

Massimiliano Scandroglia

## COVENANT AND COVENANTS

### The theological Reinterpretation of the God - Israel Relationship in the Old Testament

#### Sommario

Il contributo offre una panoramica sulle diverse prospettive teologiche, maturate nella storia della formazione dell'Antico Testamento, sul tema centrale dell'alleanza: cioè, della singolare relazione fra YHWH e Israele. Al di là delle differenze fra le scuole di pensiero, che hanno contribuito alla discussione su questo importante motivo teologico, si riscontra una polarità irriducibile, che contraddistingue la visione biblica dell'alleanza: il primato della grazia di Dio e il valore della libertà dell'uomo.

#### *Summary*

*The paper offers an overview of the different theological perspectives, which have matured in the history of Old Testament formation, on the central theme of the covenant: that is, of the unique relationship between YHWH and Israel. Beyond the differences between the schools of thought, which have contributed to the discussion on this important theological motif, there is an irreducible polarity, which distinguishes the biblical vision of the covenant: the primacy of God's grace and the value of man's freedom.*

Massimiliano Scandroglio\*

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### The theological Reinterpretation of the God - Israel Relationship in the Old Testament

SUMMARY: I. INTRODUCTION: THE THEOLOGICAL MOTIF OF THE COVENANT IN THE ISRAELITE CULTURE – II. EXEGETICAL-THEOLOGICAL RESEARCH ON THE TOPIC OF THE COVENANT IN THE 20TH CENTURY – III. THE ORIGIN OF THE CONCEPT OF COVENANT IN BIBLICAL CULTURE – IV. THE COVENANT ACCORDING TO THE DEUTERONOMISTIC TRADITION: 1. *The stipulation of the covenant at Sinai (Ex 19–24)*; 2. *The covenant renewed in response to sin (Ex 34)*; 3. *God's faithfulness as the sole guarantee of the covenant's subsistence (Deut 4)*; 4. *The promise of Israel's future inner renewal (Deut 29–30)* – V. THE CONTRIBUTION OF PROPHECY TO THE RECONSIDERATION OF THE CONCEPT OF COVENANT: 1. *Jeremiah and the announcing of the «new covenant» (Jer 31:31-34)*; 2. *Ezekiel and the gift of the «new heart» (Ez 36:24-28)* – VI. THE COVENANT ACCORDING TO THE PRIESTLY TRADITION: 1. *The covenant with Abraham and his descendants (Gen 17)*; 2. *The covenant with Noah and all mankind (Gen 9)* – VII. CONCLUSION: THE FUNDAMENTAL AND IRREDUCIBLE POLARITY OF THE BIBLICAL COVENANT

#### I. INTRODUCTION: THE THEOLOGICAL MOTIF OF THE COVENANT IN THE ISRAELITE CULTURE

The understanding of a covenant between God and man, and not just a relationship, is the most original contribution of Jewish thought to the religious history of mankind<sup>1</sup>.

This pertinent observation by A. Neher already gives insight into the theological value of the concept, inherent in the Hebrew term *b'rit* («covenant»)<sup>2</sup>; a concept, elaborated through the decisive contribution of proph-

\* Professor of Holy Scripture at the Seminario Arcivescovile di Milano.

<sup>1</sup> A. NEHER, *L'essenza del profetismo* (= Radici 4), Marietti, Casale Monferrato 1984, 96 (our transl.).

<sup>2</sup> On the possible etymology of the substantive cf M. WEINFELD, «*b'rit*», in *GLAT* 1, 1589-1644: 1591-1594; and also E. KUTSCH, *Verheißung und Gesetz. Untersuchungen zum sogenannten »Bund« im Alten Testament* (= BZAW 131), De Gruyter, Berlin 1973, 1-39; P. BUIS, *La notion d'alliance dans l'Ancien Testament* (= LeDiv 88), Cerf, Paris 1976,

ecy<sup>3</sup>, that gave Israel the opportunity to understand and express the extent of its relationship with the Lord<sup>4</sup>.

The «covenant», which in biblical theology represents the relational category *par excellence*<sup>5</sup>, enables us to grasp that common thread that runs through the whole of Israel's religious history and configures it as the history of a relationship, and of a salvific relationship. Thus P. Beauchamp in defining this intrinsic temporal dimension of the biblical *b'êrît*:

[The covenant] is set on a timeline. But its temporality is not seen from the outside; it exists from the «now» (*maintenant*); and it is through this «now» that time is articulated in the past of benefits and the future of opposing possibilities. To say «covenant» is to say not only that the institution is fixed, but that stability is its aim; to say «temporality», on the other hand, means event and change, because this dimension is set from the point of view of freedom<sup>6</sup>.

The structural link between the theological category of covenant and the history of Israel in its contingency justifies the multifaceted nature of the subject within the biblical testimony, which to some extent cannot be reduced to a precise systematic vision.

There is no uniform idea of covenant, because it is not an abstract principle, but rather a hermeneutical tool, an interpretative scheme of the lived out relations between God and his people within history<sup>7</sup>.

42-44. See also P.J. GENTRY, «The Significance of Covenants in Biblical Theology», *The Southern Baptist Journal of Theology* 20 (2016) 9-33, on the relevance of the concept for the development of solid biblical theology.

<sup>3</sup> Cf G. BORGONOVO, «La *b'êrît* biblica: impegno e obbligazione», in G. BORGONOVO et al., *Torah e storiografie dell'Antico Testamento* (= Logos 2), Elledici, Leumann 2012, 621-643: 622.625.

<sup>4</sup> «[...] l'idea di alleanza sembra essere caratteristica specifica della religione israelitica, perché solo questa esigeva la lealtà assoluta ed escludeva la possibilità di una fedeltà multipla, quale era consentita in altre religioni, in cui il fedele poteva entrare in rapporti con diverse divinità» (M. WEINFELD, «*b'êrît*», 1643).

<sup>5</sup> Cf E. DI PEDE, «I profeti e l'alleanza sempre da rinnovare», *PSV* 84 (2021) 43-45: 43-44; and also E. BEAUCAMP, *I grandi temi dell'alleanza* (= Le spighe), Borla, Roma 1991 (French orig. 1988), 207-223.

<sup>6</sup> P. BEAUCAMP, «Propositions sur l'alliance de l'Ancien Testament comme structure centrale», *RSR* 58 (1970) 161-193: 167 (*our transl.*).

<sup>7</sup> A. BONORA, «Alleanza», in P. ROSSANO (ed.) et al., *Nuovo Dizionario di Teologia Biblica*, San Paolo, Cinisello Balsamo 1994<sup>4</sup>, 21-35: 31 (*our transl.*).

In particular, this category, precisely in its flexibility, makes it possible to preserve an awareness, on the one hand, of the primacy of God in the relation, and, on the other hand, of the responsibility incumbent on Israel in answering this offer of grace.

The very fact of the covenant confers on Israel the dignity of divine counterpart and recognizes its freedom to adhere to this essential relationship<sup>8</sup>.

In this paper, we wish to examine the concept of covenant in its historical dimension: that is, by considering the main forms in which it has developed over time and crystallized in biblical literature. It will be our concern to show which traits of the covenant the Israelite tradition has from time to time intended to emphasize, and to grasp the underlying reasons. The «drama» of the God - Israel relationship will thus be confirmed in all its consistency, demonstrating how the basis of salvation history is God's invincible will of communion, which had to account for Israel's freedom in its weakness<sup>9</sup>.

<sup>8</sup> G. GALVAGNO - F. GIUNTOLI, *Dai frammenti alla storia. Introduzione al Pentateuco* (= Graphé 2), Elledici, Torino 2014, 361 (*our transl.*).

<sup>9</sup> For contingent reasons, we will avoid considering forms of covenants with specific categories of subjects, such as the monarch («Davidic covenant»; cf in part. G. GAKURU, *An Inner-Biblical Exegetical Study of the Davidic Covenant and the Dynastic Oracle* [= Mellen Biblical Press Series 58], Mellen Press, Lewiston [NY] 2000; and also D.J. MCCARTHY, «Il patto di Dio nell'Antico Testamento. Un rapporto sulla ricerca degli ultimi anni», in D.J. MCCARTHY et al., *Per una teologia del patto nell'Antico Testamento* [= Collana Biblica], Marietti, Torino 1972 [German orig. 1966] 13-73: 62-67; H. KRUSE, «David's Covenant», *VT* 35 [1985] 139-164; S.W. HAHN, *Kinship by Covenant: A Canonical Approach to the Fulfilment of God's Saving Promises* [= The Anchor Yale Bible Reference Library], Yale University Press, New Haven [CT] - London 2009, 176-213) or the priestly class («Levitical covenant»; cf in part. F. SERAFINI, *L'alleanza levitica. Studio della b'rît di Dio con i sacerdoti leviti nell'Antico Testamento* [= Studi e ricerche. Sezione biblica], Cittadella, Assisi 2006; and also B. GOSSE, «L'alliance avec Lévi et l'opposition entre les lignées royale et sacerdotale à l'époque perse», *Transeuphratène* 10 [1995] 29-33; S.W. HAHN, *Kinship by Covenant*, 136-175), of which, however, we have abundant evidence in the biblical text.

## II. EXEGETICAL-THEOLOGICAL RESEARCH ON THE TOPIC OF THE COVENANT IN THE 20TH CENTURY

The history of studies on our subject<sup>10</sup> began in the latter part of the 19th century, when J. Wellhausen (1844-1918) promoted the theory that the idea of the covenant, the outcome of Deuteronomistic reflection, enabled the Israelite religion to understand the relationship with God in ethical terms, overcoming a certain «naturalism» of primitive religions<sup>11</sup>. In opposition to the primarily *ethical* view held by J. Wellhausen, is S. Mowinckel (1884-1965), who in the mid-20th century describes the covenant as a medium for relationships, emphasizing above all its *ritual* dimension<sup>12</sup>. Completing this line of research is M. Weber (1864-1920), whose in-depth studies on the ancient Israelite tribal confederacy allow him to focus on the *social* value of the covenant itself<sup>13</sup>.

On the side of «form criticism», the publishing by V. Korošec (1899-1985) of some Hittite vassalage treaties from the 2nd millennium B.C. (14th-13th century B.C.) in the 1930s is worth a mention<sup>14</sup>; this field of study within a couple of decades would be boosted by the discovery and

<sup>10</sup> For a good overview of the issue cf in part. P. BUIS, *La notion d'alliance*, 3-117; and also A. BONORA, «Alleanza», 21-22; S.W. HAHN, *Kinship by Covenant*, 1-2. Other papers or monographs worthy of mention on this side are R. FALEY, «The Importance of the Covenant Conception in the Old Testament Religion», in *Rediscovery of Scripture: Biblical Theology Today*, St. Francis College Press, Burlington (WI) 1967, 37-54; D.R. HILLERS, *Covenant. The History of a Biblical Idea* (= Seminars in the History of Ideas), The Johns Hopkins Press, Baltimore (MD) - London 1969; J.B. PAYNE, «The B'rith of Yahweh», in J.B. PAYNE (ed.), *New Perspectives on the Old Testament*, Word Books, Waco (TX) 1970, 240-264; D.J. MCCARTHY, *Old Testament Covenant: A Survey of Current Opinions* (= Growing points in theology), John Knox, Richmond (VA) 1972; W. ZIMMERLI, «The History of Israelite Religion», in G.W. ANDERSON (ed.), *Tradition and Interpretation*, Clarendon Press, Oxford 1979, 372-380; R.A. ODEN, «The Place of Covenant in the Religion of Israel», in P.D. MILLER (ed.) et al., *Ancient Israelite Religion (FS F. Moore Cross)*, Fortress Press, Philadelphia (PA) 1987, 429-447.

<sup>11</sup> J. WELLHAUSEN, *Prolegomena zur Geschichte Israels*, G. Reimer, Berlin 1882.

<sup>12</sup> S. MOWINCKEL, *Religion und Kultus*, Vandenhoeck & Ruprecht, Göttingen 1953; Id., *Tetrateuch, Pentateuch, Hexateuch: die Berichte über die Landnahme in den drei altisraelitischen Geschichtswerken*, Töpelmann, Berlin 1964.

<sup>13</sup> M. WEBER, «Die Wirtschaftsethik der Weltreligionen. Das antike Judentum», *Archiv für Sozialwissenschaft und Sozialpolitik* 44 (1917-1918) 52-138.349-443.601-626; 46 (1918-1919) 40-113.311-366.541-604.

<sup>14</sup> V. KOROŠEC, *Hethitische Staatsverträge* (= Leipziger Rechtswissenschaftliche Studien 60), Leipzig 1931.

publication of some of Neo-Assyrian origin (8th-7th century B.C.). In the mid-1950s, G. Mendenhall (1916-2016) compared the treaties of the Hittite empire with Israelite law and, in particular, with Sinaitic (narrative and legal) material<sup>15</sup>. Thus, in addition to Wellhausen's *ethical* approach, Mowinckel's *ritual* approach, and Weber's *social* approach, Mendenhall provides a reading of the covenant from a purely *legal* perspective, which would condition research until the mid-1970s.

The specifically linguistic aspect of the covenant was first dealt with in the 1960s by K. Baltzer (1928-2017), who devoted himself to identifying the so-called *Bundesformular* («covenant form») in the Bible as well as in legal literature of the Ancient Near East (ANE)<sup>16</sup>. Also on this side are the works of L. Perlitt (1930-2012) and E. Kutsch (1921-2009), who at the turn of the 1960s and 1970s questioned the rendering of the word *b'rît* as «covenant», proposing instead «commitment / obligation»: this is because, on the basis of the available literary evidence, it is ascertained how the covenant depends on the involvement of one of the contracting parties (the divine one) above all, determining a kind of relationship that is not properly equal<sup>17</sup>.

W. Eichrodt (1890-1978) made a special contribution to the relevance of the notion of covenant in its theological character in the first part of the 20th century with the publication of his *Theologie des Alten Testament*: a three-volume work centered on the assumption that the covenant constitutes a unifying category of the entire Old Testament (OT) message<sup>18</sup>. Without prejudice to the undoubted merits of this reflective endeavor, some of D.J. McCarthy's critical remarks in this regard seem noteworthy; remarks that have also positively influenced the drafting of our paper:

Eichrodt's work [has certainly had] a vast impact [...], [but is] not above all criticism; and this concerns not only details of interpretation, but also the basics of exposition. Since the OT is not a collection of writings, representing a systematic *summa* of religious teachings, Eichrodt is forced to apply a

<sup>15</sup> G. MENDENHALL, *Law and Covenant in Israel and the Ancient Near East*, The Biblical Colloquium, Pittsburgh (PA) 1955.

<sup>16</sup> K. BALTZER, *Das Bundesformular* (= WMANT 4), Neukirchener Verlag, Neukirchen-Vluyn 1960.

<sup>17</sup> L. PERLITT, *Bundestheologie im Alten Testament* (= WMANT 36), Neukirchener Verlag, Neukirchen-Vluyn 1969; E. KUTSCH, *Verheißung und Gesetz*.

<sup>18</sup> W. EICHRODT, *Theologie des Alten Testaments. I-III*, J.C. Hinrichs, Leipzig 1933-1939.

deductive method. [...] His theology is ultimately rather an attempt to retrace the underlying ideas of the religion of Old Israel than an evaluation of the theological significance of the OT in its literary form. [...]. The way of understanding the object as a whole affects the detailed interpretation of the OT material. Eichrodt admits that the OT fundamentally holds only a basic idea of the pact. Therefore, he mentions Moses and the Sinai event, and makes almost no attempt to work out covenant theologies that are very different. [...] This OT theology squeezes the OT idea of the pact into one form and shrinks it down to one concept, although there are several, and so it does not do justice to the intricate history of the covenant idea in the OT<sup>19</sup>.

It was precisely J.D. McCarthy (1924-1983), together with his student P. Kalluveetil (1940-), who made it possible in the latter part of the 20th century to reach a rather accurate definition of «covenant» according to the biblical text, as well as to highlight its absolute relevance to the history of Israel and its theology<sup>20</sup>. Finally, with E.W. Nicholson (1938-2013), who attempted to synthesize the positions of the Anglo-Saxon and German schools<sup>21</sup>, the great 20th-century reflection on the biblical covenant can be considered closed towards the end of the 1980s.

### III. THE ORIGIN OF THE CONCEPT OF COVENANT IN BIBLICAL CULTURE

The investigation of the origin of the concept of *b'rît* in the biblical context has consistently engaged exegetical and historical research<sup>22</sup>. On this side, it was mainly the surveys on ANE's political culture that made the

<sup>19</sup> D.J. MCCARTHY, «Il patto di Dio», 27 (*our transl.*).

<sup>20</sup> D.J. MCCARTHY, *Treaty and Covenant. A Study in Form in the Ancient Oriental Documents and in the Old Testament* (= AnBib 21), Pontifical Biblical Institute, Rome 1963 (1978<sup>2</sup>); P. KALLUVEETIL, *Declaration and Covenant. A Comprehensive Review of Covenant Formulae from the Old Testament and the Ancient Near East* (= AnBib 88), Pontifical Biblical Institute, Rome 1982.

<sup>21</sup> E. NICHOLSON, «Covenant in a Century of Study since Wellhausen», *OTS* 24 (1985) 54–69; ID., *God and His People. Covenant and Theology in the Old Testament*, Clarendon Press, Oxford 1986; ID., «Israelite Religion in the Pre-exilic Period: A Debate Renewed», in J.D. MARTIN - P.R. DAVIES (ed.), *A Word in Season (FS W. McKane)* (= JSOT.S 42), JSOT Press, Sheffield 1986, 3–34.

<sup>22</sup> For a general introduction to the issue cf P.R. WILLIAMSON, «Covenant: The Beginning of a Biblical Idea», *RTR* 65 (2006) 1–14; and also C. LEVIN, «Die Entstehung der Bundestheologie im Alten Testament», in C. LEVIN, *Verheißung und Rechtfertigung. Gesamelte Studien zum Alten Testament II* (= BZAW 431), De Gruyter, Berlin 2013, 242–259.

most relevant contribution<sup>23</sup>. What first attracted the attention of scholars was the Hittite world (ca. 1450-1200 B.C.) with its diplomatic tradition; in particular, with the elaboration of a model of vassalage treaty, which became enforced in the centuries to come. G. Mendenhall was the first to work out the hypothesis that it was the Hittite diplomatic register that conditioned the contents and language of the covenant in the biblical context, arousing some considerable perplexity<sup>24</sup>. More convincing was instead the proposal that identifies the Neo-Assyrian world (ca. 900-600 B.C.) as the

<sup>23</sup> On the emergence of the form of covenant treaty in ANE policy and its particular features cf D.R. HILLERS, *Covenant*, 25-45.

<sup>24</sup> On covenant treaties in the Hittite world cf G.E. MENDENHALL, «Le forme del patto nella tradizione israelita», in D.J. MCCARTHY (ed.) et al., *Per una teologia del patto*, 75-99: 82-85; ID., *Recht und Bund in Israel und dem Alten Vorderen Orient* (= Theologische Studien 64), EVZ-Verlag, Zürich 1960; C. KOCH, *Vertrag, Treueid und Bund. Studien zur Rezeption des altorientalischen Vertragsrechts im Deuteronomium und zur Ausbildung der Bundestheologie im Alten Testament* (= BZAW 383), De Gruyter, Berlin 2008; and also D.J. MCCARTHY, *Treaty and Covenant*, 22-48; J. LAMBRECHT, «Je serai leur Dieu et ils seront mon peuple», *NRTh* 108 (1986) 481-498: 481-489; N. WEEKS, *Admonition and Curse: The Ancient Near Eastern Treaty / Covenant Form as a Problem in Inter-Cultural Relationships* (= JSOT.S 407), T&T Clark, London - New York 2004, 55-98. The remarks of P. BUIS (*La notion d'alliance*, 119) are suggestive in acknowledging the objective elements of similarity, as well as those of divergence, between the biblical covenant texts and the Hittite vassalage treaties: «S'il y a une parenté entre ces textes, c'est parce qu'ils ont à exprimer des réalités analogues. La reconnaissance de cette analogie est déjà un fait important. Cela veut dire que la relation entre YHWH et Israël que décrit la *b'rît* peut être comparée à celle d'un grand roi et de son vassal. Ceci joue au moins pour les points suivants: la relation est établie entre deux partenaires radicalement inégaux, le premier ayant tout pouvoir sur le second; mais l'inférieur est une personne libre et responsable, qui a la capacité juridique d'établir un contrat. Ceci est un élément essentiel de la théologie du peuple de Dieu qu'implique la notion de *b'rît*. D'autre part, l'analogie littéraire fait ressortir les caractéristiques de l'acte juridique que constitue la conclusion de la *b'rît*: c'est YHWH qui seul peut avoir l'initiative de proposer l'alliance. On peut même dire que l'impose dans la mesure où les initiatives qu'il a déjà prises en faveur du peuple constituent pour celui-ci une obligation morale de s'engager; dans les formes unilatérales de la *b'rît*, le choix du peuple est encore plus réduit. Mais il y a aussi des différences non moins éclairantes: YHWH ne fait jamais appel à sa puissance pour contraindre le peuple à accepter l'alliance, alors que les rois orientaux la font souvent jouer pour imposer la relation de vassalité ou pour la maintenir. Et, dans l'alliance, YHWH s'engage beaucoup plus que les rois hittites dans leurs traités les plus nettement réciproques. Il ne retire aucun avantage concret de l'alliance ou de la *b'rît*-obligation – sinon la reconnaissance de sa souveraineté –, alors que l'intérêt du suzerain est le mobile évident de tous les traités, même quand le texte reste très discret sur cet aspect» (cf also N. WEEKS, *Admonition and Curse*, 134-173).

*Sitz im Leben* («living context») most suitable, also from a chronological point of view, for the emergence and affirmation in Israel of this pattern<sup>25</sup>. The gradual subjugation to the Assyrian empire, regulated by appropriate treaties of vassalage<sup>26</sup>, would have triggered a vigorous reaction in the Israelite world, particularly from the prophetic movement, aimed at reasserting the royal sovereignty of YHWH over his people against all forms of foreign domination<sup>27</sup>; this reaction would have crystallized in the assertion of a priority and exclusive form of covenant relationship between God and Israel<sup>28</sup>.

It is chiefly from the 9th century B.C. onwards that the kingdom of Israel, entering the international political arena mainly because of the expansionist aims of the Assyrian empire, began to devise its *covenant theology*, particularly thematized over the centuries in the book of Deuteronomy. [...] It is in particular because of the subservient relationship that, despite itself, Israel had to establish with the Assyrian superpower that it encountered this specific «contractual» literary form, typical of that culture, which exerted a considerable influence in the development of its own theology of the covenant. [...] Israel [...], making a substitution between the human sovereign (the Assyrian king, in this case) and its God, especially at the time when the neo-Assyrian power began to weaken [...], will have to make a pact, a treaty of covenant with its Lord himself, its only true sovereign to whom it owes obedience<sup>29</sup>.

<sup>25</sup> On covenant treaties in the Neo-Assyrian world cf D.J. MCCARTHY, *Treaty and Covenant*, 68-79; and also D.J. MCCARTHY, «Il patto di Dio», 45-50; N. WEEKS, *Admonition and Curse*, 13-54; for a review of the available literary heritage cf P. BUIS, *La notion d'alliance*, 193-205; and especially W. BEYERLIN (ed.), *Testi religiosi per lo studio dell'Antico Testamento* (= Antico Testamento; Supplementi 1), Paideia, Brescia 1992 (German orig. 1985<sup>2</sup>), 178-180.326-337.

<sup>26</sup> Cf D.J. MCCARTHY, *Treaty and Covenant*, 83-84.

<sup>27</sup> Cf in part. L. SEMBRANO, *La regalità di Dio. Metafora ebraica e contesto culturale del Vicino Oriente Antico* (= RivBib.S 32), EDB, Bologna 1997; and also G. BORGONOVO, «La *b'rît* biblica», 627.

<sup>28</sup> Cf M. WEINFELD, «*b'rît*», 1620-1621; and also E. OTTO, *Das Deuteronomium. Politische Theologie und Rechtsreform in Juda und Assyrien* (= BZAW 284), De Gruyter, Berlin 1999, 364-378; R.D. MILLER, *Covenant and Grace in the Old Testament. Assyrian Propaganda and Israel Faith* (= Perspectives on Hebrew Scriptures and its Contexts 16), Gorgias Press, Piscataway (NJ) 2012; R. THOMPSON, *Terror of the radiance: Aššur Covenant to YHWH Covenant* (= OBO 258), Academic Press - Vandenhoeck & Ruprecht, Fribourg - Göttingen 2013.

<sup>29</sup> G. GALVAGNO - F. GIUNTOLI, *Dai frammenti alla storia*, 267-271 (our transl.).

In this reassessment of Israel's identity as a covenant people, a certain critical attitude towards the Israelite monarchical institution would also have played an important role. Indeed, the monarchy often seemed inclined, on the one hand, to think of its authority in absolute terms, in tune with the royal ANE ideology (cf in part. Deut 17:14-20), on the other hand, to promote a consistent (and compromising) policy of alliances with the powers of the day, aimed at ensuring security and stability for the country (cf e.g. Is 7:1-17)<sup>30</sup>.

It was above all the Deuteronomistic «school» from the 8th century B.C. onwards, prompted in particular by the Northern prophethood (first and foremost Hosea; cf e.g. Hos 6:7; 8:1; and also 10:4; 12:2)<sup>31</sup>, that promoted this creative assumption of the neo-Assyrian diplomatic thought and formulary<sup>32</sup>, making it one of the pillars of its historical theology, in order to redefine the relationship with YHWH as a priority for Israel against all forms of alternative (political and religious) relations<sup>33</sup>.

<sup>30</sup> Cf P. BUIS, *La notion d'alliance*, 118-120.

<sup>31</sup> Cf E. NICHOLSON, *God and His People*, 191-192. The author considers the development of the covenant notion to be the culmination of an overall «ethical» rethinking of the Jahvist religion, as well as of the very nature of its God: «The prophet is significant as the indicator of a great process of rationalization in the interpretation of the “meaning” of the world and the attitudes men should take toward it. It was pre-eminently the prophets of the eighth century in Israel who broke with traditionalism by denying that Israel's life was divinely guaranteed as permanent. Such an unprecedented relativizing of Israel's life in the face of God's righteousness was in itself a decisive advance in the perception of the nature of YHWH as transcendent. [...] In their condemnation of Israel and in the prophecies which some of them announced of a transformed Israel beyond judgement, they gave a qualitatively new dimension not only to the perception of the nature of YHWH as transcendent, but also to the concept of Israel as “the people of YHWH”» (208-209).

<sup>32</sup> Cf K. Baltzer, *Das Bundesformular* (= WMANT 4), Neukirchener Verlag, Neukirchen-Vluyn 1964<sup>2</sup>, in part. 29-100; and also B. SMEND, «La formula di alleanza», in D.J. MCCARTHY et al., *Per una teologia del patto*, 123-153; ID., *Die Bundesformel* (= ThSt[B] 68), E.V.Z. Verlag, Zürich 1963; P. KALLUVEETIL, *Declaration and Covenant*; R. RENDTORFF, *La “formula dell'alleanza”* (= Studi biblici 128), Paideia, Brescia 2001 (German orig. 1995).

<sup>33</sup> Cf B. RENAUD, *Nouvelle ou éternelle Alliance? Le message des prophètes* (= LeDiv 189), Cerf, Paris 2002, 15-17; and also E. NICHOLSON, *God and His People*, 213.

## IV. THE COVENANT ACCORDING TO THE DEUTERONOMISTIC TRADITION

The Deuteronomistic tradition, which is rooted ideologically in the prophethood of the Northern Kingdom and offers the first truly «systematic theological reflection» in biblical history<sup>34</sup>, develops in Judah in the period following the fall of Samaria (722 B.C.), reaches its *climax* in the season of king Josiah's political-religious reform (640-609 B.C.), of which it was a staunch promoter, and pursues its activity in the exilic and post-exilic period as a protagonist in the nation's recovery. This tradition of thought – as just mentioned – in confronting the dominating Assyrian culture adopts categories and languages typical of that world, to reconsider the faith of Israel and its specific identity as the people of God; and in this work of reassessment, the idea of the covenant plays a leading role<sup>35</sup>.

The category of *covenant* (in itself, a political and juridical category) is used by Deuteronomistic theology to shape the relationship between YHWH and his people. The reciprocity entailed in the formula «YHWH is the God of Israel, Israel is the people of YHWH» well conveys how it is not feasible to understand God's identity without considering the relationship with his people, and how it is not feasible to understand Israel's identity without keeping in mind the bond with its God<sup>36</sup>.

In retrieving this political motif, which becomes one of the cornerstones of its theology<sup>37</sup>, the Deuteronomistic tradition understands the God - Israel relationship in terms of a covenant of vassalage, in keeping with the neo-Assyrian treaties: a covenant that is essentially bilateral and conditional on the obedience of its requirements<sup>38</sup>. While the term *b'rît* in its original meaning does not so much entail the idea of a «covenant» in

<sup>34</sup> Cf R. RENDTORFF, *La "formula dell'alleanza"*, 112.

<sup>35</sup> Cf A. BONORA, «Alleanza», 26.

<sup>36</sup> G. GALVAGNO - F. GIUNTOLI, *Dai frammenti alla storia*, 349 (our transl.).

<sup>37</sup> Cf L. PERLITT, *Bundestheologie*, 30 (more generally 7-128).

<sup>38</sup> «La teologia deuteronomista – la prima a valorizzare la categoria nella sua sintesi di fede – concepisce l'alleanza tra YHWH e Israele in termini *bilaterali e condizionati*. Pur cosciente dell'asimmetria tra le parti, in questa concezione i contraenti stipulano il patto allo stesso titolo e impegnandosi all'osservanza delle condizioni pattuite: nella misura in cui Israele è fedele ai comandamenti richiesti, YHWH è tenuto a benedirlo e proteggerlo; nella misura in cui YHWH è fedele alla storia del suo popolo, Israele è tenuto ad osservarne i comandamenti. L'alleanza viene meno nel momento in cui uno dei contraenti (nella fattispecie, Israele) non rispetta i termini cui si è vincolato» (G. GALVAGNO - F. GIUNTOLI, *Dai frammenti alla storia*, 361-362). Cf also J.L. SKA, *Intro-*

terms of a pact between equal partners, but rather that of a «commitment / obligation» that is enforced in different ways between two unequal partners<sup>39</sup>; its use by the Deuteronomistic tradition leads to the understanding of the YHWH - Israel relationship as characterized above all by mutual commitment: on the one hand, God's commitment to the people, which results in the promise of life as the driving force of their history, and on the other hand, the people's commitment to the covenant provisions, as set out in the manifold biblical legislation (cf Deut 11:22)<sup>40</sup>.

[In the tradition of Deuteronomy] the content or, rather, the condition of the fact [of the covenant] is for Israel the fulfilment of the commandments. Not that salvation can be the people's doing; the initiative of grace on the part of YHWH always lies at the beginning. But the indicative is not without the imperative. There is not the gospel without the law; without the behavior enforced by the law, salvation is lost; that is, man does not obtain it at all, according to Deuteronomistic thinking. Thus, Israel's obedience is stated as a condition for what is promised in the covenant formula<sup>41</sup>.

It is this which establishes Israel's unique position in the assembly of nations (cf Deut 26:17-19)<sup>42</sup>: having been called by God's unreserved initiative to enter a loving relationship with him (cf in part. Deut 6:4-9; also 10:12-13; 11:1)<sup>43</sup>, with full respect for its freedom and dignity<sup>44</sup>.

*duzione alla lettura del Pentateuco. Chiavi per l'interpretazione dei primi cinque libri della Bibbia* (= Biblica), EDB, Bologna 2000, 215.

<sup>39</sup> Cf E. KUTSCH, *Verheißung und Gesetz*, 27.150-152; and also G. BORGONOV, «La *b'rît* biblica», 631.

<sup>40</sup> Cf B. RENAUD, *Nouvelle ou éternelle Alliance?*, 13-14; and also A. MELLO, «L'alleanza sinaitica», *PSV* 84 (2021) 19-29: 22. «[...] l'Alliance unit des partenaires qui ont chacun des droits et des devoirs précisés dans une loi acceptée librement de part et d'autre; ces partenaires ne sont cependant pas sur un pied d'égalité» (J. VERMEYLEN, *Le Dieu de la Promesse et le Dieu de l'Alliance. Le dialogue des grandes intuitions théologiques de l'Ancien Testament* [= LeDiv 126], Cerf, Paris 1986, 147; cf also 132).

<sup>41</sup> B. SMEND, «La formula di alleanza», 150 (*our transl.*).

<sup>42</sup> Cf J. BLENKINSOPP, *Il Pentateuco. Introduzione ai primi cinque libri della Bibbia* (= Biblioteca biblica 21), Queriniana, Brescia 2020<sup>3</sup> (English orig. 1992), 217.

<sup>43</sup> Cf S. ACKERMAN, «The personal is political: covenantal and affectionate love (*'āhēb*, *'ahābā*) in the Hebrew Bible», *VT* 52 (2002) 437-458.

<sup>44</sup> Cf P. BUIS, «La nouvelle alliance», *VT* 18 (1968) 1-15: 11.

### 1. *The stipulation of the covenant at Sinai (Ex 19–24)*

This section of the book of Exodus relates the stipulation of the covenant between the people, freed from slavery in Egypt, and the liberator God, at the foot of the holy mountain<sup>45</sup>; to a large extent, this section depends on the Deuteronomist's redaction, thus enabling the essential features of the covenant to be grasped from his own particular theological perspective. The pact concluded at Sinai in the rendition of Ex 19–24 corresponds broadly to a treaty of vassalage of the ANE: God, as the *dominus* of the relationship, imposes specific conditions on the partner, so that the covenant can be established and endure over time; conditions, which the partner is free to accept or reject<sup>46</sup>. It is apparent that the initiative, leading to the establishment of the pact, is entirely in God's hands: it is he who frees Israel, summons it to himself, and joins it in a relationship with clearly defined obligations<sup>47</sup>. In agreeing to these obligations, Israel receives a new identity: «You, out of all peoples, shall be my personal possession (*s<sup>e</sup>gullâ*) (Ex 19:5; cf also v. 6)».

From a redactional point of view, B. Renaud maintains that this part of Exodus, made up of material of ancient origin (in part. a theophany account), would have undergone a double Deuteronomistic redaction during the exilic period; this double redaction would be the chiefly responsible for the current literary conformation of this book section, as well as its distinctive theology. The text would later reach its final form thanks to punctual and limited interventions by the Priestly «school» in the post-exilic period (in part. on the notion of holiness and the special role of Moses as mediator of the pact)<sup>48</sup>. An early Deuteronomistic redaction would have given Ex 19–24 its basic structure: during a theophanic event (19:16–25), at the center of which is the handing over of the Decalogue, the source and compendium of every subsequent legislation (20:1–21), the covenant between YHWH and Israel is stipulated in two moments and in different ways. At first, the pact is signed by means of a kind of «liturgy of the Word», in

<sup>45</sup> For a good introduction to Ex 19–24 cf P.J. GENTRY, «The Covenant at Sinai», *The Southern Baptist Journal of Theology* 12 (2008) 38–63.

<sup>46</sup> Cf D.R. HILLERS, *Covenant*, 49.

<sup>47</sup> Cf G. BORGONOVO, «La *b<sup>e</sup>rît* biblica», 632.

<sup>48</sup> B. RENAUD, *La théophanie du Sinai. Ex 19–24. Exégèse et Théologie* (= CRB 30), Gabalda, Paris 1991, 17–102.

which the people reply to God's requests (and promises) with their wholehearted assent (19:3-8); at a later stage, the procedure seems significantly more elaborate, with the inclusion of sacrifices, a ritual sprinkling of the people, and the erection of memorial stelae (24:3-8). Against this basic structure, a second Deuteronomistic redaction would have been limited to a few additions, in order to give greater prominence to the prophetic figure of Moses; this second redaction would also be responsible for the integration into the narrative of the so-called «Covenant Code» (20:22–23:33)<sup>49</sup>, which is narratively distinguished from the Decalogue, because it was first communicated only to Moses and then passed on by Moses to the people, and which in the view of the Deuteronomistic author of Exodus becomes the real «covenant document» (*sēfer habb<sup>e</sup>rît*; cf 24:7)<sup>50</sup>.

Let us linger for a moment on the two pericopes, which frame the theophany and describe the conclusion of the covenant. In Ex 19:3-8 the covenant is established based on a verbal exchange between God and the people, who is thus separated from the nations and brought closer to the Lord as his singular possession (v. 5b)<sup>51</sup>. This new *status* afforded to Israel is made possible by «keeping the covenant» (*šāmar + b<sup>e</sup>rît*; v. 5a): i.e., by compliance with the law – first and foremost, the Decalogue (cf in part. Deut 4:13) –, associated with the pact and identified with it. The Sinaitic pact, as envisioned by the Deuteronomistic tradition, is clearly a pact conditional on obedience to the *Torah*, to which all the people solemnly pledge themselves (v. 8a)<sup>52</sup>.

In Ex 24:3-8, the *climax* of the Sinaitic covenant account, what is surprising at first glance is the complexity of the ritual envisaged. The Deu-

<sup>49</sup> On the «Covenant Code» cf L. SCHWIENHORST-SCHÖNBERGER, *Das Bundesbuch (Ex 20,22-23,33). Studien zu seiner Entstehung und Theologie* (= BZAW 188), De Gruyter, Berlin 1990; J.W. MARSHALL, *Israel and the Book of the Covenant. An Anthropological Approach to Biblical Law* (= SBLDS 140), Scholars Press, Atlanta (GA) 1993; J.M. SPRINKLE, *“The Book of the Covenant”: A Literary Approach* (= JSOT.S 174), JSOT Press, Sheffield 1994.

<sup>50</sup> Cf C. DOHMEN, «Der Sinaibund als Neuer Bund nach Ex 19-34», in E. ZENGER (ed.), *Der Neue Bund im Alten. Zur Bundestheologie der beiden Testamente* (= QD 146), Herder, Freiburg 1993, 51-83: 56.62-63; and also A. MELLO, «L'alleanza sinaitica», 23-24.

<sup>51</sup> Cf B. RENAUD, *La théophanie du Sinaï*, 140-159.

<sup>52</sup> Cf A. MELLO, «L'alleanza sinaitica», 21-22; and also F. GARCÍA LÓPEZ, *Il Pentateuco. Introduzione alla lettura dei primi cinque libri della Bibbia* (= Nuova introduzione allo studio della Bibbia 3/1), Paideia, Brescia 2020 (Spanish orig. 2014), 149-150.

teronomistic reinterpretation of the more ancient material, which may have already included a liturgy of consecration of the summoned people, gives prominence here too to the statement by which the people bind themselves to keep the commandments (v. 3b; cf also v. 7b). To further solemnize the event and emphasize Israel's involvement in the covenant contracted, the law is put in writing and proclaimed publicly by Moses (vv. 3a.4a; cf also v. 7a); then twelve stelae are erected to bear witness to the resolution taken by all the tribes (v. 4b)<sup>53</sup>. The covenant is then ritually ratified by the celebration of sacrifices, for which Moses commissions a group of young men (v. 5); at which point he takes a part of the blood of the sacrifices to sprinkle it on the altar (v. 6b) and the other half to sprinkle on the people (vv. 6a.8a). And the sprinkling is complemented by this explicit declaration: «This is the blood of the covenant (*dam habb<sup>e</sup>rît*) which YH-WH has made (*kārat + b<sup>e</sup>rît*)<sup>54</sup> with you, entailing all these stipulations (v. 8b)». The blood, symbol and vehicle of life, is shed on the altar and on the people, signifying that «communion of life» that the covenant gives rise to between YHWH and Israel (cf also Zech 9:11)<sup>55</sup>. As a seal of the covenant stipulated, and also as a form of the covenant beneficiaries' legitimacy<sup>56</sup>, the Lord summons to the holy mountain, together with Moses and Aaron, a group of elders, representing the Israelite tribes (vv. 9-10; cf also v. 1a), for a celebrative meal in his presence (cf in part Ex 18:12; and also Deut 12:7; 14:26; 27:7)<sup>57</sup>.

## 2. *The covenant renewed in response to sin (Ex 34)*

The covenant project, which the Lord conceived and willed for Israel, clashes from the very beginning with the latter's inability to respect

<sup>53</sup> Cf B. RENAUD, *La théophanie du Sinaï*, 140-159.

<sup>54</sup> On the possible origin of this famous expression cf F. GARCÍA LÓPEZ, *Il Pentateuco*, 150-151; and also M. WEINFELD, «*b<sup>e</sup>rît*», 1602; P. BUIS, «La nouvelle alliance», 6; E. KUTSCH, *Verheißung und Gesetz*, 40-50; W. GROSS, *Zukunft für Israel. Alttestamentliche Bundeskonzepte und die aktuelle Debatte um den Neuen Bund* (= SBS 176), Katholisches Bibelwerk, Stuttgart 1998, 19.

<sup>55</sup> Cf D.J. MCCARTHY, *Treaty and Covenant*, 162-163; A. BONORA, «Alleanza», 24; A. MELLO, «L'alleanza sinaitica», 24; and also E. NICHOLSON, «The Covenant Ritual in Exodus XXIV 3-8», *VT* 32 (1982) 74-86: 76.83.

<sup>56</sup> Cf J.L. SKA, «Le repas de Ex 24,11», *Bib.* 74 (1993) 305-327: 316-320.

<sup>57</sup> Cf L. PERLITT, *Bundestheologie*, 187; and also E. NICHOLSON, *God and His People*, 130.

its fundamental provisions; nevertheless, this project is not easily undermined by sin, because God's steadfastness in pursuing his redemption plan is great. The text of Ex 34, much of it Deuteronomistic, witnesses YHWH's surprising reaction to his people's betrayal of the pact.

The pericope, depicting the «first» ever renewal of the covenant with Israel, fits into the broader framework of the section, consisting of chapters 32–34, where this renewal follows the transgression of the «golden calf» (32:1-6): a real act of idolatry on the part of the newborn people (the «original sin» of Israel)<sup>58</sup>. Again, B. Renaud<sup>59</sup> assumes that this part of the book of Exodus was affected by a redactional process similar to that of chapters 19–24: the basis would be a pre-Deuteronomistic composition (cf also Deut 9–10), recovered and enriched by a Deuteronomistic redactor, which would have given this material a degree of thematic coherence<sup>60</sup>; the final composition should instead be attributed to a Priestly writer, who was interested in fitting this passage better into the framework of the story about the construction of the mobile sanctuary (chapters 35–40). The Deuteronomistic redactor, after expanding on the sin episode of Ex 32, having as a historical reference event the political-religious schism of king Jeroboam (10th century B.C.; cf 1 Kings 12), would have included in chapter 34, on the one hand, the so-called «cultic Decalogue» (vv. 17-26) – a kind of unfolding of the first commandment of the Decalogue (cf vv. 11-16) – and, on the other hand, v. 10, which qualifies this passage as a whole as a covenant account<sup>61</sup>. In the immediately preceding pericopes, Moses had insistently asked God for the gift of his presence amid the pilgrim people (cf in part. 34:9); with the conclusion of this new covenant, following the transgression of the golden calf, this request is fulfilled. And of all this, the tent, erected by order of YHWH, will be a sign<sup>62</sup>.

The Deuteronomistic reworking of the text would meet a pressing need of the exilic season: that of expounding the reasons for the fall of Jerusalem, unable to grasp the warning inherent in the destruction of Samaria (722 B.C.; cf 2 Kings 17). Only the intercession of Moses and, above all,

<sup>58</sup> Cf S.W. HAHN, *Kinship by Covenant*, 142-143.

<sup>59</sup> B. RENAUD, *L'alliance. Un mystère de miséricorde. Une lecture de Ex 32-34* (= LeDiv 169), Cerf, Paris 1998, 19-89.

<sup>60</sup> Cf L. PERLITT, *Bundestheologie*, 228.

<sup>61</sup> Cf B. RENAUD, *L'alliance*, 88-89.

<sup>62</sup> Cf B. RENAUD, *L'alliance*, 164-165.203-204.258-259; and also 307-308.

divine mercy guarantee Israel a future, in overcoming the transgression and stipulating a new pact<sup>63</sup>.

[...] at the beginning of salvation history, the tension in the relationship between God and Israel is visible. God has concluded or «established» his covenant; Israel has declared its willingness to fulfil its obligation to keep the divine commandments that arise from the covenant relationship. Israel, however, has failed and, for its part, broken the covenant; nevertheless, God stands by his covenant, regardless of what Israel will still do in its «obstinacy». At the beginning of the history of the covenant between God and Israel, fundamental experiences and choices are presented. Israel has broken the covenant and now no longer lives in «innocence» in the original covenant. On the contrary, they live in God's restored covenant, which is now guaranteed uniquely by God's grace<sup>64</sup>.

### *3. God's faithfulness as the sole guarantee of the covenant's subsistence (Deut 4)*

The main intention of the book of Deuteronomy is to portray the covenant between God and Israel according to the Deuteronomistic model: an asymmetrical bilateral relationship, mirroring the pattern of the ANE vassalage treaties, where it is God who takes the initiative in establishing the covenant relationship, requiring as a formal condition for maintaining the relationship exclusive allegiance to himself, but, above all, guaranteeing the viability of the relationship in the face of Israel's sin<sup>65</sup>. In a way, the book of Deuteronomy itself was written with the covenant treaties as its fundamental frame of reference: historical prologue (with presentation of the contractors and the past benefits of the *dominus* to the vassal; cf chapters 1–4), basic law of the covenant (exclusive loyalty obligation; cf

<sup>63</sup> Cf B. RENAUD, *L'alliance*, 305-307.

<sup>64</sup> R. RENDTORFF, *La "formula dell'alleanza"*, 97 (our transl.).

<sup>65</sup> Cf J. VERMEYLEN, *Le Dieu de la Promesse*, 135-136; and also P. BUIS, *La notion d'alliance*, 105-106.108-109.

chapters 5–6)<sup>66</sup>, special stipulations («Deuteronomistic Code»<sup>67</sup>; cf chapters 12–26), blessings and curses (cf chapters 27–28)<sup>68</sup>.

In the context of the first Mosaic discourse of Deuteronomy (1:1–4:43), particularly in its concluding part in chapter 4, the Deuteronomistic author looks at the future of Israel (from the point of view of Moses), conveying the awareness that the covenant will also go through the experience of crisis, in the form of the transgression of the first commandment (vv. 23–25[28]), with the consequent scattering of the people and its drastic down-sizing (vv. 26–27). In the condition of forced «remoteness from God», Israel will begin to seek him again (vv. 29–30); indeed, it will be YHWH himself who will grant Israel the grace of repentance and the possibility of new obedience to the covenant (v. 31a). In the language of the Deuteronomistic writer, this glimmer of salvation is rooted in the divine will to preserve «the covenant (sworn) with the fathers» (v. 31b). This reference to the patriarchal covenant, which in some ways «overrides» the Sinaitic one, is intended to underline the absolute gratuitousness of the pact and, in particular, of its safekeeping, despite the sin of the people and pending their full repentance: God's faithfulness to the commitment undertaken is, thus, the only reliable guarantee that the covenant relationship will not enter into a crisis without solution<sup>69</sup>.

This is a clear attempt to overcome the problem of the breach of the Sinaitic covenant, for which there could be no viable solution other than its continuous (and wearisome) renewal. Here the Deuteronomistic tradition seems to offer with the idea of the covenant with the generation freed from Egyptian slavery an initial solution to the problem, which will later be supplemented with that of the new covenant in Moab (chapters 29–30), marked by the drastic inner transformation of Israel. Here too, however, it is worth noting how the Deuteronomistic sensibility makes itself felt in acknowledging a well-defined space for man's freedom: although conversion may ultimately be considered a grace, it is still the people who must become aware of their mistake and return to God; and YHWH's

<sup>66</sup> Cf L. PERLITT, *Bundestheologie*, 99.

<sup>67</sup> Cf R. RONCHIATO, «“Queste sono le parole dell'alleanza” (Dt 28,69). L'Oreb e Moab nel libro del Deuteronomio», *PSV* 84 (2021) 31–42: 36–37.

<sup>68</sup> Cf J. VERMEYLEN, *Le Dieu de la Promesse*, 134; and also A. MELLO, «L'alleanza sinaitica», 22–23.

<sup>69</sup> Cf W. GROSS, *Zukunft für Israel*, 30–31.36–37.

remembrance of the covenant with the fathers ensures that this return is not without effect<sup>70</sup>.

#### 4. *The promise of Israel's future inner renewal (Deut 29–30)*

The third Mosaic speech in the book of Deuteronomy (28:69–30:20) is devoted to the «new covenant in Moab»<sup>71</sup>: «second» covenant, after the one established at Horeb (cf 28:69). This covenant does not look like a completion or re-proposal of the Sinaitic covenant, but as something radically new, with its own specific theological self-sufficiency; as something that brings to fulfillment (in a surpassing way) the salvific plan started at Sinai<sup>72</sup>. Only YHWH's faithfulness – as stated – can guarantee a future for the covenant signed and betrayed by Israel (cf 29:24-25)<sup>73</sup>; but at this juncture a substantial new feature is noted.

The speech is constructed once again taking the covenant treaties as a model of reference<sup>74</sup>, of which it recovers some constituent elements: the historical prologue (cf 29:1-8); the duty of allegiance (cf 29:15-17; also 30:16,20); the curses (for the individual, cf 29:18-20; and for the community, cf 29:21-27) and the blessings (cf 30:1-10). In the background of the exilic experience, which showed the tragic consequences of the people's inability to fulfil the covenant's terms<sup>75</sup>, the Deuteronomistic author outlines the future covenant, in all probability allowing himself to be provoked by the prophetic preaching in this regard (cf in part. Jer 31:34; 32:40;

<sup>70</sup> Cf A. SCHENKER, «Unwiderrufliche Umkehr und neuer Bund. Vergleich zwischen der Wiederherstellung Israels in Dt 4,25-31; 30,1-14 und dem neuen Bund in Jer 31,31-34», in ID., *Text und Sinn im Alten Testament. Textgeschichtliche und bibeltheologische Studien* (= OBO 103), Universitätsverlag Freiburg Schweiz - Vandenhoeck & Ruprecht, Freiburg - Göttingen 1991, 83-96: 86.

<sup>71</sup> Cf A. ROFÈ, «The Covenant in the Land of Moab (Dt 28,69-30,20)», in N. LOHFINK (ed.), *Das Deuteronomium: Entstehung, Gestalt und Botschaft* (= BETHL 68), Peeters, Leuven 1985, 310-320.

<sup>72</sup> Cf G. PAPOLA, *L'alleanza di Moab. Studio esegetico-teologico di Dt 28,69-30,20* (= AnBib 174), Pontificio Istituto Biblico, Roma 2008, 267-269.290-292.

<sup>73</sup> Cf G. BRAULIK, «Horebbund und Moabbund. Ihre Einheit und Verschiedenheit nach Dtn 5,1-5 und 29,1-8», *Bib.* 102 (2021) 1-29: 28-29.

<sup>74</sup> Cf F. GARCÍA LÓPEZ, *Il Pentateuco*, 251; and also D.J. MCCARTHY, *Treaty and Covenant*, 136-140.

<sup>75</sup> Cf R. RONCHIATO, «“Queste sono le parole dell'alleanza” (Dt 28,69)», 40-41; and also G. PAPOLA, *L'alleanza di Moab*, 276-278.

Ez 11:19; 36:26)<sup>76</sup> and projecting into Israel's founding past the hope of a new beginning<sup>77</sup>.

The originality of the Moab covenant consists in God's free initiative, which transforms man, enabling him to honor the commitments of the pact<sup>78</sup>. This is emphasized by the Deuteronomistic writer with the image of the «circumcision of the heart»: «YHWH your God will circumcise your heart and the heart of your descendants, so that you will love YHWH your God with all your heart and soul, and so will live» (30:6; cf also Deut 10:16; Jer 4:4)<sup>79</sup>. The symbolic instruments employed to describe the redemption of Israel evoke the idea of a new creation of the human being in his «vital center» (the «heart», *lēb*), finally made «capable of communion» with God. Even in the context of the new covenant – at least according to the specific Deuteronomistic understanding – man is asked to give his own free answer to YHWH's unconditional initiative; but now what accomplishes man's desired full compliance with the offer of salvation is part of that unconditional initiative<sup>80</sup>.

[Israel self-identifies] as a people forgiven and bound to YHWH by a *new covenant* that does not differ from the first Sinaitic covenant in its content, but in the way it is lived out. Such a theological perspective presupposes prophetic preaching, and, in particular, the texts of Jer 31:31-34 and Ez 36:24-28. The very structure of Deuteronomy is affected, as the Deuteronomistic *tôrâ* is portrayed as a *second b'rît* in the steppes of Moab (Deut 28:69–30:20), ratifying the *first*, settled with the children of Israel on the Horeb [...] for Deuteronomy there is no Sinaitic covenant except in the perspective and in the light of a *new* covenant: the *gift* of the law can only be enjoyed as *forgiveness* granted by God. The fulfilment of the *first* covenant is only to be had with the circumcision of the heart, performed by YHWH himself (Deut 30:6). In this

<sup>76</sup> Cf in part. L. MAZZINGHI - G. PAPOLA, «La “nuova alleanza” in Moab (Dt 29-30)», in G. BORGONOVO et al., *Torah*, 573-597: 574-575; and also G. BORGONOVO, «La *b'rît* biblica», 633-634.

<sup>77</sup> Cf L. MAZZINGHI - G. PAPOLA, «La “nuova alleanza” in Moab (Dt 29-30)», 595-596.

<sup>78</sup> Cf G. CORINI, *Dt 28,69-30,20: la «nuova» alleanza in Moab* (= Biblica 6), Glossa, Milano 2010, 323.

<sup>79</sup> Cf L. MAZZINGHI - G. PAPOLA, «La “nuova alleanza” in Moab (Dt 29-30)», 590-591.

<sup>80</sup> Cf G. PAPOLA, *L'alleanza di Moab*, 292.

way, Deuteronomy expresses the radical sinfulness of man and the need of the spirit to fully comply with the dictate of the law<sup>81</sup>.

#### V. THE CONTRIBUTION OF PROPHECY TO THE RECONSIDERATION OF THE CONCEPT OF COVENANT

The prophetic tradition is essentially in accord in denouncing the *débâcle* of the ancient covenant, the tragic confirmation of which is provided by the experience of Exile, and in promoting a rethinking of the covenant that can foster Israel's hope. In this rethinking, beyond the reasonable differences between one prophetic preaching and another, there is a double constant, which consists, on the one hand, in the primacy of the divine initiative in the renewal of the pact and, on the other hand, in the transfiguration of the people as a guarantee of subsistence of the same pact.

In our paper, not being able to offer an exhaustive overview of prophecy and its way of foreshadowing the future covenant, we will concentrate on the specific inputs of Jeremiah and Ezekiel – the prophetic characters who contributed most to such foreshadowing – by focusing on those pericopes, which, in this regard, can be considered a sort of «programmatic manifesto».

##### 1. *Jeremiah and the announcing of the «new covenant» (Jer 31:31-34)*

Jeremiah is the only prophet to speak expressly of a «new alliance»<sup>82</sup>, in opposition to the essentially failed Sinaitic one<sup>83</sup>. The prophet is persuad-

<sup>81</sup> G. BORGONOV, «La Tôrà, ovvero il Pentateuco», in G. BORGONOV et al., *Torah*, 79-316: 206 (*our transl.*).

<sup>82</sup> «L'idea di una “nuova alleanza” è presente fin dall'inizio nella teologia dell'alleanza dell'intera Bibbia: Israele non vive più nell'alleanza conclusa originariamente davanti a Dio e con Dio, ma nell'alleanza rinnovata da Dio nonostante la rottura dell'alleanza da parte di Israele» (R. RENDTORFF, *La “formula dell'alleanza”*, 116). And also J. MEJÍA, «La problématique de l'ancienne et de la nouvelle alliance dans Jérémie XXXI 31-34 et quelques autres textes», in J.A. EMERTON, *Congress Volume. Vienna 1980* (= VT.S 32), Brill, Leiden 1981, 263-277: 269.

<sup>83</sup> «[...] la nuova alleanza è una seconda alleanza, che non può avvenire se non dopo la prima; non può realizzarsi, cioè, senza l'esperienza storica del rifiuto di Dio che porta alla morte, simbolicamente rappresentata dall'esilio: perché è solo questa esperienza di vissuta e dolorosa debolezza che consente di riconoscere la potenza creatrice di Dio, che

ed that this failure demonstrated the structural inability of the people to comply with its terms (cf in part. 13:23; and also 17:1; 18:12), thus determining, as an unavoidable condition for the stipulation of the future *b'rit*, their complete renewal<sup>84</sup>. God's grace intervention will empower Israel to do what it has never been able / willing to do up to that point: that is, keep the law and remain faithful to the pact<sup>85</sup>. In this veritable «re-creation» of God's people<sup>86</sup>, the prophetic gaze focuses almost exclusively on divine action, which is given absolute primacy<sup>87</sup>.

The pericope of Jer 31:31-34, an integral part of the so-called «Book of Consolation» (chapters 30–31), is deemed the most emblematic text in substantiating the Jeremian vision of the future covenant. It is not the only passage in which the prophet (or his «school») voices his beliefs in this regard, but surely the most representative. The apparent emphasis on the inner, spiritual dimension of the change, which will affect Israel, made one reflect on the possibility that Jeremiah, between the lines, also expresses a kind of perplexity about Josiah's politico-religious reform (7th century B.C.), regarded as insufficient to deal with the corruption of the people «at the root»<sup>88</sup>.

Projecting the reader's attention to the future from the outset («Behold, the days come...»; v. 31a), the Lord, through the mouth of Jeremiah, promises the conclusion of a «new» covenant with Israel (v. 31b), in blatant discontinuity with the covenant stipulated with the fathers at the time of the Exodus deliverance (v. 32a; cf also 34:13)<sup>89</sup>; covenant, «which they brake» (v. 32b; cf also 11:9-10)<sup>90</sup> – as is duly pointed out. The betrayal of

fa all'uomo la grazia di diventare capace di bene» (P. BOVATI, «Così parla il Signore». *Studi sul profetismo biblico* [= Biblica], EDB, Bologna 2008, 195).

<sup>84</sup> Cf P. BUIS, «La nouvelle alliance», 10; and also H. WEIPPERT, «Das Wort vom neuen Bund in Jeremia XXXI 31-34», *VT* 29 (1979) 336-351: 344-346.

<sup>85</sup> Cf B.P. ROBINSON, «Jeremiah's new covenant: Jer 31,31-34», *SJOT* 15 (2001) 181-204: 197.

<sup>86</sup> Cf H. WEIPPERT, «Das Wort vom neuen Bund», 347.

<sup>87</sup> Cf W. GROSS, *Zukunft für Israel*, 143-144.

<sup>88</sup> Cf in part. H.D. POTTER, «The New Covenant in Jeremiah XXXI 31-34», *VT* 33 (1983) 347-357; and also M. WEINFELD, «Jeremiah and the Spiritual Metamorphosis of Israel», *ZAW* 88 (1976) 17-56: 28-29; B.P. ROBINSON, «Jeremiah's new covenant», 186-187.

<sup>89</sup> Cf E. DI PEDE, «I profeti e l'alleanza», 49.

<sup>90</sup> Cf A. SCHENKER, «Der nie aufgehobene Bund. Exegetische Beobachtungen zu Jer 31,31-34», in E. ZENGER (ed.), *Der Neue Bund im Alten. Zur Bundestheologie der beiden Testamente* (= QD 146), Herder, Freiburg 1993, 85-112: 109-112.

the ancient covenant caused a rift in Israel's history, which YHWH wants to mend with his unprecedented intervention<sup>91</sup>.

In describing the structure of the covenant to come, Jeremiah keeps the Sinaitic pact as a reference point (cf in part. the use of the traditional «covenant formula» in v. 33b; and also 7:23; 11:4; 24:7; 30:22; 31:1; 32:38), in view of the fact that the discontinuity between the two *b'ērît* does not imply a total estrangement; on the contrary, precisely in its character of discontinuity, the new covenant brings the old one to fulfillment, finally achieving that original salvific project, the basis of the Exodus event<sup>92</sup>.

The key element of this future covenant is the «interiorization of the law»<sup>93</sup>: contrary to the past, the law will no longer be written on tablets of stone (cf Deut 5:22), but on the heart of Israel (v. 33a)<sup>94</sup>; the law, once set before the eyes of God's people (cf Jer 9:12; 26:4; 44:10), will be put in its «vital center» (cf Is 51:7; Ps 37:31; also Jer 32:39-40). This lavish imagery seeks to tackle one of the structural weaknesses of the law according to biblical theology: namely, its potential «extrinsicism». The law, related to the covenant, is originally perceived as something that «from outside» imposes itself on man's freedom, requiring obedience and respect; but at the same time also arousing understandable resistance. Man, in fact, jealous «from the beginning» (cf Gen 3!) of his own autonomy, looks at such an imposition with suspicion and (almost instinctively) reacts with hesitancy, if not outright hostility. The future law, however, written no longer on tablets but in the heart, will avert this inappropriate (but comprehensible) reaction from human freedom. Obedience to the law, now placed within Israel, will no longer be perceived as an external injunction, but as an inner requirement: the people will keep the law not to comply with a request

<sup>91</sup> Cf B. RENAUD, *Nouvelle ou éternelle Alliance?*, 52.

<sup>92</sup> «La “nouveauauté”, si elle suppose la rupture du pacte précédent, est toujours en continuité avec ce qui l'inspirait et sur quoi il a été fondé» (J. MEJÍA, «La problématique de l'ancienne et de la nouvelle alliance», 270). Cf also P. BOVATI, «*Così parla il Signore*», 185.194-195.

<sup>93</sup> Cf E. DI PEDE, «I profeti e l'alleanza», 51.

<sup>94</sup> Cf A. SCHENKER, «Die Tafel des Herzens», in A. SCHENKER, *Text und Sinn im Alten Testament. Textgeschichtliche und bibeltheologische Studien* (= OBO 103), Universitätsverlag Freiburg Schweiz - Vandenhoeck & Ruprecht, Freiburg - Göttingen 1991, 68-81; and also J.J. KRAUSE, «“Writing on the Hearth” in Jeremiah 31:31-34 in Light of Recent Insights into the Oral-Written Interface and Scribal Education in Ancient Israel», *ZAW* 132 (2020) 236-249.

from YHWH, but because in keeping the law they will recognize their own true good<sup>95</sup>.

Writing the law in the heart will result in a full knowledge of YHWH, ensuring perfect communion with him (cf in part. Jer 24:7; and also 2:8; 4:22; 5:4-5; 9:2); this will render unnecessary all those institutional forms of mediation of religious wisdom, which Israel has cherished throughout history (cf e.g. Deut 31:12-13; 4:9-10; and also 6:7; 11:19), but which, in the light of the facts, have proved to be unsuccessful in ensuring the stability of the covenant relationship with the Lord (v. 34a)<sup>96</sup>.

In bringing his argumentation to a close, the prophet – we might say – regains its foundation: that is, the steadfast divine willingness to overcome the drama of betrayal and to grant the repentant people the grace of forgiveness (v. 34b; cf in part. 50:20)<sup>97</sup>.

## 2. Ezekiel and the gift of the «new heart» (Ez 36:24-28)

Like Jeremiah, Ezekiel is also persuaded that it is Israel's inability to fulfil the terms of the pact that determines the need for a far-reaching rethinking of the covenant relationship. Some passages of the book from this point of view are symptomatic in highlighting how Ezekiel judges the history of the pact to be a substantial failure (cf in part. chapters 16; 20; 23; and also 36:17-19). Thus, in order to confirm the originality of the future covenant, Ezekiel retrieves certain expressions, in themselves not unknown to Jeremiah or other prophetic characters, which become in his preaching a synthetic cipher of the unprecedented, which is about to be achieved in the history of Israel: *b<sup>e</sup>rît 'ôlām* («everlasting covenant»; cf Ez 16:60; 37:26; and also Is 55:3; 61:8; Jer 32:40; 50:5)<sup>98</sup> e *b<sup>e</sup>rît šālôm*

<sup>95</sup> Cf P. BOVATI, «Cosi parla il Signore», 198-200.

<sup>96</sup> Cf P. BOVATI, «Cosi parla il Signore», 203-204.

<sup>97</sup> Cf R. RENDTORFF, *La "formula dell'alleanza"*, 119; B. RENAUD, *Nouvelle ou éternelle Alliance?*, 63-65; and also G. GOSWELL, «Forgiveness and the New Covenant of Jeremiah 31», *ZAW* 134 (2022) 370-377. «Il perdono ha un aspetto unilaterale, poiché può essere "concesso" solo dall'offeso, quindi, nella storia dell'alleanza, solo da Dio; non è un atto dovuto, è, invece, decisione libera di colui che si rivela come origine della relazione proprio perché "giustifica" colui che non lo merita» (P. BOVATI, «Cosi parla il Signore», 209).

<sup>98</sup> See on this point the monograph by S.D. MASON, «Eternal Covenant» in the Pentateuch, *The Contours of an Elusive Phrase* (= LHB/OTS 494), T&T Clark, New York

(«covenant of peace»; cf Ez 34:25; 37:26; and also Is 54:10)<sup>99</sup>. In the light of Israel's seemingly untamable disloyalty, YHWH is not only unwilling to abandon the project of communion with his people but is ready to revive it on a more solid foundation<sup>100</sup>.

The text that most clearly conveys Ezekiel's vision of the «new» Israel, called in the future to enter a perfect covenant with its Lord, is Ez 36:24-28: the so-called «prophecy of the new heart»<sup>101</sup>. The passage is carefully designed to portray the process of spiritual renewal, to which the Lord will subject his people, to finally empower them to fulfil the requirements of the covenant.

The promised redemption, from the perspective of Ez 36, begins with a kind of preliminary act on God's part, consisting in the «bringing back» (from the root *lāqah*, «to take»; as in 37:21; cf also 34:13) of the deported Israelites to their land (v. 24). The inward regeneration of the repatriated people – the focal point of the prophetic announcement – is developed by Ezekiel in three passages.

In the first of these passages (v. 25), the Lord declares his intention to purify Israel of all filthiness: in this peculiar case, idolatry (cf in part. Ez 14:1-11; and also 37:20-28). The image employed to portray this purification is taken from the liturgy and consists of the ritual gesture of sprinkling (cf in part. Nm 19:17-22). In the setting of this prophecy, this act is seen as a preparatory rite for the actual celebration of the new covenant. The second passage (v. 26) – the best-known segment of this prophetic oracle – foretells the gift to the cleansed people of a «new heart» (cf also Ps 51:12). Israel's heart – the seat of discernment and freedom in Semitic

- London 2008; cf also H.-W. JÜNLING, «Eid und Bund in Ez 16-17», in E. ZENGER (ed.), *Der Neue Bund im Alten. Zur Bundestheologie der beiden Testamente* (= QD 146), Herder, Freiburg 1993, 139.

<sup>99</sup> On the origins of the concept and its reinterpretation in the prophetic sphere, see B.F. BATTO, «The Covenant of Peace: A Neglected Ancient Near Eastern Motif», *CBQ* 49 (1987) 187-211.

<sup>100</sup> Cf R. RENDTORFF, *La "formula dell'alleanza"*, 116-117; and also A. SCHÜLE, «The "Eternal Covenant" in the Priestly Pentateuch and the Major Prophets», in R.J. BAUTCH - G.N. KNOPPERS (ed.), *Covenant in the Persian Period. From Genesis to Chronicles*, Eisenbrauns, Winona Lake (IN) 2015, 41-58: 50.

<sup>101</sup> On the relevance of this oracle to prophetic covenant theology, see C. GRANADOS GARCÍA, *La nueva alianza como recreación. Estudio exegético de Ez 36,16-38* (= AnBib 184), GBPress, Roma 2010, 248-251.

anthropology – is defined first of all as «stony»: that is, incapable by its own hardness of listening to God's call. It is replaced by a heart «of flesh», ready to listen to the Word and obey it (cf Deut 30:6; Ez 11:19-20; and also Jer 4:4; Ez 18:31). The third and last passage (v. 27), which partly retrieves what has already been stated in v. 26b, makes explicit the infusion of a «new spirit», the spirit of YHWH, «in the innermost part» of Israel (*b<sup>e</sup>qirb<sup>e</sup>kem*; literally «in your inner part», hence «in your inmost being»; cf also Ez 11:19): i.e., his own ability to discern (cf also 1 Kings 3:4-15); a new principle of life (first and foremost ethical), capable of guaranteeing the people's full adherence to the divine law<sup>102</sup>.

After the divine pledge of the gift of the «new heart» (v. 26a; cf also v. 26b) and the «new spirit» (v. 26b; cf also v. 27)<sup>103</sup>, to seal the stipulation of the new covenant we find, placed at the conclusion of the statement, in addition to the promise of stable settlement in the land (v. 28a), the traditional covenant formula («You will be my people and I shall be your God»; v. 28b), which confirms the full and perfect realization of that salvific project, which God has carried out from the beginning and which now, thanks to the «re-creation» of Israel<sup>104</sup>, can be declared accomplished.

## VI. THE COVENANT ACCORDING TO THE PRIESTLY TRADITION

The Priestly movement arose in the context of the Babylonian Exile (6th century B.C.) and developed as a tradition of thought in the period of the reconstruction of post-exilic Judea (from the 5th century B.C.); in dialogue with the Deuteronomistic movement, the Priestly one will take the reins of the reconstruction process, promoting a rather conservative approach and giving the post-exilic community the features of a hierarchy. Priestly theology tries to envision a possible future for Israel after the traumatic experience of Exile; in particular, a possible future for the covenant relationship with the Lord, which failed due to Israel's non-com-

<sup>102</sup> Cf O. PETTIGIANI, *Ezechiele* (= Nuova versione della Bibbia dai testi antichi 12), San Paolo, Cinisello Balsamo 2024, 331.

<sup>103</sup> Cf in part. D.I. BLOCK, *The Book of Ezekiel (Chapters 25- 48)* (= NICOT), Eerdmans, Grand Rapids (MI) 1998, 354-356; and also W. ZIMMERLI, *Ezekiel. Vol. II* (= Hermeneia), Fortress Press, Philadelphia (PA) 1983 (German orig. 1969), 249.

<sup>104</sup> Cf C. GRANADOS GARCÍA, *La nueva alianza*, 253.265-270.

pliance<sup>105</sup>. In redefining this relationship, the Priestly authors tend to safeguard the absolute primacy of God, setting the participation of the human counterpart in completely asymmetrical terms.

[The Deuteronomistic understanding of covenant] was radically undermined by the destruction of the temple and Jerusalem by the Babylonians and the subsequent deportation into exile, both of which were perceived as divine punishment for the people's sin. Taking stock of this experience and previous crises in its history, Israel realized the untenability of this way of conceiving and living the covenant with YHWH: for while God is able to ensure covenant fidelity, the people (because of their frailty) are constantly exposed to the risk of sinfulness, of disobedience to divine commands, and are not capable of assuring loyalty. This acknowledgement drives Priestly theology to re-interpret the covenant in *unilateral and unconditional* terms: the bond between YHWH and Israel exists by virtue of the divine unilateral assumption of responsibility, which places no conditions on the human counterpart<sup>106</sup>.

The Priestly tradition perceives the covenant as a divine act, completely independent of human disposition, and for this very reason «eternal»<sup>107</sup>. In placing this specific vision of *b'ērît* in the framework of the primeval story, the Priestly tradition, unlike the Deuteronomistic one, tends not to link it directly to the Sinaitic event, which is rather portrayed as a distinctive display of YHWH's glory and as the founding event of the Israelite priesthood and cult<sup>108</sup>. Thus, the Exodus pact is preceded, in the first place, by the covenant with Abraham (and his descendants; Gen 17) – covenant older (and therefore superior) than the Mosaic one, unilateral (by YHWH),

<sup>105</sup> Cf J. WÖHRLE, «Abraham amidst the Nations: The Priestly Concept of Covenant and the Persian Imperial Ideology», in R.J. BAUTCH - G.N. KNOPPERS (ed.), *Covenant in the Persian Period. From Genesis to Chronicles*, Eisenbrauns, Winona Lake (IN) 2015, 23-39: 23.

<sup>106</sup> G. GALVAGNO - F. GIUNTOLI, *Dai frammenti alla storia*, 362 (our transl.).

<sup>107</sup> Cf W. GROSS, *Zukunft für Israel*, 45.66-67; and also J. VERMEYLEN, *Le Dieu de la Promesse*, 172.

<sup>108</sup> Cf A. MELLO, «L'alleanza sinaitica», 26; and also W. ZIMMERLI, «Sinaibund und Abrahambund. Ein Beitrag zum Verständnis der Priesterschrift», *TZ* 16 (1960) 268-280: 276. On the Sinai event in the Priestly tradition, see in part. R.J. BAUTCH, *Glory and Power, Ritual and Relationship. The Sinai Covenant in the Postexilic Period* (= LHB/OTS 471), T&T Clark, New York - London 2008; and also A. SCHÜLE, «The Eternal Covenant», 41-58.

unconditional and sealed by a flesh sign (circumcision)<sup>109</sup> –; in the second place, by the covenant with Noah (and with all mankind; Gen 9) – an even older (and therefore even superior) covenant than its forerunners, still unilateral and unconditional, and sealed by a sign of a cosmic nature (the rainbow)<sup>110</sup>.

[To the theological category of *covenant*] the Priestly tradition ascribes a special prominence in the life of the universe, in which Israel's particular election is embedded. There are two covenants God made with men: in the primeval story, the Priestly source describes the celebration of a covenant between God and mankind, through Noah (Gen 9:8-17), while the part devoted to the history of the people of Israel refers to the covenant with Abraham, the forefather of the people (Gen 17:1-27). The covenant with humanity is the bedrock of the universe's subsequent stability: if the Flood represented the annihilation of creation because of mankind's sin, this covenant establishes a divine commitment not to repeat the destruction, accepting that the created universe does not fully match the original design. The covenant with Abraham, focused on the people that will arise from him, indirectly states the importance that Israel will come to acquire in the overall horizon of creation: to be the perceptible evidence of God's trustworthiness towards mankind<sup>111</sup>.

### 1. *The covenant with Abraham and his descendants (Gen 17)*

The covenant with Abraham in Gen 17:1-27 is a «pure covenant of grace»<sup>112</sup>, a perfect expression of the Priestly sensibility on the subject. The *b'ērît*, stipulated here, is referred to by God himself as «my covenant» (vv. 2a,4a), underlining its total dependence on his free initiative (cf also Gen 15)<sup>113</sup>.

<sup>109</sup> Cf J. GOLDINGAY, «The Significance of Circumcision», *JSOT* 88 (2000) 3-18; and also M.V. FOX, «The Sign of the Covenant. Circumcision in the Light of the Priestly 'ōt Etiologies», *RB* 81 (1974) 557-596.

<sup>110</sup> Cf J. BLENKINSOPP, *Il Pentateuco*, 107-108.

<sup>111</sup> G. GALVAGNO - F. GIUNTOLI, *Dai frammenti alla storia*, 341-342 (*our transl.*).

<sup>112</sup> B. SMEND, «La formula di alleanza», 150.

<sup>113</sup> On the divine promise to Abraham in Gen 15 in the form of conditional self-impredication cf G. BORGONOVO, «L'irrevocabile promessa (Gn 15,1-21)», in G. BORGONOVO et al., *Torah e storiografie dell'Antico Testamento* (= Logos 2), Elledici, Leumann 2012, 467-484; and also M. SETTEMBRINI, *Nel Pentateuco. Introduzione ai primi cinque libri della Bibbia*, San Paolo, Cinisello Balsamo 2012, 59-64. On the relationship between the divine promise of Gen 15 and that of Gen 17 cf P.R. WILLIAMSON, *Abraham, Israel*

Abraham is described from the outset in the substantial physiological impossibility of having a child because of his venerable age (v. 1a; cf also Heb 11:12). To this man, without any possibility of a future, God appears, addressing him with a command (request for devotion and faithfulness; v. 1b), but above all with a promise: «And I shall grant a covenant between myself and you» (v. 2a). This covenant, by which a singular and stable relationship between Abraham (and his posterity) and YHWH is established (v. 7; cf also Is 54:10; Ez 37:26), is configured for the patriarch as a guarantee of extraordinary fruitfulness (vv. 2b,4b,5b-6) and of perennial ownership of the land of Canaan (v. 8). It is evident how the Abrahamic covenant, with this specific nature, is aimed at constituting a source of hope especially for the exilic generation, which is called upon to recognize itself in the precarious condition of the patriarch and, at the same time, to feel that it is also the recipient of the promise<sup>114</sup>.

However, the undisputed primacy of divine initiative in the covenant does not lead to an undue downgrading of human freedom<sup>115</sup>: Abraham is asked to accept and keep the covenant offer, through the highly symbolic gesture of circumcision (vv. 9-14). This custom, which for the community of the Babylonian diaspora constitutes an important sign of identity, is recovered by the Priestly author, relocated in the Abrahamic story and endowed with a high spiritual value: circumcision, far from being considered a condition for the establishment of the pact, is portrayed as a reliable sign of its reception; on the whole, as a memorial of the covenant, given and accepted<sup>116</sup>. God has previously required of Abraham a conduct of life corresponding – as far as possible – to the gift received (v. 1b); of such conduct, circumcision can be viewed a sign and seal<sup>117</sup>. In this sense, the position of W. Brueggemann, who defines circumcision as «an act of sac-

*and the Nations: The Patriarchal Promise and its Covenantal Development in Genesis* (= JSOT.S 315), Sheffield Academic Press, Sheffield 2000.

<sup>114</sup> Cf W. BRUEGGEMANN, «Genesis 17:1-22», *Interp.* 45 (1991) 55-59: 55-56.

<sup>115</sup> Cf M. KÖCKERT, «Gottes „Bund“ mit Abraham und die „Erwählung“ Israels in Genesis 17», in N. MACDONALD (ed.), *Covenant and Election in Exilic and Post-Exilic Judaism. Studies of the Sofja Kovalevskaja Research Group on Early Jewish Monotheism. Vol. V* (= FAT 79), Mohr Siebeck, Tübingen 2015, 1-28: 19-20.

<sup>116</sup> Cf A. WÉNIN, «L'alliance de la circoncision (Gn 17). Essai d'interprétation du signe», *RTL* 42 (2011) 558-578: 558.568; and also J. WÖHRLE, «Abraham amidst the Nations», 26.

<sup>117</sup> J.J. KRAUSE, «Circumcision and Covenant in Genesis 17», *Bib.* 99 (2018) 151-165: 161-162.

ramental ratification of the covenant», is not far-fetched<sup>118</sup>; or, put another way, a symbolic form of adherence to the divine promise for the individual Israelite and the entire community<sup>119</sup>.

## 2. *The covenant with Noah and all mankind (Gen 9)*

The pristine universality of God's unconditional covenant offer finds its clearest narrative depiction in the conclusion of the *b<sup>e</sup>rît* at the end of the Flood in Gen 9:1-17. As in the case of Gen 17, here too it is evident that YHWH is the main, not to say sole, subject in establishing «his» covenant (vv. 11a,12; cf also v. 17): Noah, the living beings and the entire creation remain utterly passive in the face of the Creator's guarantee that the waters of the Flood will not swamp the earth again and return it to the chaos of its origins (v. 11b). The stability of life is thus made entirely dependent by the Priestly author on God's unreserved commitment<sup>120</sup>.

Of this eternal and universal covenant, the Lord establishes a sign of cosmic nature (vv. 12-13), enabling him first to «remember» the freely assumed engagement (vv. 14-16)<sup>121</sup>. The bow in the sky, which, like the thunderbolt, was originally a sign of war, a weapon held in the hands of the deity, is here seen deposed on the clouds, signifying the definitive termination of that «act of war» against creation and creatures, which was the Flood. God's «remembrance» of the covenant signed is not to be understood in merely intellectual terms: it is a «remembering», which also implies an active keeping of that *b<sup>e</sup>rît*, which YHWH himself instituted<sup>122</sup>.

<sup>118</sup> W. BRUEGGEMANN, «Genesis 17:1-22», 57.

<sup>119</sup> Cf B. RENAUD, *Nouvelle ou éternelle Alliance?*, 101-102.

<sup>120</sup> Cf A. BONORA, «La promessa-impegno di Dio con il mondo (Gen 9,8-17). Proposta di struttura letteraria», *Teologia* 7 (1982) 37-45: 40-43; and also J. WÖHRLE, «Abraham amidst the Nations», 25.

<sup>121</sup> Cf A. BONORA, «La promessa-impegno di Dio», 44.

<sup>122</sup> Cf M.V. FOX, «The Sign of the Covenant», 572-573; and also L.A. TURNER, «The Rainbow as the Sign of the Covenant in Genesis IX 11-13», *VT* 43 (1993) 119-124.

## VII. CONCLUSION: THE FUNDAMENTAL AND IRREDUCIBLE POLARITY OF THE BIBLICAL COVENANT

In drawing conclusions from the study carried out, we are helped by a further current of thought, which took hold in post-exilic Judea and was responsible for the inclusion within the Pentateuch, particularly in the book of Leviticus, of the «Holiness Code» (Lev 17–26): a legislative code, intended for the early post-exile community, called upon to face the challenges of reconstruction and to cherish its vocation as a holy people<sup>123</sup>. While it is not possible here to carry out a sufficiently exhaustive survey of this theological movement and its reflexive proposal, we can nonetheless refer to it to focus on the fundamental and irreducible polarity that characterizes the multifaceted biblical reflection on the theme of the covenant. The so-called «Holiness School» considered responsible for the last revision of the Pentateuch before its «publication»<sup>124</sup> would have attempted to work out a synthesis on the theological motif of the covenant between the Deuteronomistic and the Priestly reflections, emphasizing their respective strengths and correcting any possible biases<sup>125</sup>.

[The understanding of the covenant according to the Holiness Code], while safeguarding the fundamental primacy of the divine initiative in the pact, recovers the prominence of the human attitude and, above all, focuses on certain *effective penitential gestures* (cf in part. Lev 16) thanks to which Israel can periodically reconcile with God in ritual form, thus remedying its transgressions of the covenant<sup>126</sup>.

The covenant returns to being considered bilateral and conditional (cf e.g. Lev 26:3-4,14-16), as in the Deuteronomistic tradition, but the pact signed with the patriarchs (Jacob, Isaac and Abraham; cf Lev 26:42) and with the «ancestors brought out of the land of Egypt» (cf Lev 26:44-45), according to Priestly sensibilities, always remains valid in God's eyes<sup>127</sup>. This condition of perennial validity of the patriarchal covenant allows the

<sup>123</sup> Cf K. GRÜN WALDT, *Das Heiligkeitgesetz Leviticus 17-26. Ursprüngliche Gestalt, Tradition und Theologie* (= BZAW 271), De Gruyter, Berlin 1999, 382-383.

<sup>124</sup> Cf I. KNOHL, *The Sanctuary of Silence: The Priestly Torah and the Holiness School*, Eisenbrauns, Winona Lake (IN) 2007; and also Id., «The Priestly Torah Versus the Holiness School: Sabbath and the Festivals», *HUCA* 58 (1987) 65-117.

<sup>125</sup> Cf W. GROSS, *Zukunft für Israel*, 99.

<sup>126</sup> G. GALVAGNO - F. GIUNTOLI, *Dai frammenti alla storia*, 363 (our transl.).

<sup>127</sup> Cf J.L. SKA, *Introduzione alla lettura del Pentateuco*, 216.

people to re-enter the pact in the event of breach, thanks also to a specific penitential rituality, which in the post-exilic season tends to develop and consolidate (cf in part. the so-called «Day of Atonement», *yôm kippûr* in Lev 23:26-32). Obviously, just as the possibility of behaving in a way that is consistent with the injunctions of the law, so too the opportunity for reconciliation with God in the event of a violation is to be considered (and experienced) as an absolute gift, certainly not as an unquestionable right or as the fruit of performance<sup>128</sup>. The disobedience of the people, however, although object of special attention by the «Holiness Code», never entails the radical failure of the pact. In this way, the existence of *b'êrît* is not made to depend on the human answer, but exclusively on the divine disposition<sup>129</sup>. There is one great plan of salvation, which runs through the history of Israel (and all of mankind), from the moment of its establishment, and which God continues to pursue with conviction despite so much resistance and so many failures<sup>130</sup>: this conviction is of particular importance for a national community, such as that of post-exilic Judea, which, after the experience of the diaspora, can only count on the «remembrance» of God as a reliable guarantee of the future<sup>131</sup>.

<sup>128</sup> Cf K. GRÜN WALDT, *Das Heiligkeitgesetz*, 391.

<sup>129</sup> Cf P. BUIS, *La notion d'alliance*, 89-90; and also B. RENAUD, *Nouvelle ou éternelle Alliance?*, 155-156.

<sup>130</sup> «It is noteworthy that no separate covenants have been individually formed with Noah, Abraham, etc.; there is only *one* covenant between God and human beings. The names stand for individual accentuations and renewals of the *same* covenant. It turns out in the long run that there is little difference between the covenants of Sinai and Abraham in regard to their fulfilment. The difference lies in their content, but their realization is dependent on Israel's behaviour. [...] The possibility of failure and punishment, even the reality of the Exile – and the concept of redemption and new beginning – are already anchored in the Torah itself, in the fictive narrative of Israel at Mount Sinai. This means that failure and necessary punishment do not question the normative claim of God's torah. Although God foresees Israel's failure, God withdraws neither his commandments nor his covenant» (T. HIEKE, «The Covenant in Leviticus 26: A Concept of Admonition and Redemption», in R.J. BAUTCH - G.N. KNOPPERS [ed.], *Covenant in the Persian Period. From Genesis to Chronicles*, Eisenbrauns, Winona Lake [IN] 2015, 75-89: 82-83).

<sup>131</sup> «[The final part of Lv 26] reckons with Israel's permanent failure to fulfil God's ethical and cultic demands and demonstrates how God mercifully grants a new beginning after necessary punishment. [...] The idea that God grants a new beginning after the justified punishment is expressed by the metaphor that God "remembered his covenant". [...] This concept of redemption that results from the experiences of the Exile and the

The overall message [of Lev 17–26] is God's willingness to forgive and grant a new beginning; but the notion of covenant also implies that God takes the responsibility and free will of human beings seriously, leading to even dramatic consequences. God's punishment, however, will never lead to total destruction and the breaking of the covenant. [...] [This particular way of understanding the covenant between God and Israel as one great salvific project] leads the Priestly and non-Priestly traditions of the Pentateuch to a synthesis<sup>132</sup>.

The attempt at synthesis, devised by the authors of the «Holiness Code», is commendable not so much for the proposal itself, but for the nodal points, which form the basis of the theological motif of the covenant, and which are highlighted in this attempt with particular effectiveness. There is a fundamental polarity, on which the biblical covenant rests; a polarity, which every theological proposal on the subject should take into proper consideration, complete in its own specific features: on the one hand, the primacy of divine grace; on the other, the value of human freedom.

The covenant, biblically understood, stems from the unconditional initiative of God's grace, which preempts human freedom; indeed, which constitutes it, the very moment it introduces the covenant offer. The covenant does not come into being as a fully bilateral relationship, because it is always God who takes the first step towards man and requires his free involvement in a mature and stable relationship of communion. Thus, not so much the subsistence of the pact as its full implementation requires that human freedom play itself out in the relationship, giving its effective consent to its fulfilment. On the one hand, the undisputed primacy of grace is a guarantee of the covenant's survival even in the face of the betrayal of its clauses by fragile human freedom; on the other hand, the serious implication of man's own freedom is a sign that the covenant can never be seen as something enforced, but only proposed, pending the partner's freedom to express his adherence<sup>133</sup>.

new beginning in the Persian period is integrated into the revelation at Mount Sinai in order to anchor the paradigm of failure, punishment, forgiveness, and new beginning at the roots of Israel's religion» (T. HIEKE, «The Covenant in Leviticus 26», 79-80).

<sup>132</sup> T. HIEKE, «The Covenant in Leviticus 26», 83.85 (*our transl.*).

<sup>133</sup> Cf also G. ODASSO, *Bibbia e religioni. Prospettive bibliche per la teologia delle religioni* (= Studia), Urbaniana University Press, Vatican City 1998, 128-138.179-186.

Biblical thought, in developing and refining the concept of *b'rit*, in a theological framework that is multifaceted and difficult to synthesize, intends to look at the God - man relationship in all its consistency, resisting the temptation of undue simplifications. To speak of covenant means first of all to recognize God's primacy as Creator (and therefore as Savior): nothing in man or of man can configure this relationship as a right or a conquest. On the contrary, where everything is a gift, including man's freedom, even the covenant stands as a reliable sign of the unconditional and unalterable love that God has for the «first» of his creatures. To speak of covenant then means recognizing man's dignity as a free creature, called to enter into a relationship with God in a conscious and responsible manner. It is precisely here that the vocation, which man has received from the very beginning of his historical adventure, is fulfilled: that of being the Creator's partner, conceived, willed and created «in his own image, in the likeness of himself» (Gen 1:26-27).

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