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The Case for John 7:53-8:11

Roy Bowen Ward

In an article in a recent issue of the Restoration Quarterly Earle McMillan set forward certain textual evidence concerning the pericope adulterae. His conclusion was that the evidence is insufficient for including this pericope in the Gospel According to John.

Following this conclusion the present article will attempt to deal with the question of the history of this pericope, insofar as we are able to reconstruct that history. It will be necessary first to review the textual evidence, to analyze the pericope itself, and then to give attention to certain possible hypotheses.

A. Textual Evidence

For the purpose of this article it is necessary only to briefly summarize the significant manuscript findings. As McMillan pointed out, the major support for the pericope adulterae following John 7:52 is Codex Bezae (D), a fifth century Graeco-Latin MS., probably from the West. On the other hand, the pericope adulterae is omitted in such important MSS. as Vaticanus (B) and Sinaiticus (aleph). (Alexandrinus (A) is defective here.) The latest pertinent manuscript discovery—the Papyrus Bodmer II (P 66)—concurs in omitting the story. Significant also is the fact that this pericope is found following Luke 21:38 in the Ferrar Group of cursive MSS. (fam. 18).

Among the ancient writings the first which seems to refer to this story is the third century Syriac Didascalia, f26b, (which is also incorporated in the fourth century Apostolic Constitutions, ii, 24). Eusebius (d. 371) records a reference by Papias, perhaps referring to this story, but Eusebius ascribes it to the Gospel According to

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2 Some argue for an Egyptian origin.


4 Margaret Gibson, tr., Didascalia Apostolorum in English (London, 1903), pp. 39, 40.

the Hebrews (probably = the harmonized Ebionite Gospel). There is no Greek commentary on this story until Euthymius Zigabenus (ca. 1200), and he judged it an insertion. The first Latin writer known to refer to this story is Pacian of Barcelona (d. 397). In the same period three other Western Fathers, Ambrose of Milan, Jerome and Augustine, make reference to the story. Jerome, who included the passage in his Vulgate, noted that many Greek and Latin MSS. had this story in John. Augustine accused some of little faith of removing the story from their MSS. Later Nicon accused the Armenians of rejecting it in their version. It should further be noted that the story is absent in Irenaeus, Cyprian, and Tertullian, although they were concerned with the subject of adultery.

B. Analysis of the Pericope

1. The Form. Contemporary New Testament scholarship is to a large extent influenced by the methodology of Form Criticism. Martin Dibelius, the Form Critic most accessible and well-known to English readers, in analyzing the form of this pericope, calls it a hybrid form—a paradigm which has been transformed into a Tale. His main criticism is that it has not the brevity and simplicity characteristic of the paradigm. He says:

the narrative is wordy. Twice is the guilt of the woman mentioned, twice does Jesus bow down and write in the sand. The accusation is given at length, and even the concluding dialogue between Jesus and the woman has not the brevity of the Paradigm. Consequently, the form of the pericope is said to indicate that it is a relatively late account, at least in its present form.

However, using the methodology of Form Criticism, it is instructive to compare the pericope adulterae with the Tribute Money peri-

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8Epistle xxvi, 2, in PL, vol. 16, col. 1086.
12In Dibelius’ terminology, a Paradigm is characterized by (1) rounding off, (2) brevity and simplicity, (3) a thoroughly religious coloring, (4) a word of Jesus as the climax, and (5) an ending useful for preaching. He lists 8 pure paradigms and 10 less pure. From Tradition to Gospel (English translation: New York, 1935), pp. 43ff.
13Tale is a story which is complete in itself, one which has a relatively secular character, and one which demonstrates the pre-eminence of the Lord Jesus. Dibelius distinguishes 15 Tales in the Gospel. Ibid., pp. 71ff.
14Ibid., p. 98. See also p. 165.
cope (Mark 12:13ff.), which Dibelius lists as a representative of the paradigm-type "in noteworthy purity." The series of statements in this pericope is quite similar to that in the pericope adulterae (the number and order of questions and answers). The initial question raised by the opponents is opened with the same vocative, didaskale. In contrast to that in the pericope adulterae, the initial question of the Tribute Money pericope is wordy: the opponents' description of Jesus is repetitive, and the question itself is repeated, exeitin donuai kenson kaisari e ou; domen e me domen; The Tribute Money pericope notes the purpose of the opponents (12:13b), as does the pericope adulterae (8:6a). In the Tribute Money pericope Jesus gives two commands (12:15 and 12:17), and in the pericope adulterae he gives two commands (8:7 and 8:11). Furthermore, both end with a word of Jesus. Dibelius points out that Caesar's claim to the tax is not discussed; neither is the legality of the stoning law in this circumstance discussed in the pericope adulterae.

Dibelius allows for an exception to his standard of "brevity and simplicity of the narrative" in the "less-pure" paradigm in Mark 10:17ff., because the additional details "seem to be necessary for the development of the narrative." The additional details in the pericope adulterae are not of the type whereby the woman is described, etc.; and it may be that the details here are more necessary than supposed.

By this comparison of the forms of the pericope adulterae and of the paradigms of Dibelius we find that according to form the pericope adulterae can certainly be as old and as reliable as the Tribute Money pericope. Even its "secondary elements" are not without parallels.

2. Vocabulary and Style. The work of Henry Cadbury has shown that the vocabulary and style of the pericope adulterae are characteristic—not of John—but of Luke. Cadbury has pointed especially

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14Ibid., p. 43.
15Ibid., p. 68.
16Several questions arise: stoning was not the usual punishment for an adulteress—only in certain cases; see Strack and Billerbeck, Kommentar zum Neuen Testament, vol. 2, p. 519. Also, did the Jews have competence in capital punishment cases at this time? J. Jeremias argues that they did not, "Zur Geschichtlichkeit des Verhoers Jesu vor dem Hohen Rat," Zeitschrift fuer die neutestamentliche Wissenschaft, vol. 43 (1950/1951), pp. 145-150.
17Dibelius, op. cit., p. 50.
18Here, however, this argument depends on the text. Dibelius is correct in seeing explanations, etc., in the variants—which do reflect embellishments.
to certain "unquestioned words" that are characteristic of Luke: *apo tou nun, archomai apo, epimeno, eipen de, hos.* He concludes, "It can safely be affirmed that the passage in its oldest form contained as much distinctively Lukan language as the average passage of equal brevity and simplicity in Luke's acknowledged works."  


8:6—*kato kupsas toi daktuloi kategraphen ten gen* (also 8:8). Certain manuscript variants seem to be attempts to explain the action of Jesus writing on the ground. At the end of 8:6 codices E G H and K add *me prospoiomenos,* perhaps meaning: "paying no attention to them." Codex U adds to 8:8 *henos hekastou auton tas hamartias,* explaining what Jesus wrote.  

Wetstein has collected a number of Greek parallels, but they reflect various moods—from mere pastime to uncertainty.  

Humbert, Margoliouth, Power, and Wensinck have supplied Arabic parallels to Jesus' action. Wensinck, in particular, suggests that this is the gesture of one reflecting upon a serious question. Bishop, using the contributions of Wensinck, goes further to say that this action of Jesus—and, indeed, the whole picture presented in the pericope—points to "an eastern, if not a Palestinian background." If this is so, the reliability of the pericope adulterae is enhanced.  

But yet another significance may be attached to Jesus' action, as Manson suggests in a note to an article by Jeremias. The thesis of Jeremias is that the Sanhedrin did not have competence in capital-punishment cases in the time of Jesus. Over against the traditional view that the Jews were taking the woman to judgment, Jeremias asserts that they are coming back from the Roman judgment. Thus the question put to Jesus involves him in the dilemma of choosing between Roman or Jewish authority. As Jeremias says,  

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21 *Idem.*  
23 Paul Humbert, "Jesus Writing on the Ground (John viii. 6-8)," *Expository Times,* vol. 30 (1918/1919), pp. 475, 476.  
if Jesus says that one shall put through the sentence, then he appears as a Revolutionist; if he says that it shall not be executed, he makes himself unpopular. It is thus the same cunningly devised political ‘temptation’ as in Mark 12:13-17. Whichever way Jesus may decide, he lays himself bare.

To this interpretation of Jeremias Manson adds an explanation of Jesus’ writing in the dust which he bases on the “well-known practice in Roman criminal law, whereby the presiding judge first wrote down the sentence and then read it aloud from the written record.”

Manson then interprets the pericope thus:

Jesus by this action says in effect: ‘You are inviting me to usurp the functions of the Roman Governor. Very well, I will do so; and I will do it in the approved Roman manner.’ He then stoops down and pretends to write down the sentence, after which he reads it out: ‘Whoever among you is without sin, let him be the first to cast a stone at her.” . . . Jesus defeats the plotters by going through the form of pronouncing sentence in the best Roman style, but wording it so that it cannot be executed.

The explanation of Manson (following Jeremias) curiously enough leads us again to the Tribute Money pericope in Mark. In both instances we have to do with a situation where Jesus is tested in the context of Roman/Jewish tensions. And in both instances we have a picture of Jesus answering his opponents in a cogent way—first using a Roman coin and then a Roman legal procedure. In Mark they were amazed; in the pericope adulterae they filed out. If the Jeremias-Manson explanation is accepted, then the pericope adulterae shows an insight into the conflict produced because the Sanhedrin did not have competence in capital-punishment cases. In early second century material this point is forgotten; witness the Gospel of Peter in which it is the Jews, not the Romans, who actually put Jesus to death!

8:11—oude ego se katakrino (also 8:10). Is the idea of forgiveness involved in the pericope adulterae? No, say many commentators, such as Lightfoot and Hoskyns. Of course, aphiemi is not

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30 Idem.
31 Perhaps substantiating this interpretation is the fact that kata-grapho, used only here in the NT, may mean to register or to record. Moulton and Milligan state that in their sources it is used “in a more or less technical sense.” The Vocabulary of the Greek New Testament, s. v.
used—but is it not implied? In Greek legal usage *katakrino* is used for the sentence of condemnation, but when in judgment the accused is released, then *aphiemi* is often used as the corresponding term. Cremer says that in profane Greek *aphiemi* is used:

> to express the discharge or acquittal of an accused; because, either with or without the judicial sentence, the charge falls to the ground, or the punishment is remitted, and the guilty person is dealt with as if he were innocent.

Here Jesus deals with the guilty adulteress as if she were innocent (there is no doubt of her guilt!). In this legal context Jesus’ decision is expressed, *oude ego se katakrino*—but this is merely the negative way of saying, *aphiemi se*. And if Jesus dealt with her as if she were innocent, is this not in this case *aphiemi tas hamartias*?

It is objected that this is not forgiveness of sins because there is no indication of repentant faith on the part of the woman. However, there are occasions of forgiveness in which the inner condition of the one forgiven is not discussed, such as in Mark 2:5. The pericope adulterae would seem to fall into this category: the accent is not on repentance, but is rather on Jesus’ action (which is, in effect, forgiveness). This is the understanding that the earliest witness to this pericope had, for the author of the *Didascalia* prefaced his citation with an exhortation to the bishops to act as Jesus did.

4. *The Point of the Pericope*. The situation of the pericope adulterae is one of controversy, as in the Tribute Money pericope. In both instances Jesus’ opponents try to put him in a situation where he will have to side either with the pro-Roman forces or the pro-Jewish forces; but in each case Jesus overcomes the dilemma. But in the pericope adulterae the dilemma itself is connected with the subject of sin: The woman is sinful, and if Jesus does not condemn her, he sins against the Law of Moses. Jesus turns the situation around, and following the Roman procedure, he says that the sinless ones must execute sentence. The Jewish leaders are hereby convicted of sin and the true sinless one, rather than condemning, for-

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34 Note the usage by Plutarch in *Moralia*, I. 178F and 178D.
36 Bultmann has pointed out the frequent usage of *aphesis*, etc., in the juridical sense, and he has emphasized that this is not yet in the religious sense. *Theologisches Woerterbuch zum Neuen Testament*, vol. 1, s. v. But the point here is that in *this* situation the legal aspect must have religious elements too. Jesus does not act as a purely legal judge (Luke 12:14). If his role is primarily a religious one, and if *aphienai* is implied, then it is *aphienai tas hamartias*.
37 Hoskyns, etc.
38 Gibson, tr., *loc. cit.* It should be noted, however, that the author of the *Didascalia* did not perfectly understand the story since he assumes that it speaks also about repentance!
gives the woman and says, go, sin no more. The contrast is between the sinners (who attempt to, but cannot condemn) and the sinless one (who can condemn, but does not)!

C. The Source of the Pericope

The general consensus of New Testament scholarship is that the source of the pericope adulterae is not the Evangelist John. Then what is the source?

Some have considered that it is a later tradition. H. Koester has suggested that the pericope adulterae comes not from the life of Jesus, but,

Rather it has its Life Situation in the Church-debate over the forgiveness of adultery, and it authorizes a positive answer to this question through a narrative projected into the life of Jesus.

The Church-debate over the forgiveness of "sins unto death," including adultery, had its beginning in the NT (Heb. 10:26, etc.) and continued for several centuries. The second century was a period of variety—even in the same region—in regard to the penitential system. In the early third century a significant event occurred. Callistus, bishop of Rome (d. 222), issued an edict—called "peremptory" by Tertullian—in which he announced: "I remit to such as have done penance the sins of both adultery and fornication." This incident could not have been the actual source of the pericope adulterae. But the second century could have produced this tradition, and when Callistus and others argued for a more "laxist" position, it was then incorporated into some canonical texts.

There are certain objections which must be made against this hypothesis that the pericope adulterae is a second century tradition. (1) The form of the pericope does not necessarily indicate a late tradition. (2) The vocabulary and style have been shown to be Lukan, and therefore these are no indication of a late date. (3) Jesus' action of writing on the ground has been shown to suggest an early and reliable account, not an uninformed late tradition.

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39 Note the opinions of those cited by McMillan, loc. cit.
42 De pudicitia 1, in PL, vol. 2, cols. 680-683.
43 Too many things argue against such a late source, such as the fact that too soon thereafter it is referred to in the Didascalia as an incident in the life of Jesus.
44 See supra, pp. 3-5.
45 See supra, p. 5.
46 See supra, pp. 5-7.
(4) If our analysis of the point of the pericope is correct, then the emphasis is on the contrast between the sinners and the sinless one (who forgives). This does not seem to be directly to the point in the debate on forgiveness of "sins unto death." If the story were written with this in mind, there would be no apparent point to Jesus' statement, *ho anamartetos ktl.* The laxists never argued on the basis that the rigorists could not condemn because they themselves were sinners. Rather the argument had to do with authority. Tertullian argued against Callistus that he couldn't forgive the sin of adultery because God did not delegate his authority to the Church to forgive "sins unto death."47

A second hypothesis is put forward by F. Schilling, who has amassed evidence to show that the pericope adulterae depicts Jesus as a judge superior to Daniel in the Susanna story.48 He sees an author other than the Evangelist John, but one who wrote and inserted the section "with full knowledge of the general character of the Johannine Gospel."49 Schilling speaks of the "authentic quality" of the story, but the Life Situation of the pericope as such is in the early church at a period later than the Fourth Gospel. It functions as "a procedural precedent for the presbyters of the Church. They should always offer forgiveness, and treat accordingly, the straying and lost, all, not only the penitent."50

Against this hypothesis there are also certain objections. (1) Schilling's suggestion that the author of the pericope consciously wrote the story with the intent to fit it into the Fourth Gospel does not account for the Lukan character of the pericope (he recognizes the difference of style, but not that it is Lukan). (2) He does not adequately deal with the appearance of the pericope in Luke in the Ferrar MSS. (3) Furthermore, for all his arguments for an intended contrast with Daniel, the contrast fails to come through clearly. Such connections of this pericope with the Susanna story, as in the Roman Missal,52 may reflect a reading back into the pericope a connection with Daniel, rather than an intended analogy by its author. (4) Finally, it would seem that the point of the pericope is not directed primarily to presbyters, as Schilling suggests. The pericope reflects interest in Jesus himself, the sinless one (who forgives). It is a preaching function that is involved, not an ecclesiastical function. The ecclesiastical function, as found in the *Didascalia,* is a secondary and later function.

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50Ibid., p. 97.
51Ibid., p. 96.
52Ibid., p. 105.
E. Bishop has suggested that the pericope adulterae was originally a part of one of the sources of Luke. Bishop's hypothesis rests upon V. Taylor's reconstruction of "Proto-Luke." (Taylor's hypothesis is as follows: Luke gathered oral material from eye-witnesses, etc., while in Caesarea, and he himself recorded it. The material included especially stories about women. Later Luke used this source (Luke 1:2) in composing Luke-Acts.) Bishop also draws upon Cadbury's declaration of the Lukan vocabulary and style, the possibility of a Caesarean manuscript tradition (i.e., the Ferrar Group), Wensinck's interpretation of Jesus' action as an Eastern custom, and his own examination of the text of Luke and of this pericope. "The gap," Bishop concludes, "in the beautiful collection of stories about Jesus, which Luke gathered during his days in Caesarea and Jerusalem, is filled in." This hypothesis would push back the Life Situation of the pericope to either the early Palestinian church, or to the ministry of Jesus itself. Taylor dates "Proto-Luke" at A.D. 60-65, and he evaluates it as "an early and reliable historical work."

That the pericope is Lukan is strongly suggested by the available evidence: vocabulary and style, subject matter, its position in Luke in the Ferrar Group of manuscripts, etc. But if it is Lukan, how and why was this substantial passage removed en bloc from the text of Luke? Although it is dangerous to speculate too much behind the existing Gospels, Bishop's hypothesis does offer a solution to the problem. Bishop explains the Lukan character by affirming that Luke did write the story, but that he wrote it as a part of what Taylor has called "Proto-Luke," a collection of such stories, especially stories about women. But then Luke did not use all of this source when he composed Luke-Acts. Thus the story was not actually removed from a canonical gospel (as Augustine and Nicon suggested!), because it did not stand in one at the beginning. In Caesarea, where "Proto-Luke" would have been known, the story

53 Bishop, op. cit., p. 45.
55 Ibid., p. 254.
57 Cadbury is convinced that passages were not removed en bloc from texts, and yet he contends that this pericope is Lukan. HTR, loc. cit.
could have found its way into MSS. of Luke in its “approximate” place.\(^58\)

Certainly, whether “Proto-Luke” existed or not, there is much evidence that points to Caesarea as the earliest place where the story was known. Indeed, if the pericope adulterae is Lukan, note that the MSS. which correctly assign it to Luke is the Ferrar Group, a family of texts which seem to represent a Caesarean text tradition, as Streeter has shown!\(^59\) And Eusebius, who seems to know this story,\(^60\) was a Caesarean. Eusebius says that the story was contained in the Gospel According to the Hebrews, and two of our important witnesses to this lost gospel—Eusebius and Origen—lived in Caesarea at least part of their lives; and Jerome says that this gospel was in the library in Caesarea!\(^61\) That the story was known in and around Caesarea seems assured. That the story went back to a “Proto-Luke” is a distinct possibility.\(^62\)

As the story became more well-known outside of Caesarea, it may have then found its way into the Fourth Gospel, perhaps as a gloss on the subject of “judgment” in John 8:15f, or perhaps through a lectionary. Possibly it found its way into the Fourth Gospel because it became associated with the Apostle John in Papias and/or the Gospel According to the Hebrews, as Bacon suggests.\(^63\) The debate on forgiveness no doubt determined how much it could be used and to what extent it could find and maintain textual security in the manuscript tradition.\(^64\)

\(^{58}\)Bishop shows a slight error of placing in these mss.


\(^{60}\)Of course, Eusebius’ reference is brief, and therefore it could be questioned whether this was precisely the pericope adulterae or not.

\(^{60}\)Dialogus contra Pelagianos, iii, 2, in PL, vol. 23, cols. 597ff.

\(^{62}\)Actually, the story would go back to the oral tradition, but the particular form of the written story must go back to some kind of Lukan influence.

\(^{62}\)Benjamin Bacon, Studies in Matthew (New York, 1930), appended note VI, pp. 486ff.