

**Don't Throw Stones:
Deuteronomy and the Prodigal Son
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Introduction

During a week's retreat in 1995, I read through the whole of the book of Deuteronomy. It was clearly a key book of the Hebrew Scriptures for Jesus. Not only did it include the Ten Commandments (chapter 5), the Passover (chapter 16), and the prophet who was to come who would be like Moses (chapter 18), but also in chapter 6:4-6 we read the foundational verses for Jews, which they recite each day, the Shema: 'Hear O Israel, the Lord is our God, the Lord alone'. Jesus quoted this in his summary of the Law (Mark 12:29-30). He also drew on Deuteronomy three times when he was up against violent temptations in the wilderness (Luke 4: 4 cp Deut 8:3; Luke 4:8 cp Deut 6:13; Luke 4:12 cp Deut 6:16).

Yet the book has many hard sayings and curses. Jesus' radical call to love our enemies (Luke 6:35) surely involved his reinterpreting this book in some way. In Mark 10:2-9, he reinterpreted Moses' law of divorce by going behind Deuteronomy 24:1-4 to Genesis 1:27 and 2:24, and thus protecting women from being divorced too easily. In Matthew 5:38-48, he reinterpreted radically – in clear terms of non-retaliation - the 'equality in vengeance commands' of Deuteronomy 19:21, 'Show no pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot'.

A pattern of reusing and reinterpreting earlier biblical material may be found in the legal and narrative sections of the book of Deuteronomy itself. An example of this is the insistence that the same law applies to both male and female slaves in Deuteronomy 15:12-18 (v 12 'whether a man or a woman') which reinterprets Exodus 21:2-6, (concerning only male slaves) and 7-11 (concerning only female slaves).

On my retreat I wanted to attempt to read the book of Deuteronomy as Jesus may have done, 'through his eyes'. Very dangerous and presumptuous and, of course, impossible: but at least I had a go.

One of my surprises was to discover what I believe to be the seed of the parable of the prodigal son in Deuteronomy chapter 21. This indeed may be quite a claim, but stay with me as we explore it together.

1. Deuteronomy 21:15-17 Protection against a Capricious Father

First, the context. In the verses just prior to our main passage of Deuteronomy 21:18-21, we read here of two sons and an inheritance. This Deuteronomic law insists that the legal norm of the right of the first born, in this case the son of the less-loved wife, to have two-thirds of the inheritance, should not be ignored. Thus the less favoured wife is protected.

Ironically, this law about two-thirds and one third inheritance does not match the Genesis stories about Isaac, Jacob and Joseph (Genesis 17:15-22, 21:8-14, 27:1-40 and 48:8-22).

2. Deuteronomy 21:18-21 The Dreadful Stoning of the Son at the Town Gate

We turn now to our passage:

If someone has a stubborn and rebellious son who will not obey his father and mother, who does not heed them when they discipline him, then his father and his mother shall take hold of him and bring him out to the elders of his town at the gate of that place. They shall say to the elders of his town,

“This son of ours is stubborn and rebellious. He will not obey us. He is a glutton and a drunkard.” Then all the men of the town shall stone him to death. So you purge the evil in your midst; and all Israel will hear, and be afraid.

This refers to a very serious situation. The fifth commandment (Deut 5:16) is ‘Honour your father and your mother, as the Lord your God commanded you, so that your days may be long and that it may go well with you in the land that the Lord your God is giving you.’ This honouring was to be the bedrock of Israelite family and society relationships. This case envisages an extreme crisis where a son is ‘stubborn and rebellious’, who does not heed nor obey his parents. They, then, are to go to a higher authority, ‘elders at the gate’, who were the judges in family law (see also Deut 22:15; 25:7; Job 29:7; Ruth 4:1-2, 11; Lam 5:14). The parents are to articulate the charge, and, in this case, use the phrase, ‘He is a glutton and a drunkard’.

Now, where have we heard that phrase before? This was the first clue for me. It was the accusation against Jesus by the Pharisees and lawyers, which he himself (‘the Son of Man’) quoted ironically, in contrast with their charge against his cousin:

For John the Baptist has come eating no bread and drinking no wine, and you say, ‘He has a demon’; so the Son of Man has come eating and drinking, and you say, ‘Look, a glutton and a drunkard, a friend of tax collectors and sinners!’ Nevertheless, wisdom is vindicated by all her children. (Luke 7:33-35)

Have a look at the first words of Luke chapter 15, which introduce the three parables of being lost and found - the lost sheep (vv 3-7), the lost coin (vv 8-10) and the lost son (vv 11-32):

Now all the tax collectors and sinners were coming near to listen to him. And the Pharisees and the scribes were grumbling and saying, “This fellow welcomes sinners and eats with them.” (Luke 15:1-2)

So the first link between Deuteronomy 21 and Luke 15, via Luke 7, is the phrase ‘glutton and drunkard’ and ‘friend of tax collectors and sinners.’

On my retreat, I was not using the New Revised Standard Version of the Bible but the Revised English Bible translation (REB). This translated the phrase ‘glutton and drunkard’ as ‘wastrel and drunkard’ (as does its earlier version, the New English Bible). This was my second clue. ‘Wastrel’. Where had we heard that before? Prodigal, according to the Oxford English Dictionary (OED), means ‘recklessly wasteful of one’s property’. The parable of the wastrel son? The REB for Luke 15:13 reads, ‘A few days later the younger son turned the whole of his share into cash and left home for a distant country, where he squandered it in dissolute living.’ Later the elder son says to his father, ‘But now that this son of yours turns up, after running through your money with his women, you kill the fatted calf for him.’ (Luke 15:30). It is interesting that the elder son, rather than saying ‘my brother’, disowns him by using the phrase ‘this son of yours’ – which in turn may have echoes of Deuteronomy 21:20, ‘This son of ours...’

According to the OED, ‘wastrel’ means ‘a good-for-nothing, idle, worthless, disreputable person’ or ‘a neglected child of the streets’. Dr Barnado, in his book *Taken out of the Gutter* (1880), mentioned “The juvenile ‘wastrels’ of London streets are, alas! still to be reckoned by their thousands.”

The Hebrew for ‘wastrel’ or ‘glutton’ is *zalat* ‘to be gluttonous, vile, lightly esteemed.’ It is used in Proverbs 23:21, though the NEB and REB and NRSV all translate it as ‘glutton’ there. ‘For the drunkard and the glutton will come to poverty, and drowsiness will clothe them with rags’. The prodigal son did come to poverty, and the father, on his return, immediately gave orders, ‘Quickly, bring out a robe – the best one – and put it on him.’ (Luke 15:22).

3. An Honourable Father and Son Relationship in Modern Hebrew Scholarship

At Oxford in the early 20th century, there was an interestingly illustrious father and son relationship concerning Hebrew scholarship. Samuel Driver (1846-1914), was Professor of Hebrew and wrote a The International Critical Commentary on Deuteronomy. His son, Godfrey Driver (1892-1975) followed his father 'honourably' as a Hebrew scholar at the same university and became the Convener of the Old Testament panel of the NEB. He is likely to have been the one who suggested the word 'wastrel' for the more usual 'glutton' in the NEB. His father, in his commentary on Deuteronomy (p. 247), translated Proverbs 23:20 as 'be not among those that drink wine, that squander flesh among themselves' and continued that the word zalal is properly translated 'a squanderer' and refers to the same word in Proverbs 28:7. In the NEB, this is translated as, 'A discerning son observes the law, but one who keeps riotous company wounds his father'. In REB it is revised as '...but one who keeps profligate company brings disgrace on his father.'

4. The Awful Sentence

So we have a sense of a glutton as a squanderer, a profligate – in fact, a prodigal. We now return to the awful sentence, of Deut 21:21, 'Then all the men of the town shall stone him to death. So you purge the evil in your midst; and all Israel will hear, and be afraid.' This is frightening capital punishment and clearly shows the seriousness of the case – but, having made allowances for the fact that there is no recorded instance in the Old Testament of this occurring, it is still surely abhorrent.

How would Jesus have meditated on this passage? How would he have interpreted it? My suggestion is that he turned this law, which is full of dread, into his most poignant parable of all, the prodigal son.

5. Luke 15:11-32 Welcome Home for a Lost Son

Luke's introduction, mentioned above, gives the context for Jesus' three parables: after the lost sheep and the lost coin (Luke 15:2-10) comes the lost son. This parable deals with the inheritance problems of two sons (echoes of Deut 21:15-17). The wastrel son would have brought shame not just on the family, but on the whole village, for in effect wishing his father was dead and wanting his inheritance there and then. The father, amazingly, graciously and scandalously shows his love by agreeing. When all goes wrong the son 'comes to himself' and starts his journey home. His father, who was on the look out for him and knowing nothing of his repentance, ran to meet him. At the time of Jesus, and as today in the Middle East, it would have been very unusual and shameful for an older man to run in this way. It has been suggested by Kenneth Bailey, a scholar of Luke's parables and of both ancient and current Aramaic culture, that he did this to reach his son before the villagers or the 'elders at the gate' did so, and attacked him for the shame he had brought on the whole village. His running was to prevent the stoning.

If Bailey is correct then, instead of following the law of Deuteronomy for a disobedient son who was a wastrel and a drunkard, the father protected him from the very judges that law stipulated.

Ironically, the ultimate reinterpreter of the Law - the one the Law pointed towards in Deuteronomy 18:15-22, who was like Moses but greater than him - Jesus himself, died 'outside the city gate' (Hebrews 13:12). This was not by stoning but by being handed over by the equivalent of the 'elders at the gate', the Sanhedrin Council of his day, to the Romans for their equivalent of stoning - crucifixion.

This brings us to the last verses of this chapter, which may also sound familiar.

6. Deuteronomy 21:22-23 and Galatians 3:13 Paul's Reinterpretation

When someone is convicted of a crime punishable by death and is executed, and you hang him on a tree, his corpse must not remain all night upon the tree; you shall bury him that same day, for anyone hung on a tree is under God's curse. You must not defile the land that the Lord your God is giving you for possession.

Now this makes eminent sense in terms for public health issues. The intriguing point is that Paul reinterprets this passage powerfully in Galatians 3:13, 'Christ redeemed us from the curse of the law by becoming a curse for us – for it is written, "Cursed is everyone who hangs on a tree" – in order that in Christ Jesus the blessing of Abraham might come to the Gentiles, so that we might receive the promise of the Spirit through faith.' For Paul, this cross reference points to the cross of Christ.

Now it is clear from Galatians 3 that Paul meditated on the last verses of Deuteronomy 21. If the suggestion above is valid, then we have the possibility that as well as Paul, Jesus himself meditated on this passage. It is nowhere mentioned in the gospels, but if Deuteronomy 21:18-21 is reinterpreted radically by Jesus into the parable of the prodigal son, then it may suggest he also pondered the meaning of the last verses of that chapter too.

Conclusion

So, in the light of the above considerations, I believe that Jesus did indeed reinterpret the law of Deuteronomy 21:18-21 with his parable of the prodigal son. The elder son responds as the Pharisees did, but even he is still loved and the father goes out a second time, to persuade him of that faithful love. In effect he was saying concerning 'the tax collectors and sinners,' "Don't throw stones."

Where have we heard that before? I am reminded of the event of the woman who had been caught in adultery being saved from stoning (John 8:1-12). Again Jesus reinterpreted a law of Deuteronomy, this time in the chapter immediately following the one we have been studying (Deut 22:22). He did not reply to the persistent questions of the scribes and Pharisees at first, but wrote with his finger on the ground. We do not know what we wrote, but the significance of his action may well be found in Deuteronomy itself. There Moses related, "And the Lord gave me the two stone tablets written with the finger of God." (Deut 9:10). It seems to me that Jesus was acting out a new version of this, and thereby subtly making a claim concerning his own identity and right to reinterpret the Law in this case.

Jesus then asked a pertinent question of his own, 'Let anyone among you who is without sin be the first to throw a stone at her' and wrote again with his finger on the ground. Eventually, they turned away in shame and did not throw stones. It is not clear whether they really 'came to themselves' – to use the language of the prodigal son – or just felt furiously tricked into leaving. It may be that some repented (the elders literally 'turned back' first) and others did not. Twice Jesus wrote on the ground and twice he asked questions – first of the scribes and the Pharisees and then of the woman. Then he declared to her, 'Neither do I condemn you. Go your way, and from now on do not sin again.' Jesus does not condemn nor condone.

Now, we do not have the authority that Jesus had to reinterpret the Law. He was and is unique. Yet, in our various contexts today, I believe he speaks to us through the parable of the prodigal son and through the event of the woman caught in adultery, saying "Don't throw stones."

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Having completed this article in September 2007, the following month I was leafing through back copies of The Scottish Journal of Theology in a library looking for a particular article, when, to both

my consternation and joy, I found one by Colin Brown entitled, 'The Parable of the Rebellious Sons' *Scottish Journal of Theology* 1998, Vol. 51, No. 4, pp. 391-405. Brown covers some of the points I raise in my article, including the link between Deuteronomy 21 and Luke 15, and the 'glutton and drunkard' references in Proverbs. However, he does not draw out the implications of Christ reinterpreting the awful law of Deuteronomy. He calls it a 'parable of reversal of values with a vengeance'. But it would have been better, surely, to have called it a 'parable of reversal of values without vengeance.'

Brown does wonderfully point out what may be two key hidden jokes in the parable. First, the father, in giving the command to kill the fatted calf and make merry, backs up the reputation of Jesus to be a glutton and a drunkard! Second, he asks the question: whose fatted calf was it anyway? He answers that it belonged to the elder son, since the father had already divided his living between the two sons. The father, it seems, was celebrating the return of the prodigal at the expense of the elder brother.

Brown also mentions Christopher Evans's ideas of Luke's gospel as a sort of Christian Deuteronomy: 'C. F. Evans notes the links between the parable and Deut. 21:18-21, but the burden of his discussion is to see the central section of Luke as 'Christian Deuteronomy' ('The Central Section of St Luke's Gospel' in D.E. Nineham, ed., *Studies in the Gospels: Essays in Memory of R.H. Lightfoot* (Oxford: Blackwell, 1957), 37-53, especially 42 and 48.