me," and then proceeds to prove this by telling the parable of the Lost Sheep. The shepherd picks up the lost sheep, no matter how torn and bruised it is. He places it on his shoulder

and, rejoicing, carries it to the sheepfold. The Lord explains His conduct also by the Parable of the Lost Piece of Silver. The woman seeks her lost coin throughout the house, searching for it even in the dirt. When she has found it, she calls her friends, saying: "Rejoice with me; for I have found the piece which I had lost." Lastly, the Lord adds the incomparably beautiful parable of the Prodigal Son. Practically the Lord says by telling these parables: "There you have My doctrine. I am come to seek and to save that which was lost."

If you take a survey of the entire life of Jesus, you behold Him going about, not like a proud philosopher, not like a moralist, surrounded by champions of virtuous endeavor, whom He teaches how to attain the highest degree of philosophic perfection. No, He goes about seeking lost sinners and does not hesitate to tell the proud Pharisees that harlots and publicans will enter the kingdom of heaven rather than they. Thus He shows us quite plainly what His Gospel really is. 6

The Interpretation of a Synodical Paper

For the sake of completeness in the Scriptural understanding of the covenant-concept, an outstanding summary on this subject ought to supplement the foregoing material. Under twenty-two points gathered together in a paper delivered before the Northern District Synod⁷, the entire idea of *Sacrament* is set forth, and both the covenant and the testament ideas are apparent:

1. By "testament" is understood a covenant of God made with men, bequeathing certain goods and being substantiated by a death.
2. God's covenant of grace with believers in Christ is eternal, unchangeable.
3. The same covenant of grace begins with the first Gospel promise in paradise and extends into eternity.
4. In this same covenant the believers are promised and bequeathed spiritual and eternal blessings in the power of Christ's death.

6. Walther, Ibid.

7. Taken from the article: "Die Lehre vom Unterschied des Alten und Neuen Testament," Verhandlung der Elften Jahresversammlung der Nördlichen Districts der deutschen ev.-luth. Synode von Missouri, Ohio, u. a. Staaten, 1865, p. 16ff. The twenty two points we have translated from the German original.

5. God established this covenant first without the inclusion of the law covenant.

6. After this it pleased God: to choose from out of the nations a special people, in view of his previous promises starting in paradise; and to separate this people from other nations by giving it a special law; and to make a special covenant with them.

7. This covenant of the Law, which God made with the children of Israel on the mount of Sinai and which was made to include the sacrifice of beasts, is the old testament, that is, the old covenant referred to in Jeremiah 31.

8. This Old Testament covenant concerned only Israel, not the believers who lived outside of Israel.

9. Although in this covenant of the Law, spiritual and eternal goods were promised, they were only promised under the condition of a perfect keeping of the Law.

10. The New Testament strictly speaking is nothing else, than the full revelation of the eternal covenant of grace, and its spiritual eternal blessings through the incarnate Son of God.

11. While the Israelitic covenant does not exclude nor put to an end the universal covenant of grace, the New Testament was not directly as such included in the Old Covenant, but nevertheless it lay hidden in certain of its laws and arrangements.

12. At the time of the Old Testament there was no other way to salvation than the one that existed in New Testament times.

13. Yet the preaching of the Old Testament as such, that is, the old covenant, was Law, whereas the preaching of the New Testament, that is, the new covenant, is Gospel.

14. To the children of Israel were given, outside of the moral Law, also other positive laws, namely ceremonial and civic laws. In the New Testament the believers are required to do no more than believe and love.

- (a.) The moral Law, insofar as it was given through Moses belongs to the Old Testament, and because it is related to the natural law and repeated in the New Testament, it is valid also in the New Testament with the exclusion of ceremonies.
- (b.) The positive laws, not necessarily connected with God's essential holiness, and which forbade things, which were not sinful, have ceased at the conclusion of the Old Testament.
- (c.) The New Testament has no ceremonial laws.
- (d.) In the New Testament an ordinance or arrangement can only then be looked upon as a divine ordinance, when it necessarily flows out of the Gospel and is therefore demanded in the Law of nature.

8. Luther explains it in this way: "Der Gläubige hält das Gesetz nicht als ein Gesetz des Alten Testaments, sondern aus freiem Trieb eines vom Geiste Gottes erfüllten Herzen." Verhandlung, op. cit., p. 27.

- (e.) The keeping of human regulations dare not be demanded as a necessary service of God, but only on account of love, order and peace.

15. The members of God's people of the Old Testament were under the captivity of the Law and were as servants required to do the deeds of the Law and live in constant fear. The believers of the New Testament are free from such bondage of the Law.

16. Yet we could not say thereby that the believers of the Old Testament were not according to their new man free from the curse and force of the Law.

17. God prescribed to the children of Israel, who were under the guardianship of the Law, the persons involved and the time, manner, and place of their services to God; in the New Testament God has left that to be determined through the freedom He has given His New Testament Church, which in contrast to the Old Testament is considered as having become of age.

18. In the Old Testament there was an ordained priesthood, which officiated for the people before God; in the New Testament all believers are without tutelage of sacrificing priests and there is no difference in station.

19. In the Old Testament the people of God as such (the Israelite nation) had His governments, in the New Testament the believers as such have no government either clerical or secular. 9

- (a.) The congregation of the people of Israel did not only have a churchly, but a political body. In the New Testament State and Church are separate.
 - (b.) The State of the Old Testament therefore was not just a state government, but had rights in spiritual matters, iure divino.
 - (c.) In the Old Testament Church there was a government by divine right, not however in the New Testament.
 - (d.) In the Old Testament, the regents as such belonged to the Church; in the New Testament they do not, but if they are believers they are to conduct themselves as the outstanding members of the Church.
 - (e.) The State in the New Testament is connected with the realm of nature and reason, and the Gospel does not abolish it.
20. The Old Testament should be a type of the New.
- (a.) The promised temporal blessings of the Old Testament were types of the blessings of the New Testament, and the Word accompanying the blessing received its power from God.

9. Luther: "Nun aber regiert er in uns geistlich durch Christum, das leiblich... Regiment richtet er durch die weltlich Obrigkeit aus." Verhandlung, op. cit., p. 37.

- (b.) The Sacraments of the Old Testament were seals of the promise and types of the Sacraments of the New Testament. Therefore they are not strictly to be considered as a part of the ceremonial law.
 - (c.) As the theocracy, God's visible State on Mount Sinai, pictures the invisible church, so shall also the outward holiness and cleanliness of the first, picture the inward holiness of the second.
 - (d.) The threatened temporal punishments were pictures of spiritual punishments.
21. Out of the misunderstanding between the two covenants we have the outgrowth of many errors.
- (a.) The entire Catholic system of mass and papal regulations is an attempt to follow the Mosaic ceremonial law. They have not understood that in the New Testament things have changed.
 - (b.) The enthusiasm of the Anabaptists.
 - (c.) The misconception of the doctrine of justification-- whoever believes that he has to do works of the law for salvation denies himself this salvation.
 - (d.) The doctrine of Christian freedom is pushed aside.
 - (e.) The doctrine of the difference between Church and State is not adhered to. In the New Testament there is no state in which God has taken a special interest over and above any other state.
 - (f.) The error of Chiliasm springs from a misunderstanding of the two covenants.
22. We should thank God, that we live in the blessed time of the New Testament and should beware that we do not bring the Old Testament which God has abrogated into the New.

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