

Conditional Promise Markers in the New Covenant Texts of Jeremiah 31 & 33

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Dispensationalists consistently argue that the new covenant (as stated in Jeremiah 31:31-34, as well as other passages in the Prophets) is primarily for Israel.² Progressive Covenantalism (PC) consistently makes the argument that the New Testament church is the right and proper inheritor of the New Covenant.³

Before discussing the New Covenant in specific, in general, covenants are not some sort of special theological agreement that exist only between God and man – they are best understood in their ancient near eastern (ANE) context. In simplest explanation, covenants are legal contracts/agreements. Gerstenberger lists three elements of a covenant: “the mutual agreement (declaration), the drafted (or just understood) stipulations, the invocation of the curse.” He goes on to argue that the most important part of the covenant statement is the curse itself.⁴ The stipulations are often wrapped up into the curse. “If the curse which threatens the transgressor is a bond protecting the covenant relationship as a whole, the individual stipulations have to be seen in this framework too. This means that the curse formulations are necessary corollaries of each individual stipulation.”⁵ What is often ignored about Jeremiah 31, is that v 35-38, under Gerstenberger’s analysis of covenants themselves (and although Gerstenberger is dealing directly with Ex 19-20 rather than Jer 31), would constitute the curses of the New Covenant. McCarthy responds to the concept of whether a covenant can be “conditional” by stating, “This is unrealistic. All covenants, all contracts have their conditions. They must be defined somehow or other. These definitions are their conditions or stipulations which may often be assumed. So covenants contain both conditions and curses. Conditions are the “if” – the protasis that must occur in order for the curse(s), “then” – the apodosis that contains the negative reaction or response to the condition. Jeremiah 31:35-37 constitutes the

¹No AI was used in the writing of this paper.

² dispensationalists disagree on the relationship of the church with the new covenant. See *Dispensational Understanding of the New Covenant*, edited by Michael Stallard, (Regular Baptist Press, 2012). Kaiser correctly states the issue: “Just as the Abrahamic and Davidic covenants were made directly with each of these men, so the new covenant was made with all the house of Israel and the whole house of Judah. Putting it in this form may open up some new paths for discussion, for while there seems to be no argument over who was originally addressed, there is everything but a consensus when it comes to identifying who participates in the benefits of all three covenants.” Walter C. Jr. Kaiser, “The Old Promise and the New Covenant: Jeremiah 31:31-34,” *JETS* 15, no. 1 (1972), 15.

³See Peter J. Gentry and Stephen J. Wellum, *Kingdom Through Covenant* (Crossway, 2012), 496-502.

⁴Erhard Gerstenberger, “Covenant and Commandment,” *Journal of Biblical Literature* 84, no. 1 (1965): 45.

⁵Ibid., 46.

conditions and curses of the New Covenant. They are conditions because they fit the grammatical form of conditional statements. They are curses because they are listed in a negative sense – a sense in which Israel ceases to be a people under the blessing. As Gerstenberger summarizes,

Just as the treaty stipulations are merely the terms (or exemplary terms) of a covenant previously concluded, so they are also intimately tied to the protective curse formulations. Thus, in form and function, the stipulations, no matter what their phrasing may be, are links between compact and curse. They fill in the span between initiation and termination of an alliance, and they are nothing by their own right.⁶

The New Covenant is found in Jer. 31:31-34 is the text that is listed as the New Covenant, quoted by the author of Hebrews in Heb. 8:8-12. However, Jeremiah 31 isn't the only covenant-related text that deals directly with the concept of the restoration of Israel after captivity. Jeremiah 33 is related to the New Covenant promises of Jeremiah 31 – both in proximity, promises, and structure (this is a minor point of the paper, but a section on this is included as it is a central part of the argument relating the two conditional statements). This paper will argue that (1) the conditional statements in Jeremiah 31:35-37 and Jeremiah 33:19-26 are directly related to both each other and the covenant promises in their preceding contexts, (2) that the referents mentioned within the conditional passages refer to a specific people(s) who existed prior to Jeremiah's prophecies, and (3) the conditional statements within the two texts constitute the conditions that must occur for a future in which the curses of the New Covenant are carried out.

The Conditional Statements: An Examination of Content

In order to demonstrate the similarity between the covenant passages of Jeremiah 31 and 33, it is necessary to look at the structure and content of the two texts. The covenant passages of Jeremiah 31:31-37 and Jeremiah 33:14-26 are similarly structured. In general, the two texts follow the structure of:

(1) Covenant Promises

- Jeremiah 31:31-34
- Jeremiah 33:14-18

(2) The First Conditional

- Jer 31:35-36
- Jer 33:19-22

(3) The Second Conditional

- Jer 31:37
- Jer 33:25-26

⁶Gerstenberger, *Covenant and Commandment*, 46.

Unlike the conditional statements in Jer 31, Jer 33 contains an interlude (described below) between the two conditionals that acts as a direct rebuttal to those who make the claim that God has rejected Israel as a nation. In specific, the conditional statements are structured in a surprisingly similar manner.

- A. “Thus says Yahweh” (כֹּה אָמַר יְהוָה)
- B. Protasis: a statement of inviolable natural law
- C. Apodosis: a negative statement related to the promises made in the previous section about the covenant

The first conditional statement of Jer 31 begins by reciting the natural laws. “Thus says the Lord, the one giving the sun for light in the day and the natural order of the moon and stars for light by night, the one agitating the seas and rolling the waves, Yahweh Sabaoth (the Lord Almighty) is his name.”⁷ The protasis is immediately given: “If these natural orders cease from before me declares Yahweh...” The word “natural order” or “statutes” (קֶחַ- used both in 35 to describe the moon and stars and in 36 to describe the entire order of v 35) means “something prescribed.” It is used for the law in general, shares in an inheritance, specific ordinances (either human or divine), and in this case, the natural order.⁸ The apodosis reads, “Then the seed of Israel will cease to be a nation before me forever.” Ironically enough, the word “forever,” in the apodosis is literally “all the days.” And seeing as Gen 1 defines a day by light and darkness (and day 4, the sun to rule the day and the moon to rule the night), if the sun stops ruling the day and the moon stops ruling the night, then, and only then, will Israel cease being a nation (אֲדָמָה).

The second conditional statement of Jer 31 differs from the first in that it begins with the protasis instead of an external statement of natural law. “If the heavens above can be measured, and the foundations of the earth below can be explored...” The apodosis reads, “Then I will reject all of the seed of Israel for all they have done says Yahweh.” The passage is followed with a statement concerning the physical rebuilding of the city (of Jerusalem), ending with the eschatological statement “It shall be holy to Yahweh, it will not be destroyed and it will not be overthrown again forever.”

The conditional statements in Jer 33 read similarly. The set of conditionals begins with a doubled statement introducing the oracle. “The word of Yahweh was to Jeremiah saying, thus says Yahweh.” The protasis reads, “If you can break my covenant with the day and my covenant with the night that day and night do not come at their appointed time...”⁹ The apodosis is a

⁷All translations in this paper are the author’s.

⁸BDB, “קֶחַ”349.

⁹There is a long discussion/disagreement of whether the “covenant” listed here is, in fact, a “creation covenant” or simply metaphorical language for certainty of the sovereignty of God over the created order as well as a settled faith in the consistency of the created order, as if the author is saying, “The sun rises every day. The moon’s pattern can be predicted over its regular cycle. The constellations and the stars can be charted. The tides can be measured and predicted. All of this created order is in the hands of a consistent, sovereign God who never

statement of declaration of a broken covenant with David. “Then my covenant with David my servant is broken and his son will not rule on his throne and the Levitical priests will not be my ministers.” Unlike the conditional statements in Jer 31, however, positive promises are added to the conditional statements. The comparisons to the expanse of the universe (and consequently the natural order) are still there within the promises here. The promise on the first conditional comes in the form of a comparison – comparing the number of the stars of heaven and the amount of grains of sand of all of the seas as the number of the “seed of David my servant and the Levitical priests ministering to me.” These statements are to be understood as hyperbole – meaning that they will be uncountable in number.

The two conditional statements in Jer 33 are separated by a second statement made by Yahweh reciting what is being said about Yahweh’s relationship with Israel. “Haven’t you seen what this people have said saying, ‘Two of the clans which Yahweh has chosen he has rejected them. And they have despised my people from being a nation before them.’” So the attitude of the surrounding nations who are watching Judah slide into the Babylonian captivity believe that the Jewish God has rejected both kingdoms (clans) – Israel and Judah – as a nation. The second conditional statement, however, sets the pagan’s statement straight. Again, the protasis directly deals with the natural order. “Thus says Yahweh, If my covenant for the day and night [is] not, and the natural order [a “statute” חֹק] [for] the heavens and the earth is not fixed...”¹⁰ The apodosis expands the promises above – they are not only for David and the Levitical priests, they are also for the whole of a group of physical descendants. “Then the seed of Jacob and David my servant I will reject, and not take from his [David’s] seed rulers over Abraham, Isaac, and Jacob.” Like the first conditional in Jer 33, the second conditional ends with a positive statement. This time, however, the statement concerns the whole nation. “Because I will restore them and I will show mercy on them.”

The Conditional Statements and their Direct Promises

The conditional statements in Jer 31:35-37 and 33:19-26 are directly related to the promises preceding said statements. First, the immediate context infers that the statements are directly related. The context of a passage includes, at the very least, the passages preceding and following the examined verses. So the conditional statements of both chapters make more

changes.” That statement is slightly different in meaning than “God has created a covenant with creation that the set order will not change.” The results, however, are the same. Dumbrell has an extended section arguing for a creation covenant. William J Dumbrell, *Covenant and Creation: An Old Testament Covenant Theology* (Paternoster, 2013), 4-60. In a long conversation on whether or not Gen 2 speaks of a covenant with Adam (whether a typical CT “covenant of works” or an Adamic Covenant), Williamson denies any covenant either between Adam and God or the created order and God. Paul R. Williamson, *Sealed with an Oath: Covenant in God’s Unfolding Purpose* (InterVarsity Press, 2007), 44-58. Also see William Van Gemeren, *The Progress of Redemption* (Baker, 1996), 60.

¹⁰The grammar in the Hebrew here has a lacunae – a verb is missing. “Some such verb seems to have dropped out; Hebrew (“if not my covenant with day and night”) is ungrammatical. Some, following Duhm, read bara’ti for beriti (“If I did not create day and night.”) John Bright. *Jeremiah*. AB. Doubleday, 1965, 294. BHS proposes emending “my covenant” to “I created” in order to supply a verb. However, this change eliminates the echo of v 20.

sense when read in context of their greater chapter. Second, as Jer 31:31 states that this is the text of a covenant, conditional statements and curses would, in fact, be expected to be found within the text. Jeremiah 31:31-34 contains no grammatical conditions. Jeremiah 31:35ff contain conditions that directly relate to the preceding text. And thus, to call the New Covenant “unconditional,” is a misreading of the text, as the text contains conditional statements. The conditionals are, in fact, a part of the entire text concerning the New Covenant.

Second, the content of the conditional statement of 33:19-26 is very similar to the promises found in 33:14-18. Jer 33:14-18 offers promises again to the “house of Israel and the house of Judah” (14b). The promises directly refer to a “Branch of David” – as a king “who shall execute justice and righteousness on the earth.” (15). Verses 17-18 refer back to the Davidic covenant of 2 Sam 7 and the Levitical covenant of Numbers 25:10-13.¹¹ The first conditional strophe of Jeremiah 33:19-22 directly refers to the “covenant with David My servant” as well as the “Levitical priests, my ministers.” The second conditional statement expands the recipients of the promises to greater than David or the Levites¹² in so much that it focuses on the “descendants of Jacob” and the “descendants of Abraham, Isaac, and Jacob” as those who will be ruled by a descendant of “David My servant.”

Likewise if the conditional statements of Jer 33 relate directly to the covenant promises found in the preceding verses, it stands to reason that the conditional statements of Jer 31 directly relate to the promises found before them. The apodoses of Jer 31 are for the “seed of Israel” – which relates to the “house of Israel and the house of Judah” of 31:31. The “seed of Israel” is more in reference to the changed name of Jacob (see Gen 32:28; 35:10) rather than the specific northern Kingdom as in the words of Jer 31:31.¹³ The promise of restoration and the

¹¹Kaiser acknowledges that “the new covenant is a continuation of the Abrahamic and Davidic covenants with the same single, promise doctrine sustained in them all.” He refuses to acknowledge that the promises made concerning the “Levites, my ministers” are promised future, eschatological work, stating, “no features have been deleted except the ceremonies and ordinances of the ‘old’ Mosaic covenant whose phasing out was planned for long ago.” Kaiser, “New Covenant,” 21.

¹²Thompson speaks of an ‘expansion of horizons’ in relation to the promises made to David. “The horizon is extended again. The promise of v. 22 is extended to include the whole nation. The two families—Israel and Judah—had suffered divine judgment and had been rejected . . . even though Yahweh had once chosen . . . them. Israel’s election had failed, and they held Yahweh’s families . . . in contempt also, not regarding them as a nation. . . . Yahweh will no more reject the *descendants* . . . of Jacob (Israel), or fail to select from David’s descendants rulers for the descendants of Abraham, Isaac, and Jacob, than he would break the order of day and night. The future was assured. The fortunes of Israel would be restored and Yahweh would *have mercy* . . . on them.” J. A. Thompson, *The Book of Jeremiah*, NICOT (Eerdmans, 1980), 603.

¹³Israel, specifically the northern kingdom of Israel, ceased to exist with the Assyrian captivity around the year 733 BC. Jeremiah was written during the time prior to and through the start of the Babylonian captivity (beginning in 605 BC). The New Covenant, in historical context, is specifically written to bring hope both to a nation/kingdom that no longer existed as well as a nation/kingdom that either was in the process of being completely dismantled or was about to be dismantled.

conditions of those promises are for both kingdoms.¹⁴ The two apodoses of Jeremiah 31 can be paraphrased (stated in a grammatically positive sense, as opposed to the grammatically negative sense in the text itself): Israel will always be a nation in the sight of God and God will never reject Israel for what they have done. The promises of spiritual restoration found in Jer 31:31-34 are, in fact, the necessary and sufficient conditions for (1) Israel to remain a nation in the sight of God and (2) for Israel to not be rejected by God. What is necessary for Israel is ultimately the statement made as the summary of the New Covenant promises in Jer 31:34, “Because I will forgive their sin and I will not remember their iniquities again.” So in order for Israel to be restored as a covenant nation, forgiveness for all of their sin is essential.¹⁵

The Referents within the Conditional Statements

The direct referents of the conditional statements of Jeremiah 31 are “Israel” as a nation and “all the descendants of Israel.”¹⁶ The direct referents of the conditional statements of Jeremiah 33 are (paraphrased) “descendants of David as king over Israel” and “Levitical priests making sacrifices”¹⁷ as well as the “descendants of Abraham, Isaac, and Jacob.” For any reader of Jeremiah’s words during the life of Jeremiah, the exile, and post-exilic era, the referents are clear. The recipients of the promises are the former northern and southern kingdoms of Israel and Judah, as well as the physical descendants of Abraham, Isaac, and Jacob. A direct descendant of David is promised to rule over that restored kingdom. And priests from the descendants of Levi are promised to do the prescribed sacrificial work within that kingdom.

The original reader and recipient of Jer 31 and 33 is expected to have in mind the foundation of the nation on Sinai in Ex 19, as well as the promises of captivity and restoration in Deut 28-30. The text implicitly assumes knowledge of the promises made to David in 2 Sam 7 and to the Levites in Num 25. Within the exile and during the reconstruction, the Israelites are promised status as a nation. Even during the time of the domination of the Roman empire –

¹⁴Ezekiel 37:15-28 parallels the New Covenant text of Jeremiah 31. However, the Ezekiel passage deals directly with a recombining of the two kingdoms into one.

¹⁵Mulzac states, “One may also note that this forgiveness is complete and comprehensive; neither is there any uncertainty that God will forgive. This idea is embodied in the technical term, *salah*, which is used exclusively of God’s offer of forgiveness. It is never employed to refer to people forgiving each other. It thereby suggests that only by divine innovation could such a sin problem be effectively resolved.” Kenneth Mulzac, “The Remnant and the New Covenant in the Book of Jeremiah,” *Andrews University Seminary Studies* 34, no. 2 (1996): 246.

¹⁶Lalleman states, “These verses underline the certainty that God will keep his promises. Just as God’s laws of creation cannot be abolished, so Israel’s position before God is secured for ever. Similar language is used in 33:19-22.” Hetty Lalleman, *Jeremiah and Lamentations*, TOTC (InterVarsity Press, 2013), 234.

¹⁷There is much hatred on social media and in popular literature against dispensationalists who claim that the sacrificial system will be restored, because the sacrificial system has been “fulfilled by Christ.” However, Jeremiah 33:18 states, “The Levitical priests will not be cut off before me offering whole burnt offerings and sacrificing grain offerings.” The text defining the practice of whole burnt offerings is in Lev 1, and the text defining the practice of a grain offering is Lev 2. So to say that the physical sacrifices and the sacrificial system is not a part of Israel’s restoration is again, ignoring what is explicitly stated in the text.

ending with both the destruction of Jerusalem in 70 AD and the complete decimation of Israel during Bar Kokhba rebellion in 136 AD, any Jew reading Jeremiah would rightfully see a future restoration of the kingdom as well as a future rule from one from the line of David (even after their rejection of Christ as Messiah), as well as a restored Levitical priesthood.

Gentry and Wellum, the founders of the idea of “Progressive Covenantalism” (PC),¹⁸ correctly state that “‘The house of Israel and the house of Judah’ are expressly mentioned in 31:31 to show that the previously divided kingdom(s) according to the text of chapters 30-31 will be united.”¹⁹ However, they continue and immediately attempt to trace the recipients of the New Covenant - not through the text of the Old Testament and the passage itself, but through the New Testament.²⁰ In their argumentation of Romans 11,

Paul has just portrayed Israel in terms of an olive tree, some of whose natural branches have been removed and some of whose branches are now non-Jewish branches grafted into one root and tree. What this means is that the new humanity and restored Israel is based on faith and covenant relationship to the Lord rather than on ethnicity. . . . We must interpret ‘all Israel’ within the context of Paul’s teaching in Romans 11. There is no separate future for physical Israel outside of the church--the only humanity to inhabit the new creation. And this is not so-called replacement theology. It is what the prophets teach about the renovated and restored Zion.²¹

Interestingly enough, they simply continue on in their discussion of the New Testament without any demonstration of the assertion in that last sentence. What do the prophets teach

¹⁸It is this author’s opinion that PC is an attempt at maintaining both a consistent Baptist theology with a consistent Reformed Biblical Theology (a la Geerhardus Vos). Locatelli criticizes PC’s use of the new covenant in its defense of credobaptism on the basis that Gentry and Wellum claim that Jer 31 promises a completely regenerate new covenant community. He argues that the phrase “from the least of them to the greatest of them” is a merism rather than a statement of absolutes. “Thus, on a more contextual reading, it becomes clear that the Old/New Covenant contrast in Jeremiah 31:34 is between present pervasive lack of knowledge of the Lord and the future pervasive presence of the knowledge of the Lord. In the coming days the present situation in Israel would be flipped on its head. While at that time Jeremiah was amazed by the pervasive lack of knowledge of the Lord even among the great, the time was coming when he could expect to find a pervasive presence of it even among the least. While at that time there was a pervasive lack of knowledge of the Lord among God’s people that affected everyone without distinction, the days were coming when such knowledge would be poured out on all without distinction.” This “all without distinction” versus “all without exception” language matters here. Locatelli is arguing that “They shall all know me” is akin to a five-point Calvinist saying that “Christ died for all,” in that he died for all sorts of people, not that “Christ died for all” without exception. Christian Locatelli, “Jeremiah 31:34, New Covenant Membership, and Baptism,” *Scriptura* 114 (2015): 10.

¹⁹Gentry, *Kingdom through Covenant*, 496.

²⁰Ibid., 496-502.

²¹Ibid., 501.

concerning the renovated and restored Zion in the Old Testament?²² It certainly isn't about Israel and the Church - seeing as both typical dispensationalists as well as Gentry and Wellum agree that the church is new. However, the nature of the newness is different from a dispensational understanding. Gentry and Wellum argue that

The church is *new* in redemptive-history precisely because she is the community of the new covenant. With the coming of our Lord Jesus Christ, all of the previous covenants have reached their fulfillment, so that the salvation realities that Jesus achieves and applies to his people are *not* exactly the same as under the old covenant. This is *not* to say, contra dispensational theology, that Israel is ontologically different than the church and thus still has privileges distinct from Christ and the church. Rather, the *newness* of the church is a redemptive-historical newness, rooted in the coming of Christ and the inauguration of the new covenant.²³

What Gentry and Wellum ignore, however, is that the spiritual promises made to Israel in Jer 31 are rooted in previous Old Testament texts.²⁴ The metaphor of the "law written on the hearts" is a metaphor for regeneration²⁵ and finds its roots back in the *Shema* of Deut 6, "These words

²²The prophets Isaiah, Jeremiah, Hosea, Ezekiel, Zechariah, as well as most others carry a major theme of punishment and suffering followed by restoration for national Israel. One cannot read through the Old Testament with open eyes without acknowledging that as a fact. Waltke, in his *Old Testament Theology*, repeatedly argues the promises for Israel in the Old Testament for land, blessing, and a ruler, (and in the following, specifically concerning the land), "The literature of the Second Temple era shares in common the belief that *I Am's* promise to give the descendants of the patriarchs the Land gives Israel an eternal right to the Land; it assumes an indissoluble connection between Israel and the Land. More-over, the literature shares the common vision of Israel's restoration to a renewed Holy Land." 556. Waltke completely removes an entire chapter of his book's exegesis (a correct reading, in my understanding) by a single paragraph: "In this chapter we argue that the New Testament redefines Land in three ways: first, spiritually, as a reference to Christ's person; second, transcendently, as a reference to heavenly Jerusalem; and third, eschatologically, as a reference to the new Jerusalem after Christ's second coming. By "redefine" we mean that whereas "Land" in the Old Testament refers to Israel's life in Canaan, in the New Testament "Land" is transmuted to refer to life in Christ. In other words, the New Testament skins like a banana the Old Testament references to the Land as real estate in order to expose its spiritual food. Christian theologians since Augustine have contended that "the New is in the Old concealed, and the Old is in the New revealed." As for Land, I contend that the Old Testament conceals and the New reveals that Canaan has the hidden manna of three eternal, spiritual truths involved in the life of God's elect in Christ. In addition, I contend that Land in the Old Testament is a type of the Christian life in Christ." Bruce K. Waltke and Charles Yu, *An Old Testament Theology* (Grand Rapids: Zondervan, 2007), 560.

²³Gentry, *Kingdom through Covenant*, 684-685.

²⁴Similar to Gentry and Wellum, Moskala downplays the importance of the Old Testament texts concerning the metaphors for regeneration. He states that "the first covenant was written on stone but should have been internalized the same way as the new one is to be implanted in the heart (Deut 6:5; 30:10-14; Ps 40:8; 37:30-31; Isa 51:7; Heb 9:15)." Note that he states "should have been," when the language of Ps 40:8 and Isa 51:7 define realities that existed in the times of the Old Testament. Jiri Moskala, "The Newness of the New Covenant," *Journal of the Adventist Theological Society* 32 (2021): 60.

²⁵Willis, arguing from the perspective of the Stone-Campbell Movement, criticizes his own movement's history of interpretation of the new covenant, specifically in how they have historically understood the concepts of

which I have commanded you today shall be on your hearts” – “these words” being a reference to the Ten Commandments of Deut 5.²⁶ Deuteronomy also uses the metaphor of a “circumcised heart” (Deut 10:16, 30:6). The metaphor of the “law on the heart” is used – not of a promised future – but an actual, present reality for some in the Old Testament.²⁷ So the spiritual promises made within the New Covenant themselves aren’t *new*, what is new is “at the making of the new covenant, Israel will be nationally redeemed, and all the Israelites who enter the kingdom will have experienced personal salvation.”²⁸

The Conditions of the Statements

“forgiveness” in the Old Testament along with the repetition of animal sacrifices. So with the sacrificial system, “sins are being brought to mind so that guilt is sustained. On this basis many SCM [Stone-Campbell Movement] writers assume that when the Lord promises to ‘remember their sins no more,’ he is referring to mental activity and the continuing judgment that a person is guilty of sin. We are supposed to see, therefore, that sins were ‘remembered’ (i.e., held against the offender) under the Mosaic covenant, but God has removed the need for sacrifices so that sins will no longer be ‘remembered’ under the Christian covenant.” Timothy M. Willis, “‘I Will Remember Their Sins No More’ Jeremiah 31, The New Covenant, and The Forgiveness of Sins,” *Restoration Quarterly* 53, no. 1 (2011): 5. Willis, desiring to explain the meaning of the sacrificial system in relation to the covenants argues that “this does not mean that the sacrificial system of the OT was a string of futile acts, nor does it imply that their purpose was to show the futility of such acts. . . . Why would God require humans to offer animal sacrifices if animal sacrifices are incapable of effecting forgiveness? The answer is a simple enigma: because God says he will accept the sacrifices for that purpose. . . . Physical blood atones for spiritual impurity because God decrees it to do so. God accepts the blood of an animal—brought forward by someone with the appropriate heart—as the atonement for the sins committed. The blood of the animals in and of itself does not provide forgiveness; only when God imputes that power to the blood is it efficacious in dealing with sin.” *Ibid.*, 10. So instead of arguing that regeneration existed as a result of justification by faith within the Old Testament, Willis argues that the keeping of the sacrifices is an actual, sacramental event (much like the Stone-Campbell movement’s view of baptism). His theology, at least in this fashion, is consistent.

²⁶The author would contend that the *Shema* of Deut 6:4-6 is a kind of a “gospel call” for the Old Testament – with loving God being the means of “acquiring” salvation (much like faith is the stated means in the New Testament). It would also be contended that faith and love are two sides of the same coin – one is necessary for the other, and vice versa.

²⁷The expression “law on/in the heart” is used of David in Psalm 40:8 in direct contrast to the sacrifices required of the Law. It is also used in Isaiah 51:7 as a description of the people who “know righteousness.” Adeyemi attempts to equate the “law on the heart” with the Pauline reference to the “Law of Christ” in 1 Cor 9:21 and Gal 6:2. However, he fails to recognize the metaphorical language throughout the Old Testament where the “law on the heart” is imagery for regeneration – not a literal law. Femi Adeyemi, “The New Covenant and the Law of Christ,” *BibSac* 163 (2006): 438–52.

²⁸Eric A. White, “Comparing and Contrasting the Sinaitic and New Covenants in the Old Testament,” ThM Thesis, (Central Baptist Theological Seminary, 2006).⁷⁵ White’s entire thesis is an examination of the differences between the promises made within the Sinaitic covenant and the new covenant is spiritual salvation for the entire nation at a singular point in time in the future. Goswell adds to the conversation by arguing that “The forgiveness promised by God in Jer 31 is best interpreted as the precondition for the promised covenant to come into force, not as a benefit of that covenant.” Gary Goswell, “Forgiveness and the New Covenant of Jeremiah 31,” *ZAW* 134 (3) (2022): 376.

The conditional statements following after the covenant passages of Jer 31 and 33 state the circumstances that *must* occur (in the form of a covenantal curse) in order for Yahweh to reject national Israel, the Davidic line as king, and the restoration of the Levitical priesthood. The four protases make statements concerning the sun, moon, stars, and tides (Jer 31:35), the immeasurability of the earth and space (31:37), and the normal timing of day and night (33:20, 25). Each of the four protases is effectively, in the words of Thompson, an “*argumentum ad absurdum*” – making a statement that only if the natural order ever ceases, then God will fail to keep his promises to Israel.²⁹ From a rhetorical perspective, writing the condition-curses in this manner is a means of slowing the reader down and causing them to think and reflect upon both the nature of nature and the nature of God and the promise that he makes. God has promised a future for Israel as long as the sun still shines. Wright summarizes a normal reading well: “What is more certain than that the stars will shine in the night sky and the sun will rise tomorrow? That’s how much you can be sure that God will preserve Israel (35-36). What is more unimaginable than measuring the height of the sky or the depth of the earth? That’s how unthinkable it is that God could reject ‘the seed of Israel’ (37).”³⁰ Mathison summarizes the texts well:

Following the prophecy of the new covenant is a declaration of the inseparable bond between God and Israel. The permanence of God’s relationship with Israel is compared to the permanence of the created order. . . . This promise is noteworthy because it is stated in absolutely unconditional terms. For those facing the prospect of seventy years of exile, it is a source of great hope for the future of Israel.³¹

²⁹Thompson, *Jeremiah*, 582.

³⁰Christopher J. H. Wright, *The Message of Jeremiah*, The Bible Speaks Today (InterVarsity Press, 2014), 332. Wright also states, “The familiarity with the phrase ‘new covenant’, however, is exegetically dangerous since it can tempt us to read the words of Jeremiah immediately through the lens of their New Testament quotations, rather than through the eyes and ears of those who first heard them or read them in his edited book. It’s as if we run a sharp knife around these verses, put the isolated text in our briefcase, and hurry off to open it and read it at Horizon 2 (the horizon of the New Testament fulfillment). Now we shall have plenty to ask and answer when we do get to that Horizon, and indeed we shall see that there are dimensions of this text that will send us on to Horizon 3 as well. But it is a first principle of good exegesis always to start at Horizon 1, the world of the Old Testament itself. We must take this (and every) text in its context,” 323. This author believes that Wright is correct in starting with the Old Testament, but is uncomfortable with his “expansion of horizons” that he sees throughout the New Testament. He argues that the New Testament expands the promise to include those who come to Christ in faith, and sees Romans 11 as a final inclusion of Jewish people into the people of God. “And Paul’s longing is to see that love of God for the Jewish people ultimately leading them to be grafted back into their own olive tree, through the mercy of God and the obedience of faith. That is, he does not imagine a distinct or second covenant arrangement for Jews independent of what God has done through Christ, but longs to see them entering into the promise of the new covenant that was original given to them, and doing so through faith in Jesus the Messiah.” Ibid., 338. However, although he sees a future promise for Israel, he is forced to spiritualize Jer 31:40 – the promise of the rebuilt and restored Jerusalem as occurring within the New Jerusalem of Rev 21-22 – instead of stating that the prophets Ezekiel and Jeremiah promise a rebuilt and restored Jerusalem for Israel during the messianic kingdom.

³¹Keith A. Mathison, *From Age to Age: The Unfolding of Biblical Eschatology* (P&R Publishing, 2009), 231.

The conditional statements (especially the words of the apodoses) act as a statement of *terminus ad quem* for the words of the new covenant. At what point do the promises made to the specific recipients of the new covenant end? Or rather, in meeting with the words of the text, what are the conditions under which the promises of the new covenant end? The conditions are directly linked to the natural order of the heavens and the earth.

Conclusion

This paper has argued that (1) the conditional statements in Jeremiah 31:35-37 and Jeremiah 33:19-26 are related to the covenant promises found within their direct contexts, (2) that the referents of the conditional statements are national Israel, a descendant of David, and the Levitical priesthood, and (3) the conditional statements within the two texts constitute the necessary conditions for God to cast off Israel.

And, if these statements are indeed true, then the text is pointing at the absurdity of God's rejection of Israel as a nation and as a people. It would be absurd to think that God would reject the nation for their sin. It would be absurd to think that there will not be a future kingdom for Israel over which a descendant of David does not rule and the Levitical priests do not make sacrifices. The new covenant is, in fact, conditional, but not in the sense that previous generations of scholars have spoken of conditionality within the covenants. Textually, the New Covenant is conditional. Theologically (and the distinction is important), the New Covenant is unconditional. Perhaps the language of "unilateral" is better used at this point. The conditions of the New Covenant are clearly laid out – and the conditions for God to reject Israel is that the natural, created order effectively collapses and ceases to act as it has since the creation of the world.

Yesterday, the sun rose and the sun set. This morning, the sun rose. The moon followed its predictable cycle. The stars and constellations were seen in their predictable seasonable patterns. At the beach, not too far from here, the tides came in and went out – completely predictable as normal. The James Webb telescope has further demonstrated that man cannot see nor measure the edges of the universe, and the ground below is still largely unexplored. As such, God has not rejected Israel as a nation. God will certainly restore Israel as a kingdom with Christ ruling and reigning on the throne of David in Jerusalem, with the Levitical priests restored in the sacrificial system.