

The New Covenant in Hebrews 8:7 and the Temporary Role of the Mosaic Law

J. Paul Tanner, ThM, PhD

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INTRODUCTION

Over the past twenty-five years or more, there has been a growing number of people becoming involved in what has been termed the “Hebrew Roots Movement” (HRM). Although there is diversity of beliefs to be found among its adherents, in general HRM teaches that Christians today are obligated to obey the commandments of the old covenant (the Mosaic Law).¹ This is in contrast to the traditional understanding of the New Testament that the Law—as an obligatory system of practice—ceased with Christ’s death on the cross. Adherents of HRM rely on a number of unorthodox interpretations of Scripture to defend their system of belief. This article is a response to just one such passage, namely, Hebrews 8:7-13. I wish to demonstrate that this passage does indeed teach that the new covenant has replaced the old covenant and that Christians today are not under the Mosaic Law.

BACKGROUND TO THE DISCUSSION

In 1446 BC, the Hebrews departed from Egypt in a massive exodus and three months later arrived at Mount Sinai (Exod 19:1). The highlight of their stay at Mount Sinai was the receiving of the old covenant from God (also known as the Mosaic covenant or simply “the Law”). Traditional Christian belief is that this Mosaic Law covenant was imposed upon Israel as a nation (not Gentiles) and continued in force until the death of Christ on the cross. The Law was ratified by the shedding of blood—albeit animal blood—and the sprinkling of it upon the people: “So Moses took the blood and sprinkled it on the people, and said, ‘Behold the blood of the covenant, which the LORD has made with you in accordance with all these words’” (Exod 24:8). From that moment on, the Hebrew people were obligated to the terms of the covenant with its 613 commandments, and their obedience or lack thereof would determine whether they would receive God’s blessings or His discipline (curses). Yet the Law was never given as a means of salvation from the penalty of sin, for the way of salvation had already been established hundreds of years earlier with Abraham: “he believed in the LORD; and He reckoned it to him as righteousness” (Gen 15:6). The Law could condemn (Deut 27:26), but it could not justify (cf. Gal 3:10-14). Yet the primary purpose of the Law was not merely to condemn, for even it was a measure of God’s grace. The Law was meant to instruct Israel in how to live as a holy covenant people of God—being a light to the world—and to the extent that the nation obeyed God’s covenant, they received God’s blessing.

¹ For a more informed analysis of the HRM, see Tim Chaffey, “Dangers of the Hebrew Roots Movement,” March 17, 2018, <https://answersingenesis.org/presuppositions/dangers-hebrew-roots-movement/>.

Whatever we might say about the Law (and it did have many purposes!), the New Testament makes clear that—in contrast to the Abrahamic covenant—it had a *temporary purpose*:

“Therefore the Law has become our tutor *to lead us* to Christ, so that we may be justified by faith. But now that faith has come, we are no longer under a tutor” (Gal 3:24-25).

This is not the only New Testament passage clarifying the Law’s temporary purpose, for there are a number of passages to buttress this theological truth (e.g., Gal 4:1-11; Rom 7:1-6; 1 Corin 9:19-23). In the epistle to the Galatians—the *Magna Carta* of Christian liberty—the Apostle Paul brilliantly defends the doctrine of justification by faith alone in Christ alone as the true gospel message. Yet he also goes on in this same epistle to defend the doctrine of sanctification by grace. Having concluded Galatians four by illustrating the enslaving nature of the Law, he opens chapter five with the declaration of Christian freedom from the Law: “It was for freedom that Christ set us free; therefore keep standing firm and do not be subject again to a yoke of slavery” (Gal 5:1). As is well-known, the churches of Galatia had come under attack from the false teaching of the Judaizers and their insistence on *Law keeping*. Paul—writing with deep passion of pen—sought to persuade the Galatian believers that trying to live by the Law was not the way of bringing about obedience to God. Only by walking by the Spirit could they find victory over the “flesh” and sin in the Christian life (Gal 5:13-23). Furthermore, he warns them of the consequence of trying to live by the Law: “And I testify again to every man who receives circumcision, that he is under obligation to keep the whole Law” (Gal 5:3; cf. James 2:10).

The shedding of the blood of the Lord Jesus Christ on the cross inaugurated the new covenant (Luke 22:20), a clear demonstration of its superiority to that of the old covenant that had been inaugurated by animal blood at Sinai (Exod 24:8). The new covenant brought in a new age and a new system by which all mankind were to live. Its hallmark would be the indwelling presence and power of the Holy Spirit in every believer, and its great benefit would be the assurance of eternal forgiveness of sins, such that no further sacrifice would ever be needed (Heb 10:14, 18).

THE CONTEXT OF THE EPISTLE TO THE HEBREWS

An overall reading of the epistle to the Hebrews yields the conclusion that this was written to certain Jewish Christians who were wavering in their faith and being tempted to resort back to some form of Judaism. This stemmed from the suffering they were having to endure on account of having embraced Jesus as Messiah (Heb 10:32-34). The author’s concern was to convince them of the superiority of the new covenant over the old and to warn them of the consequences that would come upon them were they to abandon their faith in Christ. These consequences could be a matter of God’s temporal discipline (Heb 12) or more significantly of eternal consequences they would one day face at the judgment seat of Christ (loss of privilege and

rewards). Though they were tempted not to persevere in their faith, the author reminded them that Jesus was not only their Savior but also their High Priest who was there to come to their aid and help them persevere in faith (Heb 2:18; 4:14-16). His shed blood for them was immeasurably more effective as a sacrifice for their sins. His act of presenting His own blood in the heavenly tabernacle was “the hope” that had been set before them as an anchor of the soul (Heb 6:17-20; cf. 9:23-26). He ended chapter six by reminding the readers that in this act, Jesus had “entered as a forerunner for us, having become a high priest forever according to the order of Melchizedek” (Heb 6:20).

Although the author of Hebrews had breached the subject of the Melchizedekan priesthood of Christ earlier in the epistle (note Heb 2:17-18; 4:14-16; 5:1-10), he launches into a full-blown development of this in chapter seven. His purpose throughout this chapter was not to show a failure of the Levitical priesthood as established by the Law, but to powerfully demonstrate by numerous arguments the superiority of the Melchizedekan priesthood and Christ Jesus as the High Priest of that. Not only did the author convincingly do so, but he also underscored an important point regarding the Law: “For when the priesthood is changed, of necessity there takes place a change of law also.” Change of priesthood and change of law go hand-in-hand.

In the opening paragraph of Hebrews eight (8:1-6), the author wraps up his argument that Christ is a High Priest of a superior priesthood by clarifying that His priestly ministry is not a mere earthly one but one centered in the heavenly tabernacle itself. Because of this, He has brought into effect a *better covenant*, namely, the new covenant that had been promised by the prophet Jeremiah (Jer 31:31-34): “But now He has obtained a more excellent ministry, by as much as He is also the mediator of a better covenant, which has been enacted on better promises” (Heb 8:6). With this concluding statement, the author launches into a contrast of the new and old covenants in the following paragraph of Hebrews 8:7-13. In this paragraph, he will not only point out the failure of the Jewish people to keep the old covenant but also the fact that it was never envisioned to be permanent. Rather, in the course of history it would become obsolete and disappear.

THE OPENING VERSE TO HEBREWS 8:7-13

The author begins the final paragraph of Hebrews eight with these words:

“For if that first *covenant* had been faultless, there would have been no occasion sought for a second” (NASB).

The word “For” at the beginning of the verse ties what he is about to say with the preceding verse, namely, Heb 8:6. This connecting word *explains* why the author could say that Christ has

mediated “a better covenant.” The reason is that something was faulty about the first covenant, that is, the Mosaic Law covenant.

Someone might object that the author is talking about the Mosaic Law covenant on the basis that the word “covenant” is not in the original Greek text. While it is true that the word “covenant” is not in the Greek—and for this reason the NASB places the word in italics—this is, nevertheless, the appropriate understanding. In translation work, this is what is referred to as an ellipsis. The word is not explicitly in the text but is understood from the context. There are many examples of this in the new Testament, and translators take this into account when trying to render the Greek text into what would be considered proper smooth English. While any particular English translation can be called into question, there is no sufficient reason for questioning this particular translation of Heb 8:7. Accordingly, every major Bible translation inserts the word “covenant” at the beginning of the verse to clarify the author’s intention (so NASB, NIV84, ESV, NRSV, KJV, NKJV, NLT, LEB [the Lexham English Bible], CSB [the Christian Standard Bible], and the NET Bible).

Despite the overwhelming consensus of opinion supporting the translation “For if that first *covenant* had been faultless,” the objection has been raised that it is not the “covenant” that the author has in mind, but rather the Levitical priesthood. Support offered for this assertion is that the following verse points out that the fault is “with them,” meaning people, not covenant (so they argue). Yet such an assertion not only flies in the face of virtually all evangelical scholarship on this issue, but fails for several reasons.

Reason #1 that “covenant” is the correct understanding: The context

The preceding verse (Heb 8:6) spoke of Christ mediating “a better covenant.” So, “covenant” is the dominant idea in the context, not the Levitical priesthood. As pointed out already, the word “For” at the beginning of verse seven connects these two verses. Verse seven *explains* why the covenant brought in by Christ, namely, the new covenant, is better than the old covenant (the Mosaic Law). The reason is that something was *faulty* about the old covenant that precipitated the need for a new covenant. Not only does the preceding context to verse seven support the translation of “covenant,” but the following context (quoting Jeremiah’s prophecy of the new covenant) is very much concerned about “covenant,” not the Levitical priesthood.

Reason #2 that “covenant” is the correct understanding: Shift in number

Technically, the opening protasis of Heb 8:7 says, “For if that first had been faultless.” The word translated “first” is the Greek word *prōtos* which occurs in the singular. The fact that the pronoun “them” in Heb 8:8 is in the plural (Gk *autous*) tips us off that there is a difference between what he has in mind in verse seven (the “first”) and “them” in verse eight. In other

words, you cannot say that “first” means Levitical priesthood (singular) and then “priesthoods” (plural) in verse eight. And you cannot say that “first” means “priests” in verse 7, because the word “first” is singular. The shift in number is significant and thus nullifies the argument that “first” in verse seven is defined by “them” in the following verse.

Reason #3 that “covenant” is the correct understanding: Consistency of usage of “*prōtos*”

There is a second important observation about the author’s use of *prōtos* (translated “first”) in Heb 8:7, and this is to be found in the fact that he uses it again at the end of the paragraph (Heb 8:13). Bracketing the paragraph at the beginning and ending with the word *prōtos* is a literary technique (an *inclusio*) that the author is fond of and uses elsewhere.²

We do well, then, to carefully observe how *prōtos* (“first”) is used in Heb 8:13:

“When He said, ‘A new *covenant*,’ He has made the first [*prōtos*] obsolete. But whatever is becoming obsolete and growing old is ready to disappear.”

We notice that the word *covenant* is again in italics, just as it was in Heb 8:7. So, there is an ellipsis again, but in this case, it is called “a new” (Gk *kainos*). Yet it is very clear that he means “a new covenant,” because he is referring to something he just said that introduced the long quotation from Jer 31:31-34. The beginning of that quotation states, “Behold, days are coming,” says the LORD, ‘when I will effect a new covenant (*diathēkēn kaivēn*)’”

The author’s point is that Jeremiah’s announcement of a “new covenant” has served to make the “first” obsolete. Since *covenants* are being compared, by the word “first,” the author of Hebrews clearly means “the first covenant,” namely, the old covenant first given at Sinai. This use of “first” (*prōtos*) in Heb 8:13—meaning *first covenant*—clarifies what the author means by “first” in Heb 8:7.

Reason #4 that “covenant” is the correct understanding: the need for internal consistency within verse 7

Within Heb 8:7, the author refers to something that is “first” and something that is “second.” How one is understood must be consistent with how the other is understood. We could diagram it this way: “For if that first X had been faultless, there would have been no occasion sought for a second X.” If we put the word “covenant” in the X slot, the verse makes perfect sense in light

² For another example of the author’s use of *inclusio*, see the word *nōthros* (meaning “slow, dull, or sluggish”) in Heb 5:11 and 6:12, thereby demarcating the pericope that warns the readers of the danger of failing to move on to maturity. For a more developed presentation of this, see J. Paul Tanner, “But If It Yields Thorns and Thistles’: An Exposition of Hebrews 5:11-6:12,” *Journal of the Grace Evangelical Society* 14:26 (Spring 2001), 22-23, 41.

of the context contrasting the two covenants. However, if we put the word “priesthood” in the X slot, consistency of usage leads to a rather conflicting conclusion: “For if that first *priesthood* had been faultless, there would have been no occasion sought for a second *priesthood*.”

Despite all that the author has said about the Levitical priesthood in chapter seven, his point was not that there was something “faulty” about it. Rather, his point was that the priesthood of which Christ is a priest is *superior to* the Levitical priesthood. In fact, not even in the preceding or following context of Jer 31:31-34 did the prophet attribute the need for a new covenant to the fault of the priests or anything fundamentally wrong about the priesthood. Jeremiah announced a new covenant, because *the Jewish people* had failed to keep the old covenant. The Levitical priests may have played a part in that failure, but that is not the author’s point.

There is another reason why a “second *priesthood*”—one that would of necessity replace the first priesthood—does not make sense in Heb 8:7. The Melchizedekian priesthood *preceded* the Levitical priesthood, so technically it was not a “second” one to the Levitical. Furthermore, the priesthood of which Christ is a part was not some Plan B in God’s economy, as though it would not have been needed had the first covenant succeeded. Rather, it was God’s definite purpose and Plan A long before the giving of the Law. That is the author’s very point in calling attention to Abraham paying tithes to Melchizedek and blessing him in Heb 7:4-10. Levi, in the loins of Abraham, was blessing “the greater”! Hence, for the sake of internal consistency of referents in Heb 8:7, “first” must refer to “first covenant,” not first priesthood.

Reason #5 that “covenant” is the correct understanding: “them” in Heb 8:7 does not refer to the Levitical priests

Those who would take “first” in Heb 8:7 to refer to first *priesthood* rely on the opening words of verse eight in support of their view. They read the text like this: “For if that first *priesthood* had been faultless, there would have been no occasion sought for a second. For finding fault with them [*i.e., the Levitical priests*], He says” The problem with this view is that the pronoun “them” in Heb 8:8 is not referring to the Levitical priests. Rather, it refers to *the people of Israel* who had broken God’s covenant given at Mount Sinai. This is very clear from the words that follow in Jeremiah’s prophecy. What the author is doing in verse eight is to *highlight* the word “them” that occurs in the quotation from Jeremiah:

“not like the covenant which I made with their fathers on the day when I took them by the hand to lead them out of the land of Egypt” (Heb 8:9)

“for they did not continue in My covenant, and I did not care for them, says the LORD.”

Clearly, the author is saying in Heb 8:8 that the new covenant was announced by Jeremiah, because God had found fault with “them,” namely, the Jewish people who had failed to keep the old covenant first given at Mount Sinai.

THE CORRECT MEANING OF HEBREWS 8:7

For the five reasons stated above, the word “first” (*prōtos*) in Heb 8:7 cannot refer to the first *priesthood* (i.e., the Levitical priesthood established under the Mosaic Law). Contextually, it must be referring to “the first *covenant*.” If that is true, then we must answer the question as to why it had not been found “faultless” (Gk *amemptos*). Elsewhere we are told, “the Law is good, if one uses it lawfully” (1 Tim 1:8), and in Romans, “So then, the Law is holy, and the commandment is holy and righteous and good” (Rom 7:12). What could be at fault about it?

The Greek word translated “faultless” (*amemptos*), occurs five times in the New Testament (Lk 1:6; Phil 2:15; 3:6; 1 Thess 3:13; and Heb 8:7). In the other occurrences, it typically carries the connotation of a person being *morally faultless*. For instance, we read in Phil 2:15, “so that you will prove yourselves to be blameless (*amemptoi*) and innocent, children of God above reproach in the midst of a crooked and perverse generation, among whom you appear as lights in the world.” Yet this nuance of being *morally faultless* does not fit in the case of Heb 8:7 (a person is not in view but a covenant). The first covenant was indeed *morally faultless*.

What was at fault was not the inherent nature of the old covenant. After all, it came from God! The following context in which the author quotes from Jer 31:31-34 clarifies what fault the author had in mind: “they did not continue in My covenant” (Heb 8:9). That is, the people had miserably failed to keep the Mosaic Law. As pure and holy as the Law was, it did not provide the enabling power to perfectly keep it. The Apostle Paul brings out this very point in Romans in which he argues for the need of walking by the Spirit:

“For what the Law could not do, weak as it was through the flesh, God *did*: sending His own Son in the likeness of sinful flesh and *as an offering* for sin, He condemned sin in the flesh, so that the requirement of the Law might be fulfilled in us, who do not walk according to the flesh but according to the Spirit” (Rom 8:3-4).

We might say that the Law was morally perfect but insufficient for living righteously. In the course of the nation’s history—and despite the fact that certain individuals might have lived relatively godly lives—the nation failed to stay on course with God’s Law; they did not continue in it; they did not keep it. By the days of Jeremiah, repeating the cycle (as though God might clean the slate and allow them to start over) would not bring any better results. Since the time that Israel was first give the Law at Sinai until the time of Jeremiah, over 800 years of Israel’s

history had substantiated that truth. Hence, by Jeremiah's day, an occasion had been sought for a second covenant.

IMPLICATIONS OF JEREMIAH'S ANNOUNCEMENT OF A NEW COVENANT

The concluding statement to Hebrews eight is significant:

“When He said, ‘A new *covenant*,’ He has made the first [*prōtos*] obsolete. But whatever is becoming obsolete and growing old is ready to disappear.”

For the author of Hebrews, the mention of “new covenant” from the quotation of Jer 31:31 (see Heb 8:8) is a signal that “the first *covenant*” has been made obsolete. In the Greek text, the words “made . . . obsolete” are a translation of the verb *palaiōō*, meaning “*make old, declare/treat as obsolete*.”³ Furthermore, the verb is in the Greek perfect tense. This refers to an action that occurred in the past but which has continuing results to the present moment of speaking/writing. The point is that from the moment that Jeremiah uttered the announcement concerning a new covenant, the previous covenant—the Mosaic Law—was rendered “obsolete.” Seesemann, discussing the usage of the verb *palaiōō* in the New Testament, writes that it “is theologically significant only in Heb. 8:13, which argues that God, by setting up the new covenant, has declared the old to be outdated, so that it is ready to disappear.”⁴

The author of Hebrews concludes from this that “whatever is becoming obsolete and growing old is ready to disappear” (lit., *near disappearance*). The last word of the sentence is actually a noun (Gk *aphavismós*). Although it only occurs here in the New Testament, it is an antonym of the word *phanerós*, meaning “that which is visible, plainly seen, or evident.” Despite its singular use in the New Testament, *aphavismós* is used 58 times in the Greek Septuagint. The classical meaning of the word is “extermination, destruction.”⁵ The nuance of “destruction” for *aphavismós* is commonly attested in the Septuagint, e.g., 1 Kings 13:34, “This event became sin to the house of Jeroboam, even to blot *it* out and destroy it (*eis aphanismòn*) from off the face of the earth.” In conclusion, the author’s statement that the old covenant is “ready to disappear” had strong connotations, implying it would come to an end. Jeremiah made this prophecy about the new covenant in the sixth-century BC, and from that moment onward, it was apparent that the first covenant (the Mosaic Law) was growing increasingly nearer to the time when it would “disappear” (and thus cease to be operative).

³ Arndt, W., Danker, F. W., Bauer, W., & Gingrich, F. W., *A Greek-English lexicon of the New Testament and other early Christian literature*, 3rd ed. (Chicago: University of Chicago Press, 2000), 751.

⁴ Kittel, G., Friedrich, G., & Bromiley, G. W., *Theological Dictionary of the New Testament, Abridged* (Grand Rapids, MI: W.B. Eerdmans, 1985), s.v. “*palaiōō*,” by H. Seesemann, 770.

⁵ Liddell, H. G., Scott, R., Jones, H. S., & McKenzie, R., *A Greek-English lexicon* (Oxford: Clarendon Press, 1996), 286.

CONCLUSION

Hebrews 8:7 clearly pertains to the “first covenant,” the Mosaic Law. Recognizing that it was not “faultless” (the people failed to keep it), an occasion was sought for a second covenant. That occasion came about in the sixth-century BC when it was revealed to Jeremiah that God would effect a new covenant with the Jewish people, a covenant quite different than the one He had made with their forefathers at Mount Sinai in 1446 BC. This prophecy in Jer 31:31-34 not only revealed God’s intention to make a new covenant at some future point, but it also signaled that the old covenant made at Sinai would “disappear” and cease to be operative. This conclusion is consistent with other New Testament passages stating or implying that the Mosaic Law covenant ceased at the time of Christ’s death on the cross when the new covenant was inaugurated. Hence, Christians today are not under the Law or obligated to keeping it for purposes of their sanctification.

The following page provides a textual layout that highlights some of the crucial observations presented in this paper.