

The woman caught in adultery – Saved by the Law?

In John 8 - The scene opens against the background of the "Light of the World" coming back into the Temple at the close of the Feast of Tabernacles. The last day of the feast of Tabernacles was a very special day. It is known as "Hoshanah Rabba" — the great salvation. It was the last day of the feast of Tabernacles when Yeshua/Jesus spoke the words in John 7:37: "In the last day, that Great Day of the Feast, Jesus stood and cried, saying, if any man thirst, let him come unto me, and drink."

Water is a major theme of the Feast of Tabernacles. In the Talmud (in Succah 5), it describes a water pouring ceremony done during the feast of tabernacles. It is called "**The rejoicing in the house of the water pouring.**" The water pouring became a focus of the joy that the Torah commands for Tabernacles. During the days of the Feast of Tabernacles, mostly every scripture **regarding water** would be read to the people to remind them of one of the themes of the festival. During this time, Isaiah 12:3 would be read as it is written: "**Therefore with joy shall you draw water out of the Wells of Salvation.**"

Therefore, Yeshua/Jesus takes the liberty in John 7:37 on the last Day of the Feast of Tabernacles to say: "**If any man Thirst, let him come unto Me and drink.**"

Against that backdrop, we read the following narrative

John 8:1 Jesus went unto the mount of Olives. **8:2** And early in the morning he came again into the temple, and all the people came unto him; and he sat down, and taught them. **8:3** And the scribes and Pharisees brought unto him a woman taken in adultery; and when they had set her in the midst, **8:4** They said unto him, Teacher, this woman was taken in adultery, in the very act. **8:5** Now Moses in the law commanded us, that such should be stoned: but what say you? **8:6** This they said, testing him, that they might have to accuse him. But Jesus stooped down, and with his finger wrote on the ground, as though he heard them not. **8:7** So when they continued asking him, he lifted himself up, and said unto them, He that is without sin among you, let him first cast a stone at her. **8:8** And again he stooped down, and wrote on the ground. **8:9** And they who heard it, being convicted by their own conscience, went out one by one, beginning at the eldest, even unto the last: and Jesus was left alone, and the woman standing before him. **8:10** When Jesus

had lifted himself up, and saw none but the woman, he said unto her, Woman, where are those your accusers? Has no man condemned you? **8:11** She said, No man, Lord. Moreover, Jesus said unto her, neither do I condemn you: go, and sin no more.

A straightforward narrative ...a simple situation...but one needs to know the back ground to judge the matter. So what was Jesus this simple Galilean supposed to do...or was He a simple Galilean?

This misunderstanding is due in part to a number of disparaging statements made about Nazareth and the Galilee such as, "Nazareth! Can anything good come from there?" (Jn. 1:46), and "Utterly amazed, they asked: 'Are not all these men who are speaking Galileans?'" (Acts 2:7).

According to Shmuel Safrai, Hebrew University Professor of Jewish History of the Mishnaic and Talmudic Periods, not only does the number of first-century Galilean sages exceed the number of Judean sages, but the moral and ethical quality of their teaching is still considered more highly than that of their Judean counterparts. There were many first-century Galilean sages as Yohanan ben Zakkai, Hanina ben Dosa, Abba Yose Holikofri of Tiv'on, Zadok and Jesus of Nazareth who helped impart a deep understanding of the Torah to the residents of Galilee. In addition to their high level of knowledge of and reverence for Scripture, the Galileans could be seen as the religious conservatives of the period. Jewish messianic nationalism flourished in the Galilee. **Judah the Galilean, for example, was the founder of the "Zealots" movement, and it was in Galilee, not Judea, that the great revolt against Rome broke out in 66 A.D.**

Jesus Early Training

The New Testament says almost nothing about Jesus' life from after his birth until he appeared in the temple at age twelve, and from then until he began his public ministry at about the age of thirty. Yet a good indication of what a young Jewish man in Jesus' day would have been doing may be found in Avot 5:21, a tractate from a collection of rabbinic sayings called the Mishnah, which states: At five years of age, one is ready for the study of the Written Torah, at ten years of age for the study of the Oral Torah, at thirteen for bar mitzvah [the religious coming-of-age ceremony], at fifteen for the study of halachot [rabbinic

legal decisions], at eighteen for marriage, at twenty for pursuing a vocation, at thirty for entering one's full vigor... What is more important is that the **five year old child started with the book of Leviticus.**

Certainly education was highly valued in Jewish society. In his apology for Judaism, the first-century Jewish historian Josephus states: Above all we pride ourselves on the education of our children, and regard as the most essential task in life the observance of our laws and of the pious practices based thereupon, which we have inherited. (Against Apion 1:60, Loeb ed.)

So the trap was set for Jesus by the scholars of their day.

The Trap (vs 1-6a) - They dragged the woman into the group and put Jesus on the spot. They were not interested in justice--they were only interested in trapping Jesus! The Rule of Law and Due Process was not being followed because the man (the adulterer) was not in custody and was not being charged along with the woman. The Scribes and Pharisees continued to force the issue concerning the guilt and the execution of the woman only.

These were the potential traps Jesus faced.

1. Since the woman was caught in adultery, they should have brought her to the Sanhedrin, not an itinerate teacher.
2. Where is the man?
3. How did they catch her in the act of adultery? Were they peeking through a window, or was this a set up?
4. If the Law of Moses commanded that she is to be stoned, why are they asking Jesus and not keeping with the law?
5. Roman law had robbed them of the Death Penalty --That is why they took Jesus to Herod and Pilate to get Him killed. So they were asking Jesus to violate Roman Law.

What we should acknowledge is that this woman has been caught. No one disputes her sin.

Jesus' Word to the Accusers was silence.(vs 6b-9a) Instead of words He stooped and wrote in the dirt. Jesus relies on the due process built into Torah to expose this rush to judgment.

Perhaps Jesus first wrote:

Deut 19 v 15 "A single witness shall not rise up against a man on account of any iniquity or any sin which he has committed; on the evidence of two or three witnesses a matter shall be confirmed. "If a malicious witness rises up against a man to accuse him of wrongdoing, then both the men who have the dispute shall stand before the LORD, before the priests and the judges who will be *in office* in those days. "The judges shall investigate thoroughly, and if the witness is a **false witness and he has accused his brother falsely, then you shall do to him just as he had intended to do to his brother. Thus you shall purge the evil from among you.** "The rest will hear and be afraid, and will never again do such an evil thing among you. "Thus you shall not show pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

Jewish civil law had very strict conditions under which this crime was punishable by execution. God is clear, "*On the testimony of two or three witnesses a man shall be put to death, but no one shall be put to death on the testimony of only one witness.*" It required more than one!

There are numerous witnesses. The Torah is clear that the witness should be the ones to cast the first stone, no **must** be the ones to cast the first stone. It is no small thing to be a witness as you are also the first to carry out the judgment.

Those false witnesses would not only guilty of perjury. They risked the same death penalty their perjury supported and they were required to carry out her execution.

Jesus did not ignore them. Instead, He used the due process of Torah to free her!

The charge of adultery required that they be caught in the act (Num. 5:13). Rabbi Samuel said, "In the case of adulterers, they (the witnesses) must have seen them in the posture of adulterers." Another scholar of Talmudic law says, (It is not just an issue) of their having seen the couple in a 'compromising situation,' for example, coming from a room in which they were alone, or even lying together on the same bed. The actual physical movements of the couple must have been capable of no other explanation, and the witnesses must have seen exactly the same acts at exactly the same time, in the presence of each other, so that their depositions would be identical in every respect.

But the same law stated that both parties were to be produced and prosecuted.

Perhaps Jesus wrote:

Deut 22 v 22 "If a man is found lying with a married woman, then both of them shall die, the man who lay with the woman, and the woman; thus you shall purge the evil from Israel. If they caught the woman "in the very act," then where is the man? **The trial required both be there. Where was the other party to this crime, and what kind of justice excused him?**

But when they persisted in asking Him, He straightened up, and said to them, "**He, who is without sin among you, let him be the first to throw a stone at her.**"

Again, He stooped down and wrote on the ground..... perhaps challenging the witnesses with this verse: **Deuteronomy 17: 6 v 7 "On the evidence of two witnesses or three witnesses,** he who is to die shall be put to death; he shall not be put to death on the evidence of one witness. 7"**The hand of the witnesses shall be first against him to put him to death,** and afterward the hand of all the people. So you shall purge the evil from your midst.

Jesus was making the Law clear to these Scribes & Pharisees that there had to be two or three legal witnesses to this act of adultery in order to make this a legal and just execution. If the required witnesses were not present (to cast the first stones) then the whole group was in the act of sinning because the Law was being broken!

Then there was the issue of the Roman Occupation ...**The death penalty had been taken away from the Jewish courts by the Roman authorities.** According to one report in the Talmud (Sanhedrin 41a) the power of the Jewish courts to the death penalty ceased around the year 30 BCE; according to another report (Sanhedrin 52b)

What did Jesus write in the dirt? Nobody knows because it does not say. Whatever he wrote (at least initially) did not back them off because of what they say in vs 7a.

So, what did Yeshua/Jesus write in the ground?

As I mentioned earlier, since one of the themes of the Feast of Tabernacles was Joy and Water, many of the scriptures which speak about water would have been read to the people during this time. With this in mind, it is quite probably that what Yeshua/Jesus wrote in the ground the message of Jeremiah 17:12-13 as it is written: "A glorious high throne from the beginning is the place of our sanctuary. O Lord the Hope of Israel, all that forsake thee shall be ashamed, **and they that depart from me shall be written in the earth, because they have forsaken the Lord, the Fountain of living Waters.**"

Maybe he simply wrote the 6th commandment.

What is important not what he wrote on the ground, but what he said to them (read vs 7b).

What Jesus words meant was "Whoever among you who is without equal guilt in this specific case be the one to initiate the execution." **He had discerned the conspiracy, and was letting them know that if they initiated her execution, they were also initiating their own prosecution and condemnation!**

Whatever it wasThe woman's trial was over

The older Scribes and Pharisees were first to leave realizing they were caught in a no win situation. Jesus had called their bluff and he allowed the mock trial to proceed. They did not want the consequences of her murder, either from the God of Torah or the Roman penalties. The accuses faded away

Jesus himself could not condemn the woman either (even if she was guilty) because he was not a witness to the crime.

Jesus then stays true to the Torah of Moses and says He cannot condemn her for He did not witness a crime. Jesus meant what He said in Matt 5 v 17 Think **not that I have come to abolish the Law and the prophets;** I have come not to abolish them but to fulfill them. For truly, I say to you, till heaven and earth pass away, not an iota, not a dot, will pass from the Law until all is accomplished.

He then adds: "Neither do I condemn you. Go and sin no more."

First God assures us of his forgiveness; then He calls on us to cooperate with him as He liberates us from a life of sin. His desire was always for us to live a sinless life.