

Let Him Who Is Without Sin...

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In a previous article we examined Jesus' *Jewish* commandment to love. We discovered that the foundation of his ethical instruction was based upon contemporary Jewish teaching and its understanding of the biblical command to “love your neighbor (who is) like yourself” (Lev. 19:18; Luke 10:27). The new and developing Jewish sensitivity to the universal frailty of the human condition is heard in the apocryphal work of Ben Sira, “Should a person refuse mercy to *a man like himself*, yet seek pardon for his own sins?” (Sir. 28:4).

The same sentiment is heard in Jesus' model prayer that he gave to his disciples: “Forgive us our sins as we forgive those who sin against us” (Matt. 6:12). We are expected to extend unmerited mercy and forgiveness to those who have offended us, because we ourselves stand in similar need of the unmerited mercy of God.

In the same vein on another occasion Jesus cautioned his followers, “The measure you give will be the measure you get” (Matt. 7:2). All of these sayings resemble the famous words of the first-century Jewish sage Hillel: “Judge not your neighbor lest you find yourself in his place!” (m. Avot 2:3).

While Jesus built on contemporary notions, we should not ignore his bold, ingenious contribution to the voices of his day. His breathtaking conclusion that the example of divine mercy demanded that we love even those who hate us is unparalleled—even among the writers of the New

Testament. In this study, we want to build upon this new understanding and give fresh attention to a fascinating, and often misunderstood, story from John’s Gospel.

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Jesus and the Woman Caught in Adultery as depicted in the illuminated Codex Egberti (tenth century C.E.). Image courtesy of Wikimedia Commons.

The sentence informs us, “They were using this question as a trap, in order to have a basis for accusing him.” In at least four ancient witnesses, however, this verse does not appear. It leaves the reader without any clear indication why they were bringing the woman to Jesus. Young argues that the versions without this sentence are closer to the original event, and that the men were seeking from Jesus a Jewish *responsa*—a ruling from a respected sage who is able to resolve a difficult case. Young suggests that they were seeking a way to avoid carrying out the written commandment, “If a man commits adultery with the wife of his neighbor, both the adulterer and the adulteress shall be put to death” (Lev. 20:10).

Josephus Flavius, the Jewish historian, indicates that, on the whole, the Pharisees “are naturally lenient in matters of punishments” (*Antiquities* 13:294). In the matter of adultery, Jewish tradition (Num. 5:11-31; m. Sotah 9:9) records that in the first century Yohanan ben Zakkai, a leading Pharisaic sage, suspended the tradition of giving the bitter waters to women suspected of adultery. These developments are exemplary of the increasing value attributed to human life and the new sensitivity of Judaism to universal human frailty and the need to exercise mercy.

By contrast, Josephus mentions the harsh verdicts of the Sadducean priests. They “hold that only those regulations should be considered valid which were written down (in Scripture),” that is, in

the written Law of Moses. Their strict reading of the written Law and their inability to mitigate its precepts under extenuating circumstances contrasted starkly with the Pharisees. These differences are important in light of a manuscript that is not mentioned in Young's study. According to this manuscript, the sentence, "They were using the question...for accusing him," appears at the beginning of verse 4 with another subject. It reads, "The *priests* said to test him in order that they might have a charge against him, 'Teacher'...."

What is significant in this reading? First, rather than fueling the traditional Christian suspicions that the Pharisees *en bloc* were the opponents of Jesus, this witness accurately clarifies those who were trying to trap Jesus. Its presentation accords with the Synoptic Gospel tradition in which we find the Sadducean priests attempting to ensnare Jesus (Luke 20:19-20). By the way, it is more fitting historically that the Sadducees, not the Pharisees, were concerned with the *written* Law ("in the Law Moses commanded us"). Jesus' response accords with the Pharisaic tendency towards leniency in the matters of Law and punishment. Or to state it another way, if Jesus had been a strict literalist of the Sadducean type, he would have had the woman stoned.

Second, if our understanding of the episode is correct, it provides an important new perspective to Jesus' dictum, "Let him who is without sin cast the first stone." His response is not, as it is generally read, a narrowly targeted rebuke to a group of hypocritical Pharisees. His statement, instead, is a clear and unmistakable crystallization of the popular Jewish notion that we have already mentioned, "Be merciful as your father in heaven is merciful" (Luke 6:36), or "With the judgment you pronounce you will be judged" (Matt. 7:2). On this occasion, however, Jesus uses the metaphor of judgment appropriate for the case at hand, "Let him who is without sin cast the first stone." Those standing by received Jesus' dictum not just because of its intrinsic wisdom and compassion, but because the need to judge with mercy had wide appeal. In effect, the Sadducean accusers were outnumbered.

The Pharisaic sages of Jesus' day would have applauded his creative genius and his fearless application of the Jewish principles of love and mercy. He stood in the face of the Sadducean attempt to carry out a merciless judgment. A similar intervention is recorded in Acts 5:27-39 by a Pharisee, Rabban Gamaliel, the teacher of the Apostle Paul. On that occasion, in the face of the Sadducean priests intent on putting to death Peter and John, Rabban Gamaliel stood and argued for their release. In both instances the Pharisaic call for leniency held sway.

Jesus' final words to the woman ("Neither do I condemn you; go, and do not sin again.") portray his typical ability to maintain balance in a difficult circumstance. His approach is embracing, forgiving. It does not seek to drag up the past. Yet, Jesus does not leave her to wallow in her failures. The call of God upon the individual's life is demanding, but it is not in the first instance about behavioral modification. It is a call to relationship with the One who is able to restore and strengthen by His spirit. God grant us the wisdom to extend both mercy and encouragement to those in our day who need to experience divine mercy and forgiveness through our words and actions.
