

The Lady Is Not for Stoning

The Texts: John 7:53 to 8:11

The Problem

I have a bit of a problem...

- All good Christians are supposed to want to go to heaven (whatever that may be), and to live with God, and to live as God intended us to live.
- All good Christians get their fundamental ideas on the nature of God, and of how God intends us to live, from the Bible.

So, here's my problem: if the nature of God and the operating instructions as to 'how to live as God intends' are as described in the books of Moses in the Bible, then I'm not too sure I want to go to heaven. I don't want to live in a place where the actions described in Deuteronomy 22:28¹ reflect the true and holy wishes of God. I'd rather live in 21st century UK, where such behaviour would result in a well-deserved jail sentence.

Does Deuteronomy 22:28 (and may other similar texts) *really* reflect all that is good and pure and decent and godly?

Plato, the ever-reliable Greek philosopher, [gets to the heart of the problem](#) and asks

Whether a thing is good because God says it is good, or does God say it is good because it is good?

Should I *desire* to enforce Deut 22:28 because God demands it? Or should I *reject* God because I hold God to a higher standard? Or, what....?

Where is the 'good' in Deut 22:28? And where is the 'good' in the texts for today – the story of the woman brought to Jesus for stoning?

A Necessary Preamble

John 7:53-8:11 is a challenge for biblical scholars. It is often not included in the earliest manuscripts of John's gospel. Or it appears in Luke 21 instead. Some consider the story to be an *agrapha*, an unwritten story to the church and passed on in oral form and finally recorded in the gospel of John². Whatever its origin, it appears in all the most popular English versions of the Bible. As Milne³ writes, "the hesitation over this paragraph may be partly due to its content, as on the surface at least it

¹ Deut 22:28 NIV: "If a man happens to meet a virgin who is not pledged to be married and rapes her and they are discovered, he shall pay her father fifty shekels of silver. He must marry the young woman, for he has violated her. He can never divorce her as long as he lives."

² Kenneth E. Bailey, "Jesus Through Middle Eastern Eyes", p229

³ Bruce Milne, "The Message of John", p116

appears to express a liberal attitude to sexual sin on Jesus' part. The spirit of the passage, however, is such that its place within the Gospel corpus has been universally accepted'.

So, it is here, and we must deal with it.

The Plot

The story seems simple enough. Jesus returns to the Temple court (rather surprisingly given what happened the last time he was there) at the end of the Festival of Tabernacles. It's one of the special 'Sabbaths' that bookend the week-long festival. Jesus begins teaching and is interrupted by a delegation of Pharisees who have a conundrum for him. A conundrum that is an explicit threat to him – as there's no good answer for what is about to happen.

"Here's a woman", they say, "and we caught her doing things she shouldn't have been doing with someone who wasn't her husband. Moses says we need to stone her. What do you say?"

Jesus says nothing. He writes something in the sand. We don't know what. He then says to the delegation of Pharisees, "If you are without sin then please throw the first stone". He resumes writing in the sand.

The delegation fizzles out and departs, one by one.

Jesus asks the woman, "Where are your accusers?". She says that they have gone.

Jesus responds, "Then neither do I condemn you, go now and leave your life of sin".

Discussion

Read the story and read any commentaries you can find on it.

In the NIV the story runs to 222 words. I hope, by the end of this week's discussion, to convince you that these 222 words contain one of the most radical ideas in the New Testament.

The Legal Question

Here's what we know of the legal situation.

- The books of Moses are clear on the necessity of stoning adulterers (Ex 20:14, Lev 20:10, Deut 22:22-24)
- The phrasing of the accusation "Teacher, this woman was caught in the act of adultery" would indicate that (somehow) the accusers were witnesses to the event.
- Having witnessed the adultery, the accusers could and should organise a stoning (Deut 17:6-7, Deut 19:15).

A Straightforward Reading

In my memory of hearing these events being discussed in church sermons and study groups the story is often explained thus:

- Woman is caught doing a bad thing (let's leave aside the absence of the necessary other party to this adultery – where is the man?).
- Pharisees ask Jesus, in the light of Moses' commands, "what should be done with her?" It's a trap!
- Jesus writes something (what???) in the sand and invites the sinless people to start stoning.
- The accusers leave. The witnesses have gone.
- "Who is going to condemn you?"

- “No-one”
- “OK, off you go and behave better next time...”

And we’re done...

Qs:

- Does that reading make sense to you?
- Is it legally justifiable?

Legal Reading #1

Many commentaries on this story claim that the absence of the male half of the adultery means that the *entire accusation is invalid*, and, because of this, Jesus can get her off on a legal technicality.

Woman on her own = no good.

No Man = no case to answer.

And because of this legal technicality Jesus cleverly manages to get the woman off *and* simultaneously maintains the letter of the Law.

Does that sound right to you?

Where does the Law say that *both* parties must be *tried* together? The Law doesn’t say that – it simply says that if adultery happens then both parties are guilty and should be punished. It does not say that if one party manages to escape then the other party has nothing to answer for.

And, surely, if the Law absolutely required both offenders to be present then the Pharisees would have known that and prepared accordingly.

If I do a bank robbery with 5 of my mates and they can all run faster than me when the police come chasing and I’m the only one that gets caught – do I get arrested? In court does the judge say, “Well we haven’t managed to catch your sidekicks so you can go now”. I don’t think so.

If Jesus got her off the charge by a technicality – doesn’t that have the bad taste of Amazon’s tax arrangements? “Yes, we’re obeying the *letter* of the Law.” Isn’t that a triumph for the legalists?

She *should* have been stoned...

Legal Reading #2

I’ve also read that it wasn’t possible to perform a stoning because the Romans were in charge and there were limits on what the Jewish authorities could do.

Look ahead to Acts 6-8. We’re in Jerusalem a few years later. A chap called Stephen is preaching up a storm and upsetting the Jewish authorities. When they’d had enough (Acts 8:57-58), they literally ran him out of town and stoned him beyond the city gates.

If they could do that to Stephen, then why didn’t they do that to the woman?

She *should* have been stoned...

Legal Reading #3

Jesus pointed out the hypocrisy of the accusers and they vanished.

This one is really interesting...!

The accusers were hypocrites, knew it and left.

So what?

Since when does the judicial system require that all participants in the system are blameless? Yes, the Jewish authorities put in place some strong safeguards to keep scoundrels from being in charge of courts, but blameless accusers are hard to find.

Again – I'm in court for my bank robbery. The judge is about to pass sentence and I turn to him and say "Your Honour, I happen to know that you've got a little affair going with one of the court reporters. I declare you unfit to judge me". To which the judge says, "It's a fair cop – you can go now". I doubt it! He would quite rightly say "Be quiet" and send me directly to jail.

Bluntly the hypocrisy of the Pharisees has absolutely nothing to do with the guilt of the woman.

She *should* have been stoned...

A Disturbing Alternative

What about this for a legally compliant alternative story?

- Jesus dismisses the Pharisees in the same way as the actual story.
- But – Jesus gets the witnesses to the adultery to stay.
- Jesus takes charge of the situation.
- Jesus organises the stoning.
- **The woman is killed.**

The Law is upheld. As Deuteronomy says, "you shall put away the evil from among you". Jesus would be a good upstanding citizen and doing his civic duty.

What do you think of that idea?

What *Did* Jesus Do?

Here's what actually happened:

- Jesus dismissed her accusers.
- She did not ask for mercy.
- She did not ask for forgiveness.
- Jesus did not accuse her.
- **Jesus sent her on her way.**
- Jesus asked her to try again.

Jesus dismissed the accusers. We don't know how he dismissed the Pharisees. The writing in the sand is forever lost to us. But he did something and it worked.

Note what she *didn't* do. She didn't ask for mercy. She didn't ask for forgiveness. That is interesting!

And most radical of all - Jesus did not accuse her!

And here we get to the heart of why I think this is one of the most radical passages of scripture.

- Was she an adulterer? Yes.
- Was she guilty? Yes.
- She is sent on her way.

Why did Jesus do that? *Because he wanted her to have another chance.*

Conclusion

(Well, my conclusion anyway – bring yours to the class discussion)

We often see this story as being a clever trick by Jesus on the cartoon villain Pharisees. Yeah!! Jesus got the better of the Pharisees. Yeah!! They left with their tails between their legs. Yeah!! He ‘won’.

But never forget that at the heart of this tale is a petrified woman, probably no more than a kid, caught up in a man’s dirty sordid scheme in a dirty sordid man’s world. *And Jesus said something incredible to her...*

And here’s my take on this story. And it’s *my* take and I accept responsibility for what I’m about to write and what it implies and, yes, other opinions are available, and we shall discuss yours!

At the end, at the heart of this tale is this-

The life and hopes and goals and dreams and future and whatever of this woman were more important to Jesus than what it says in the Books of Moses.

I know that’s a difficult statement. But there’s really no other way to interpret this. Either Jesus does a too-clever-by-half lawyers’ trick and gets her off on a technicality that I don’t think is valid anyway - *or he really is* playing by a different set of rules.

And we (me, you, this beloved Church of ours) *really need to pay attention to that!*

Let me leave you with the neighbour of everyone’s favourite text...

John 3:17: For God did not send his Son into the world to condemn the world, but to save the world through him.

Parting Thoughts

1. In almost every discussion that I’ve had on the balance between keeping the Laws of Moses and exercising grace, someone will quote Matthew 5:17-18, “Do not think that I have come to abolish the Law or the Prophets; I have not come to abolish them but to fulfil them. For truly I tell you, until heaven and earth disappear, not the smallest letter, not the least stroke of a pen, will by any means disappear from the Law until everything is accomplished”.
 - How do you square that text with the actions of Jesus in John 8?
 - Is Matt 5:17-18 the trumpiest of trump texts? Can you literally take *any* (and I mean *any*) part of the Law and assert Jesus’ support in applying it to the letter?
2. I find, in the story of the lady who would not be stoned, an answer to the problem with which I began this discussion – do I want to live with, and honour, and worship, a God for whom Deut 22:28 is a Good Idea? For me, the answer is ‘No’.

Jesus’ actions in this story show me that God (for Jesus *is* God) did not think that this Law of Moses was a Good Idea (quite why Deut 22:28 exists in the first place is a discussion for another day). There *is* a ‘higher’ ethic and Jesus displayed it. That’s good enough for me.

3. Plato’s “Euthyphro dilemma” – is a thing Good because God does it, or does God do Good things? – is a tricky question. I lean towards the latter. God does Good. What do you think?