

APPLICATION OF OLD COVENANT LAW

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CONTENTS

Sections

1. Introduction	1
2. Covenantal Structure	3
3. Old Covenant	10
4. New Covenant	13
5. Conclusion	15
SELECTED BIBLIOGRAPHY	16

1. Introduction

A drive in the countryside on a lazy afternoon is a great way to calm the soul. The rhythmic exchange of light and dark from the setting sun beaming through the canopy of oak branches over the road may be the closest reminder of the pace and intensity of most peoples' lives. One of the familiar scenes in this portrait of reprieve is a white farmhouse with a classic wrap-around porch. Under the white, wooden porch-swing is an old hound dog sleeping the day away. Free to roam if he chooses, on this afternoon he elects to rest safely in the shade. All too common to this scene is another dog. This hound has been barking non-stop, digging under the fence, and chewing through the ropes that protect him from his temptation to run away. This dog has been feverishly trying to escape all the ties that bind him. Both dogs have food, water, and a warm, clean place to sleep. Freedom is the foundation of one environment, the other, protective captivity. These two dogs experience very different lives.

The Apostle Paul wrote a letter to the church in Galatia because he was astonished at their rapid acceptance of false teaching. Paul called it a "different gospel" that distorted the gospel of Christ. He made his repugnance clear in Gal. 3:1-3: "O foolish Galatians! Who has bewitched you? It was before your eyes that Jesus Christ was publicly portrayed as crucified. Let me ask you only this: Did you receive the Spirit by works of the law or by hearing with faith? Are you so foolish? Having begun by the Spirit, are you now being perfected by the flesh?"¹ In Gal. 5:1, he rebuked them again, "For freedom Christ has set us free; stand firm therefore, and do not submit again to a yoke of slavery." Paul, a Hebrew, a Pharisee, and a saint in Christ, was a strong advocate for life founded on freedom.

¹ Unless otherwise noted all Scripture citations will be from the English Standard Version.

Was Jesus preaching something all together different in The Sermon on the Mount? In

Matt. 5:17-18 Jesus said,

Do not think that I have come to abolish the Law or the Prophets; I have not come to abolish them but to fulfill them. For truly, I say to you, until heaven and earth pass away, not an iota, not a dot, will pass from the Law until all is accomplished. Therefore whoever relaxes one of the least of these commandments and teaches others to do the same will be called least in the kingdom of heaven, but whoever does them and teaches them will be called great in the kingdom of heaven. For I tell you, unless your righteousness exceeds that of the scribes and Pharisees, you will never enter the kingdom of heaven.

A strict interpretation of this passage has created a theological term, most commonly related to Reformed Orthodoxy, called the “practice of piety.” The phrase “practice of piety” refers to the range of expectations for conduct within a given theology; supporting the intention that sound doctrine will, relate directly to the church and her congregants.² Christians create a quandary when they attempt to unify theory and practice. Theory, or in this case theology, is founded in promise and objectivity. Practice or piety is an activity that requires a fusion of cultural expectations, behavior, and subjectivity. In order to live out this philosophy of activity, piety must receive priority. In order to give a defense for this philosophy, intellectually and spiritually, theology must receive the greater value.³ This dilemma has existed since Paul began taking the gospel to the Gentiles.

The implications of each of these priorities affect the basis for Christian faith. Should the focus of the walk with Christ be on freedom or obedience to a protective captivity in the form of

² Richard A. Muller, “Sources of Reformed Orthodoxy: The Symmetrical Unity of Exegesis and Synthesis,” In *A Confessing Theology for Postmodern Times*, ed. Michael S. Horton (Wheaton: Crossway Books, 2000), 56.

³ Ronald F. Thiemann, “Piety, Narrative, and Christian Identity,” *Word & World* 3 no. 2 (Spring 1983): 149, <http://firstsearch.org> via search engine Atla Religion (accessed November 2, 2009).

laws ultimately given for the benefit of man? The answer may be in the covenants that God has initiated, first with Israel, and then with the whole of humanity.

The following research will begin with a discussion of covenantal structure, followed by a comprehensive review of the old covenant with Israel, and the new covenant with all of mankind. In conclusion, a position will be determined as to whether there is any existing application of old covenant law in a new covenant relationship with Jesus Christ.

2. Covenantal Structure

The Lord God created humanity as an expression of his loving, relational character. In his wisdom, and because he is the creator and sustainer of love, God created man with the free will to choose whether or not to love and worship him in return. Adam and Eve's choice to disobey initiated sin into the life of man, disconnecting the spiritual union they had with the Lord. From that very moment, God has been in a process to redeem fallen humanity back to him.

Man began to populate the land and God saw that as the years passed the heart of men was full of nothing but evil. God became grieved at the depravity of mankind and decided to eradicate his creation from the earth. In the midst of this debauchery, there was Noah. God found favor with Noah and entered into the first of the Lord's covenants. God instructed Noah to build an ark, collect a male and female animal of each kind, and brave the violent storm and flood that killed everything except the animals and Noah's family. God allowed Noah's family to regenerate the population and the Lord promised, with a rainbow, never to flood the earth again.⁴ The Lord said, "I establish my covenant with you, that never again shall all flesh be cut off by the waters of the flood, and never again shall there be a flood to destroy the earth."⁵ The Lord

⁴ Gen. 6-9

⁵ Gen. 9:11

initiated covenants as his way of providing grace from a stronger entity for the benefit of the weaker party.

The consequences of the fall had horrific effect on humanity, and depravity soon returned. Men, with a longing in their soul, began to devise ways to restore the lost relationship with God. There came a point when the men of Shinar decided they could build a tower tall enough to reach the heavens. Building this tower would establish their worthiness before God and insure their survival as one people on the earth. The Lord revealed the futility of their plan by confusing their language, forcing them to fragment into linguistic groups and effectively abandon the Tower of Babel.⁶ Once again, God offered grace and mercy to man through establishment of the Abrahamic covenant. This covenant made with Abram as humanity's representative set aside Abram's family as God's chosen people.

The depth of covenantal relationships is not frequently illuminated. Easton's Bible Dictionary simply defined the covenant as follows: "a contract or agreement between two parties."⁷ Easton provided some derivative matter, but failed to amplify the definition enough to describe the great complexity inherent in a covenant. A covenant is much more extensive than a contract or an agreement between two parties. William Vine made an interesting distinction between a covenant and an agreement. Vine contended that the word "covenant" not be used in the same connotation as God's covenants when describing a contract between men because a covenant with God is an expression of grace from God to man.⁸ Covenants between men exist as

⁶ Gen. 11:1-9

⁷ *Easton's 1897 Bible Dictionary*, http://www.biblegateway.com/resources/dictionaries/dict_meaning.php?source=1&wid=T0000916, (Accessed December 7, 2009).

⁸ W.E. Vine, *Vines Expository Dictionary of Old & New Testament Words*, (Nashville: Thomas Nelson Publishers, 1997), Part One 53.

evidenced with Abimelech and Isaac in Gen. 26, and then Jacob and Laban in Gen. 31:44, “Come now, let us make a covenant, you and I. And let it be a witness between you and me.”

These covenants among men invoked God’s blessing upon the agreement. Isaac made it clear to Abimelech that God’s blessing was upon him through the covenant. Isaac said in Gen. 26:28-29, “We see plainly that the Lord has been with you. So we said, let there be a sworn pact between us, between you and us, and let us make a covenant with you, that you will do us no harm, just as we have not touched you and have done to you nothing but good and have sent you away in peace. You are now the blessed of the Lord.” Men entering a covenant understand they are committing to a deeper agreement. An agreement transforms into a covenant when the parties agree that God will oversee the oath they swear. As a matter of clarity the working definition for the word covenant shall be as stated by Malcolm Smith,

a binding, unbreakable obligation between two parties, based on unconditional love sealed by blood and sacred oath, that creates a relationship in which each party is bound by specific undertakings on each other’s behalf. The parties to the covenant place themselves under the penalty of divine retribution should they later attempt to avoid those undertakings. It is a relationship that can only be broken by death.⁹

Most, if not all, of the covenants between men would be void of unconditional love were it not for God’s position as central authority in the agreement.

God chose to reveal his grace and mercy to humanity through the familiar pattern of covenant making among men. This pattern implores specific elements to insure that each covenant agreement is consistent in the thorough understanding and undertaking of each party. These elements include a binding obligation, a representative from each party, a covenant oath,

⁹ Malcolm Smith, *The Power of the Blood Covenant: Uncover the Secret Strength in God’s Eternal Oath*, (Tulsa: Harrison House, Inc., 2002), 12-13.

covenant blessings and promises, a sacrifice, a covenant seal, a meal, and a memorial place.¹⁰

The binding obligation provided purpose for the covenant. The English word most frequently used to translate the original Hebrew and Greek comes from the Latin *convenire*, meaning, *to come together or agree*.¹¹ The obligation is the act of resolution for tension or conflict that has existed between the parties. Biblical examples include; God's promise to Noah that he would never flood the earth again (Gen. 9:11), God's binding obligation to Abram that he would possess a promised land (Gen. 15:18) and father the nations (Gen. 17:5), the binding oath of peace between Abimelech and Isaac (Gen. 26:28), and the obligation taken on by Jacob to treat Laban's daughters properly and faithfully in exchange for freedom and peace from Laban (Gen. 31:44).

The representative is a key element of the covenant. This representative is the guarantor, a man of the same tribe and blood of those who trust him to execute and fulfill the covenantal requirements. 1 Sam. 17 includes a vivid portrayal of representation. The Philistines chose eleven foot tall Goliath to represent their recently battered tribe. Goliath challenged the Israelites to select a representative worthy of a one on one fight to death. These representatives would become the army, sparing the rest from this battle. Matthew Henry summed up the scene with an appropriate descriptive for Goliath. He called Goliath the Philistine's champion.¹² The covenantal representative would champion the needs and desires of his tribe, or family, in the same way. David championed the cause for the Israelites and killed the giant Philistine with a

¹⁰ Ibid, 12-21, This list was compiled from Smith's sub-chapter headings in Chapter 2.

¹¹ Ibid, 12.

¹² Matthew Henry, *Commentary on the Whole Bible: Genesis to Revelation*, Edited by Leslie F. Church, (Grand Rapids: Zondervan Publishing House, 1961), 306.

single stone and Goliath's own axe. The Israelites celebrated as if the victory had been by their own hand because David's victory was in every sense their own.¹³

The covenant oath embodies a concept with fleeting reality in today's societal structure. The word oath and the word contract are used synonymously. For example, the administratively driven governments of Western cultures exchanged the marriage covenant for a marriage contract. A contract is actually an instrument limited to the selling or bartering of goods and services. An oath requires the genuine commitment of the representative to fulfill his obligations to another in the presence of God. A contract is the result of a negotiation between men. A contract can be revised or even canceled. An oath before God evokes the Lord as the third party in the covenant. A covenant oath was not subject to negotiation or alteration.¹⁴

Each representative for the greater wellbeing of the other made covenant blessings and promises. For Noah, God promised never to flood the earth again and blessed humanity with the rainbow as his symbol of that promise (Gen. 9:11). Abimelech promised Isaac peace in the land and blessed him with retention of the well Isaac's men had dug (Gen. 26:29). In the New covenant God has promised all those who believe in him everlasting life (John 3:16) and blessed those who believe with a helper, the Holy Spirit (John 14:16).

The covenant sacrifice is literally the shedding of blood. The Hebrew word *berith*, translated in English to *covenant* refers to dividing or cutting a sacrifice in two. In Gen. 15:9-10, the Lord instructs Abram to do this, "He said to him, 'Bring me a heifer three years old, a female goat three years old, a ram three years old, a turtledove, and a young pigeon.' And he brought him all these, cut them in half, and laid each half over against the other." The tradition for

¹³ Malcolm Smith, 17.

¹⁴ Ibid

covenant sacrifice, or cutting a covenant, *berith*, entailed cutting the sacrificial animal in half, then walking through the blood between the two halves. This ritual symbolized a willingness to die to one's self and embrace a new existence in covenant relationship.¹⁵

Animal sacrifice was common in the ancient world as a means to communicate with the gods. The ancient Chinese believed that heaven controlled the earthly elements like weather and depended on the earth to supply her needs. The most effective communication between the two was by means of sacrifices. They believed offerings were sent up in the smoke of a fire mound.¹⁶

The covenant seal for most covenants among men resulted in the shedding of blood also. The two representatives would cut their right arm or hand. Calling out to God as their witness, they raised their arms signifying their willingness and commitment to keep the covenant even if their own blood would need to spill. The scars left from this ritual would serve as the seal of the covenant. There is an Arab saying to this day, "Blood is thicker than milk," clarified by Malcolm Smith, "meaning that those bound by the blood of a covenant are held in a stronger bond than those who have drunk of the same mother's milk."¹⁷

Scripture is clear about the importance of the covenant meal as a significant marker that the covenant was in full effect. Abimelech broke bread with Isaac saying, "You are now the blessed of the LORD.' So he made them a feast, and they ate and drank (Gen. 26:29-30)." Jacob and Laban actually partook of their ritual meal at the site of the covenant making. Laban initiates the covenant saying, "Come now, let us make a covenant, you and I. And let it be a witness between you and me.' So Jacob took a stone and set it up as a pillar. And Jacob said to his

¹⁵ Ibid, 19

¹⁶ Huston Smith, *The World's Religions*, (New York: Harper Collins Publishers Inc., 1991), 184.

¹⁷ Malcolm Smith, 21.

kinsmen, ‘Gather stones.’ And they took stones and made a heap, and they ate there by the heap (Gen. 31:44-46).” Meals, in general, were an important cultural function in the ritualistic society. To eat a meal with anyone was a declaration of peace between the parties or families. Eating a meal together was a binding covenant of peace and signified reconciliation. This may be why Jesus ate with his disciples when he appeared to them after the crucifixion. Jesus said, "Have you anything here to eat?" They gave him a piece of broiled fish, and he took it and ate before them (Luke 24:41-43).” This simple act of eating a piece of fish would have given the guilt-ridden men great comfort.¹⁸

The location of the covenant making became a consecrated ground. Occasionally a pile of stones or some other lasting sign served as a memorial to the commitment before God of the two representatives.¹⁹ As recorded in Gen. 31:47-49, sometimes the memorial was renamed, “Laban called it Jegar-sahadutha, but Jacob called it Galeed. Laban said, ‘This heap is a witness between you and me today.’ Therefore he named it Galeed, and Mizpah, for he said, ‘The LORD watch between you and me, when we are out of one another's sight.’”

The Hebrews have a word for the depth of relationship created through a covenant it is *Hesedh*. It is most often translated as mercy, or merciful.²⁰ When coupled with the word *berith* or covenant the meaning reflects the ongoing covenant relationship and is best translated steadfast love. “Know therefore that the LORD your God is God, the faithful God who keeps covenant and steadfast love with those who love him and keep his commandments (Deut. 7:9).”

¹⁸ Ralph Gower, *The New Manners and Customs of Bible Times*, (Chicago: Moody Press, 1987), 245.

¹⁹ Malcolm Smith, 21.

²⁰ Benjamin Davidson, *The Analytical Hebrew and Chaldee Lexicon*, (Peabody, MA: Hendrickson Publishers Inc., 2007), 767.

Old Covenant

“I will establish my covenant with you (Gen. 6:18).” God revealed his grace to Noah just as he was preparing to carry out his just wrath on his now sinful creation. Hill and Walton, authors of a widely utilized textbook for Old Testament scholarship, introduced their survey stating, “Since the covenant is the instrument used by God to effect [sic] self-revelation, the Old Testament often appears to be the history of the covenant, or of aspects of it, more than a history of Israel.”²¹ The entirety of the Old Testament is a record of God’s monotheistic attributes which provided consistency through the specific obligations of the covenant.²²

The chronology of the covenants that made up the old covenant form a roadmap of God’s faithfulness and humanity’s unfaithfulness and struggle for atonement. Genesis chapters 6-9 chronicle the bond with Noah and the Noahic covenant. Genesis chapters 12-50 are a historic record of the Abrahamic covenant. Exodus through Deuteronomy gives a detailed account of God’s relationship with Moses that culminated in the Mosaic covenant known as the Law or the Ten Commandments. A study of Joshua highlights the Lord’s faithfulness to the covenant, which lies in contrast to Israel’s unfaithfulness in the book of Judges. The Davidic covenant or covenant of kingship is the focus of the books of Samuel and Kings. The panorama of all these texts centered on God’s steadfast love and faithfulness to the covenant, not Israel and not the human representatives of the covenant.²³

The Mosaic covenant provided the Israelites with God’s expectations for their lives. Through Moses, the people taught the obligations, were encouraged by the rewards and rebuked

²¹ Andrew E. Hill and John H. Walton, *A Survey of the Old Testament*, 3rd ed., (Grand Rapids: Zondervan Publishing House, 2009), 25.

²² *Ibid*, 209.

²³ Hill and Walton, 25

with the punishments included in God's plan for redemption. The objective of the Decalogue was to control the people for good through fear of the Lord.²⁴ Moses passed on the Lord's forewarning in Exod. 22:20, "Whoever sacrifices to any god, other than the LORD alone, shall be devoted to destruction." A follow up passage in Deuteronomy describes the Lord's reaction to unfaithfulness, "You shall not go after other gods, the gods of the peoples who are around you-- for the LORD your God in your midst is a jealous God--lest the anger of the LORD your God be kindled against you, and he destroy you from off the face of the earth (Duet. 6:14-15)."

The fear factor was present but the Israelites did not view the law as an encumbrance. To the contrary, Moses uses the book of Deuteronomy to illustrate that the law was not given to impose a static legalistic existence. The principles necessary for living in a morally pure society, where genuine piety and love flourish, comprise the theme of the book. The fact that adherence to the law cannot facilitate salvation does not disqualify the law as an expression of grace.²⁵ The reward of the old covenant is the Promised Land.

Joshua led Israel into Canaan, the land of milk and honey. The Israelites faced great battles to seize the land God promised to them. Their successes by the hand of God were many. The rewards were plentiful but the way was hard and the people began to fall back to familiar worship of other gods. The Lord was angered and pointed out through Joshua the divine intervention he had performed for them. Then Joshua called them back to faithfulness saying, "Now therefore fear the LORD and serve him in sincerity and in faithfulness. Put away the gods that your fathers served beyond the River and in Egypt, and serve the LORD (Josh. 24:14)." This pattern of obedience followed by a season of unfaithfulness would be repeated over and over

²⁴ Ibid, 119.

²⁵ Ibid, 175.

again in Israelite history. The books of Kings serve to expose this chronic covenant failure. The Hebrew nation experienced blessings from God in the form of deliverance from their enemies, which would lead to a period of peace and prosperity. Inevitably, the king would fall in regard to idol worship or social rebellion, bringing about Yahweh's vengeance through the conquest of an opposing army and ultimate exile from their land. This pattern, called the retribution principle, is the context in which individual behavior is addressed in the wisdom and poetic literature of Job, Psalms, Proverbs, and Ecclesiastes.²⁶

The inability of the law to affect permanent transformation of character and behavior is obvious and the Lord begins to use the prophets to reveal the eternal solution. Daniel contains some of the most directly interpreted passages about Jesus. "I saw in the night visions, and behold, with the clouds of heaven there came one like a son of man, and he came to the Ancient of Days and was presented before him (Dan. 7:13)." Daniel's peers would not have recognized the son of man as a savior, and certainly not as God. The prophecy that would have deeply impacted the Hebrews was the very next thing he said, "And to him was given dominion and glory and a kingdom, that all peoples, nations, and languages should serve him; his dominion is an everlasting dominion, which shall not pass away, and his kingdom one that shall not be destroyed (Dan. 7:14)." God used many prophets to warn the nation of Israel and then became silent for four hundred years.

A common misconception of the word testament is that it is synonymous with the word covenant. Hill and Walton in their popular textbook include this description, "the English designation "Old Testament" indicates that the covenant is the core concept of this collection of

²⁶ Ibid, 176.

books (testament = covenant).”²⁷ In fact, all four of the gospels and the first eight verses of Acts are under the old covenant.

New Covenant

Jesus’ teaching ministry was to the Jews under the old covenant. It is not until the last supper that Jesus mentions the new covenant. Luke records Jesus as he passes the cup, "This cup that is poured out for you is the new covenant in my blood (Luke 22:20)." The new covenant could not be ushered in until the death of Jesus, as stated by the writer of Hebrews, "Indeed, under the law almost everything is purified with blood, and without the shedding of blood there is no forgiveness of sins (Heb. 9:22)." An important clarification was provided, again by the writer of Hebrews, "he entered once for all into the holy places, not by means of the blood of goats and calves but by means of his own blood, thus securing an eternal redemption (Heb. 9:12)." The new covenant began at the end of Jesus’ earthly ministry. Luke remembered the last time he saw Jesus, "And when he had said these things, as they were looking on, he was lifted up, and a cloud took him out of their sight (Acts 1:9)."

Jesus is the representative of the new covenant. The cost was high; he had to be the spotless blood sacrifice. The new covenant is not between God and man; it creates a covenant relationship between God the Father and God the Son. The representative of God and the representative of humanity have orchestrated a perfect union for the benefit of those who believe.²⁸ "Therefore he is the mediator of a new covenant, so that those who are called may receive the promised eternal inheritance, since a death has occurred that redeems them from the

²⁷ Ibid, 25.

²⁸ Malcolm Smith, 75.

transgressions committed under the first covenant (Heb. 9:15).” The new covenant is not dependant on human ability. Therefore, it is not possible for a redeemed man or woman to break the covenant. Jesus is the guarantor of the covenant in his divine nature it is unconditional, and unbreakable.²⁹

As with each covenant before it, the new covenant in Christ replaces the old covenant. “In speaking of a new covenant, he makes the first one obsolete. And what is becoming obsolete and growing old is ready to vanish away (Heb. 8:13).” Paul speaks to the saints of a mystery surrounding the new covenant, “To them God chose to make known how great among the Gentiles are the riches of the glory of this mystery, which is Christ in you, the hope of glory (Col. 1:27).” The most misunderstood teachings of Jesus were about indwelling. In his farewell discourse, John 13:31-17:26³⁰, Jesus was trying to prepare the disciples for his eminent return to Heaven. Jesus was discussing his union with the Father, and Phillip wanted to meet Jesus’ father. Their ability to make the switch from literal to spiritual was very limited. Jesus asked Phillip, “Do you not believe that I am in the Father and the Father is in me (John 14:10)?” As a source of great encouragement Jesus told the disciples, “Truly, truly, I say to you, whoever believes in me will also do the works that I do; and greater works than these will he do, because I am going to the Father (John 14:12).” The apostle Paul did not seek to emulate the actions of Jesus Christ, rather to allow Jesus to live out his desires through him.³¹ If Paul avoided impersonating Jesus in the flesh, one must certainly avoid impersonating a spiritless Pharisee.

²⁹ Malcolm Smith, 76.

³⁰ Thomas D. Lea and David Alan Black, *The New Testament: It’s Background and Message*, 2nd ed., (Nashville: Broadman and Holman Publishers Inc., 2003), 164.

³¹ Malcolm Smith, 204.

Conclusion

So much of the confusion surrounding covenant theology is tied to the Matt. 5:17-20 passage. As previously established, Jesus' teaching in the four gospels is to Jews under the old covenant context. The realities of the new covenant are inconceivable, even to the disciples at this point. The old covenant law, established for the Israelites' protection from the polytheistic world they lived in, resulted in a legalistic slavery called the retribution principle in academic circles. These people are represented by the frantic dog spending his day trying to escape his ties. Under the new covenant, attempting to integrate all or a portion of the old covenant is returning, in effect, to a yoke of slavery.

Christ, as the full representative of the new covenant, has fulfilled the law in himself. Contained in the very same Sermon on the Mount, as the passage with warnings about the law is this statement by Jesus, "But seek first the kingdom of God and his righteousness, and all these things will be added to you (Matt. 6:33)." Seeking Christ, who lives in and through the believer, for every need, establishes a very different life. These people are represented by the dog napping on the porch. These believers understand the source of life and the context of their freedom. "For the law of the Spirit of life has set you free in Christ Jesus from the law of sin and death (Rom. 8:2)."

Based on the knowledge that the new covenant has completely replaced the old covenant, and the Lord Jesus has taken up residence in the heart of the believer to live in and through him, it is concluded that there is no existing application of old covenant law in a new covenant relationship with Jesus Christ. All the law a new covenant believer requires is fulfilled in the indwelling of Jesus through the Holy Spirit. "This makes Jesus the guarantor of a better covenant (Heb. 7:22)."

