

“The Pericope de Adultera (Joh 7:53–8:11)

A Footnote to the Article by Professor Jeremias

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by

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In his discussion of the historicity of the trial of Jesus before the Sanhedrin Professor Jeremias offers a very interesting and persuasive exegesis of the Pericope de adultera in support of the contention that at the time of the crucifixion the Sanhedrin did not have competence in capital cases. He concludes that the story is of the same type as the question about paying tribute to the Roman Emperor (Mc 12:13–17). If Jesus sanctions the execution of the woman, he thereby usurps the power of the Roman authorities; if he forbids it, he goes against the plain teaching of the Law of Moses.

This illuminating treatment of the story as a whole leads me to put forward a suggestion concerning one detail of the narrative, the stooping and writing in the dust. This action has been variously explained by the commentators; and there is an interesting attempt to illustrate it from Mohammedan sources in a short article by the late A. J. Wensinck in the *Rendel Harris Festschrift*¹. I have for some time thought that the action of Jesus might be explained from 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 record². The interpretation of the whole story put forward by Prof. Jeremias provides a very satisfactory framework for this way of understanding the writing in the dust. 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.” If this interpretation is correct, it strengthens the case for interpreting the whole story in the way proposed by Prof. Jeremias. 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.

¹⁾ H. G. Wood (Editor), *Amicitiae Corolla* (1938), 300–302.

²⁾ Th. Mommsen, *Le Droit pénal romain* (Trans. Duquesne, 1907) II, 129–31. Cf. Tertullian, *Apol.* II, 20 (ed. Hoppe, p.9): *denique quid de tabella recitatis illum ‘Christianum’?* Acts of the Scillitan Martyrs (ed. J. A. Robinson, *Texts and Studies*, I, 2, p. 114): *Speratus proconsul decretum ex tabella recitavit.* Cypriani Acta proconsularia (ed. Hartel CSEL, III, iii, p. cxiii): *decretum ex tabella recitavit.* Mart. Pionii xx (ed. O. v. Gebhardt, 1902, p. 113): καὶ ἀπὸ πινακίδος ἀνεγνώσθη Ῥωμαῖστὶ Πιόνιον ἑαυτὸν ὁμολογήσαντα εἶναι Χριστιανὸν ζῶντα καὶ ἡναί προσητεύαμεν.

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