

The Woman Accused of Adultery

53 Then each of them went to his house
1 And Yeshua went to the Mount of Olives.
2 And in the morning he came again to the Temple and all the people came to him. And while he was sitting, he was teaching them.
3 And the scribes and P'rushim brought a woman who was caught in adultery. And placing her in the midst,
4 They said to him, Teacher, this woman was caught in the open in the act of adultery.
5 Now in the Torah of Moshe, he commanded that we stone those who are like these. Now, what do you say?
6 They said this testing him so that they would have a reason to accuse him. But Yeshua, after he had stooped down, wrote on the ground.
7 And when they continued asking him, he straightened himself and said to them, Whichever one of you is without sin may cast the first stone at her .
8 And again after he had stooped down, he was writing on the ground.
9 And when they heard [it], they went out one by one having begun with the elders. And the woman was left by herself being in the midst.
10 And after Yeshua straightened himself he said to the woman, Where are they? Does no man condemn you?
11 And she said, No man, Adon. And Yeshua said, Neither do I condemn you. Go, and from now on do not sin again.
(John 7:53-8:11)

The story of the alleged adulteress (John 7:53-8:11) does not actually appear in many of the most ancient manuscripts. It does not appear in the Aramaic Peshita or the Aramaic Old Syraic texts. Those Greek manuscripts which do contain it place it in various places some after Luke 21:38 and some after John 7:36 or after 7:52 or even after 21:24.

This is likely the account which, according to the “church father” Papias, appeared in the Gospel According to the Hebrews (Papias quoted in Eccl. Hist. iii, 39, 17) An apocryphal gospel which was used by the ancient Nazarenes:

He [Papias] has set forth (or expounded) another story, about a woman accused of many sins before the Lord, which the *Gospel according to the Hebrews* also contains.
(Eccl. Hist 3:39:17)

Witnesses Must Cast the First Stone

*At the mouth of two witnesses, or three witnesses,
shall he that is to die be put to death.*

*The hand of the witnesses shall be first upon him to death,
and afterward the hand of all the people.*

*So you shall put away the evil from the midst of you.
(Deut. 17:6-7).*

Who are Valid Witnesses?

No one who has knowingly violated a single word of the commandment will be considered a reliable witness against his fellow until he is considered fit to return to full fellowship. (Damascus Document 4Q270 frag. 9 col. 10 lines 2-3)

And these are those who are invalid [to serve as witnesses or judges]:

(1) He who plays dice; (2) he who loans money on interest; (3) those who race pigeons; (4) and those who do business in the produce of the Seventh Year. Said Rabbi Simeon, "In the beginning they called them "Those who gather Seventh Year produce." When the oppressors became many [who collected taxes in the Seventh Year], they reverted to calling them, "Those who do business in the produce of the Seventh Year." Said Rabbi Judah. "Under what circumstances?" When [the aforementioned] have only that as their profession, but if they have a profession other than that, they are valid.

(m.Sanhedrin 3:3)

There is a lengthy analysis of this Mishna in the Gemara to this Mishna in the Talmud (b.Sanhedrin 24b-27b)

In this Gemara we read a teaching attributed to Rabba: "the Torah said: Do not accept the wicked as witness" (b.San 25a)

The Torah does not actually say this directly, this is actually a remez from:

You shall not raise a false report: put not your hand with the wicked to be an unrighteous witness.

(Ex. 23:1)

Trial by Bitter Waters

Without witnesses a case of adultery could only be tried by the trial of bitter waters:

[12] Speak unto the children of Israel, and say unto them, If any man's wife go aside, and commit a trespass against him,

[13] And a man lie with her carnally, and it be hid from the eyes of her husband, and be kept close, and she be defiled, and there be no witness against her, neither she be taken with the manner;

[14] And the spirit of jealousy come upon him, and he be jealous of his wife, and she be defiled: or if the spirit of jealousy come upon him, and he be jealous of his wife, and she be not defiled:

[15] Then shall the man bring his wife unto the priest, and he shall bring her offering for her, the tenth part of an ephah of barley meal; he shall pour no oil upon it, nor put frankincense thereon; for it is an offering of jealousy, an offering of memorial, bringing iniquity to remembrance.

[16] And the priest shall bring her near, and set her before the LORD:

[17] And the priest shall take holy water in an earthen vessel; and of the dust that is in the floor of the tabernacle the priest shall take, and put it into the water:

[18] And the priest shall set the woman before the LORD, and uncover the woman's head, and put the offering of memorial in her hands, which is the jealousy offering: and the priest shall have in his hand the bitter water that causeth the curse:

[19] And the priest shall charge her by an oath, and say unto the woman, If no man have lain with thee, and if thou hast not gone aside to uncleanness with another instead of thy husband, be thou free from this bitter water that causeth the curse:

[20] But if thou hast gone aside to another instead of thy husband, and if thou be defiled, and some man have lain with thee beside thine husband:

[21] Then the priest shall charge the woman with an oath of cursing, and the priest shall say unto the woman, The LORD make thee a curse and an oath among thy people, when the LORD doth make thy thigh to rot, and thy belly to swell;

[22] And this water that causeth the curse shall go into thy bowels, to make thy belly to swell, and thy thigh to rot: And the woman shall say, Amen, amen.

[23] And the priest shall write these curses in a book, and he shall blot them out with the bitter water:

[24] And he shall cause the woman to drink the bitter water that causeth the curse: and the water that causeth the curse shall enter into her, and become bitter.

[25] Then the priest shall take the jealousy offering out of the woman's hand, and shall wave the offering before the LORD, and offer it upon the altar:

[26] And the priest shall take an handful of the offering, even the memorial thereof, and burn it upon the altar, and afterward shall cause the woman to drink the water.

[27] And when he hath made her to drink the water, then it shall come to pass, that, if she be defiled, and have done trespass against her husband, that the water that causeth the curse shall enter into her, and become bitter, and her belly shall swell, and her thigh shall rot: and the woman shall be a curse among her people.

[28] And if the woman be not defiled, but be clean; then she shall be free, and shall conceive seed.

[29] This is the law of jealousies, when a wife goeth aside to another instead of her husband, and is defiled;

[30] Or when the spirit of jealousy cometh upon him, and he be jealous over his wife, and shall set the woman before the LORD, and the priest shall execute upon her all this law.

[31] Then shall the man be guiltless from iniquity, and this woman shall bear her iniquity.
(Num. 5:12-31 KJV)

This could only be done if the matter was pushed forward by the husband. (This was the only type of case that could be brought without witnesses) This is the meaning of “does no man condemn you” (verse 10) as the word “man” in Hebrew can also mean “husband”.

Written in the Earth

In Jn. 8:8 it says that Yeshua was “writing on the ground”. Yeshua was is writing in the dust of the Temple floor of which was used to judge an alleged unfaithful bride (Numbers 5:12-31). He probably fulfilled the prophecy when he “wrote their names in the dust” (Jer. 17:13) by writing the names of the unrighteous witnesses in this very same dust:

O YHWH, 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 YHWH, the fountain of living waters.

(Jer. 17:13)