CHAPTER TWO

THE PROPHET AND THE LAW IN EARLY JUDAISM AND
THE NEW TESTAMENT

1. Introduction

Ancient debates between Judaism and Christianity have profoundly affected both Judaeo-Christian relations down to the present day, and the internal development of Judaism itself. Take, for example, the words of Paul, which have resounded down the centuries:

The qualification we have comes from God; it is he who has qualified us to dispense his new covenant—a covenant expressed not in a written document but in a spiritual bond; for the written law condemns to death, but the spirit gives life. (2 Cor. 3:6, NEB)

Or, in the famous phrase of the King James version:

For the letter killeth, but the spirit giveth life.

Similarly, Romans 2:29 (NEB):

The true Jew is he who is such inwardly, and the true circumcision is of the heart, directed not by written precepts but by the Spirit; such a man received his commendation not from men but from God.

The “letter” comes to be associated with “The Law” and “the Spirit” with the Holy Spirit, and all too easily the phrase takes on connotations not merely of theological disputes (justification by works or faith; revelation via a written text or to the individual heart or conscience); it even takes on connotations of “The Law killeth Jesus” and so gets mixed up with the deicide charge and the centuries of antisemitism which that charge was used to justify.

Theological understanding is thus vital to communal relations. This paper addresses a related issue to that of letter and spirit, namely the tension between law and prophecy, as worked out in the various uses made of the tradition of the “prophet-like-Moses”.

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1 See Jackson 1979, and ch. 1, supra.
2. The Role of the Prophet in relation to the Law in the Old Testament

2.1 Moses as prophetic medium of divine verbatim revelation of law

Recall the concluding words of the Pentateuch (Deut. 34:10–12):

There has never yet risen in Israel a prophet like Moses whom the Lord knew face to face; remember all the signs and portents which the Lord sent him to show in Egypt to Pharaoh and all his servants and the whole land; remember the strong hand of Moses and the terrible deeds which he did in the sight of all Israel.

Of course, the main function of Moses in the history of Israel was to mediate the law: it was for that purpose that God knew him face to face. Nevertheless, the accolade accorded to him is that of supreme prophet. The “signs and portents” (ha’otot vehamofsim) are merely evidence that Moses gave the law as a true prophet; they are the means by which the prophet establishes his status, not the essential function he is there to perform.

A tantalising story in Jeremiah 36:1–23 illustrates some of the mechanics, in the period of the monarchy, of the continuation of this prophetic function.

(1) In the fourth year of Jehoiakim son of Josiah, King of Judah, this word came to Jeremiah from the Lord: ‘Take a scroll and write on it every word that I have spoken to you about Jerusalem and Judah and all the nations, from the day that I first spoke to you in the reign of Josiah to the present day. Perhaps the house of Judah will be warned of the calamity that I am planning to bring on them, and every man will abandon his evil course; then I will forgive their wrong doing and their sin.’

(4) So Jeremiah called the Baruch son of Neriah, and he wrote on a scroll at Jeremiah’s dictation all the words which the Lord had spoken to him. He gave Baruch this instruction: ‘I am prevented from going to the Lord’s House. You must go there in my place on a fast-day and read the words of the Lord in the hearing of the people from the scroll you have written at my dictation…’

(8) Baruch… did all that the prophet Jeremiah had told him to do… (10) Then Baruch read Jeremiah’s words in the House of the Lord out of the book in the hearing of all the people; he read them from the room of

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2 Cf. Exod. 4:17, 10:1–2 for the use of ot by Moses in seeking to persuade Pharaoh to release the Israelites.
3 Cf. the tests stressed in Deuteronomy in distinguishing between true and false prophets (section 2.4 below).