

# Writing in the Dust: Irony and Lynch-Law in the Gospel of John

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One of the New Testament's most memorable stories is John 7:53-8:11, the haunting and dramatic *pericope de adultera*, or as it is perhaps better known, the story at the center of which stands the famous saying "Let him who is without sin among you be the first to throw a stone at her":

7:53 Then each of them [the apostles] went home, 1 but Jesus went to the Mount of Olives. 2 Early in the morning he came again to the temple; all the people came to him, and he sat down and taught them. 3 The scribes and the Pharisees brought a woman who had been caught in adultery, and placing her in the midst 4 they said to him, "Teacher, this woman has been caught in the act of adultery. 5 Now in the law Moses commanded us to stone such. What do you say about her?" 6 This they said to test him, that they might have some charge to bring against him. Jesus bent down and wrote with his finger on the ground. 7 And as they continued to ask him, he stood up and said to them, "Let him who is without sin among you be the first to throw a stone at her." 8 And once more he bent down and wrote with his finger on the ground. 9 But when they heard it, they went away, one by one, beginning with the eldest, and Jesus was left alone with the woman standing before him. 10 Jesus looked up and said to her, "Woman, where are they? Has no one condemned you?" 11 She said, "No one, Lord." And Jesus said, "Neither do I condemn you; go, and do not sin again."

Homilists and theologians seeking to illustrate the "radicality of forgiveness" and "radical acceptance of sinners" practiced by the historical Jesus (Kysar 134) have frequent recourse to this pericope, since it seems so powerfully to embody the egalitarian morality of the Sermon on the Mount: "In everything do to others as you would have them do to you; for this is the law and prophets" (Mt. 7:12). But to see the story of the woman taken in adultery as little more than a dramatic vehicle for the delivery of a separable ethical commandment

is potentially to overlook the moral significance of those aspects of the scene that give it its power: the ironic tone that suffuses Jesus' utterances and the cryptic action of stooping to write in the dust. The homiletic approach follows existential theologian Rudolf Bultmann in drawing a distinction between the story's significant content—the famous saying—and its form, the dramatic context in which the saying is pronounced. To Bultmann, the saying possesses historical and theological priority; the context, however, he assigns to what we might call the “mythic” background:

Here, in proper fashion, Jesus is first of all asked for a judgement, to which he replies with a saying that has been conceived of as an unity with the situation itself. But the initial silence of Jesus is unusual and can be classed as novelistic; if so, the circumstantial ending, introducing the conversation with the woman, is more than anything else novel-like and secondary (63).

Is there an alternative to Bultmann's hard-edged form/content dichotomy, a way of reading this story—and, by extension, the other gospel texts it resembles—that demonstrates the equal theological significance of utterance and context in revelatory scenes like this one? This essay will present such an interpretation, by approaching the *pericope de adultera* from the standpoint of Eric Gans's “generative anthropology.” First sketched out in *The Origin of Language* [University of California Press, 1981] and subsequently extended and tested in four books and numerous articles, generative anthropology represents a rigorous and far-reaching means of understanding cultural phenomena—such as religion—by viewing culture in light of its hypothetical origin. Culture's origin, Gans posits, was simultaneous with the emergence of humanity's defining characteristic, the ability to use language. But how, precisely, did this ability emerge? Gans rejects the widely-held view that language evolved gradually (that is, unconsciously) from non-significant animal communication because such a view ignores both “man's uniqueness with respect to his animal ancestors” (*Science and Faith* 2) and the logical necessity that “[c]onsciousness must originate all at once—it must originate *consciously*” (“Differences” 798).<sup>(1)</sup> The ability to use language, he argues, resulted not solely from the gradual accumulation of random physiological mutations in individuals, but in a collectively-experienced event—a scene—in which the capacity for linguistic signification deferred an imminent conflict that was threatening to break out among a group of proto-humans. For Gans, humanity's essential attribute is therefore its capability for deferring violence through representation.

2

But whence does the need for such deferrals arise? Generative anthropology answers this question by considering not how proto-human and *homo sapiens* differ, but what they have in common. Humans and higher animals share a capacity for imitation or mimesis, which is both the vehicle of non-genetic transmissions of information and a potent source of

intraspecific conflict. Here generative anthropology follows the pioneering insights of René Girard, whom Gans credits with having rediscovered “the critical, inherently conflictive nature of [mimesis], a category of action that had previously been viewed, following Aristotle’s *Poetics*, as an unproblematic source of esthetic pleasure” (*Originary Thinking* 8). Girard agrees with Aristotle that “the habit of imitating is congenital to human beings from childhood (actually man differs from the other animals in that he is the most imitative and learns his first lessons through imitation)” (*Poetics* 20). Girard differs from Aristotle, however, by holding that the intensity of the human capacity for mimesis (as Gans explains)

leads to intensified rivalry over attractive objects and thence to a generalized conflict that can only be resolved by the channeling of collective aggression against a single “marked” member of the group—one whose marginal status makes him an appropriate butt for the hostilities of the others. Because this victim brings peace to the community in crisis he is the first *sacred* object; . . . he is also the first *significant* object, and the source of all significance.  
(“Differences” 800)

The mob Jesus confronts in the *pericope de adultera* bears all the hallmarks of what Gans and Girard would identify as a “community in crisis”: feeling their religious/legal tradition belittled by the imposition of Roman authority, and riven by competing ideas about how to re-assert the significance of Jewish nationality and identity, the crowd gathers and prepares to immolate a hapless woman in the hope that the execution of an adulteress will re-establish group unity. To this recurrence of an archetypal human event—a lynching—Jesus brings an originary intuition of the shared roots of significance and violence that enables him to short-circuit the sacrifice of the woman taken in adultery. In what follows, I will employ the methods and insights of generative anthropology to interpret two of the most puzzling and provocative aspects of the *pericope de adultera*: why, exactly, Jesus’ famous words disperse the lynch-mob, and what is the meaning of writing in the dust, an action which Bultmann sees as just an atmospheric embellishment of the “novelistic” silence with which Jesus initially answers the crowd’s challenge. I will then extend these insights to suggest how the pericope, though not written by the same hand as the rest of John, is thematically and theologically unified with the Fourth Gospel by its demonstration of the ethical dimensions of verbal and gestural irony. From this analysis will ultimately emerge a vivid illustration of generative anthropology’s extraordinary capacity for extracting from religious texts and phenomena their innate, though sometimes obscured, cognitive and ethical insights.

II  
Consideration of the story of the woman taken in adultery from the standpoint of generative anthropology begins with a kind of reader-response analysis: on what in the story does my

attention focus, and why? Clearly, our attention to the pericope is as much drawn to the saying that stands at its center as it is to those more evocative details—the writing in the dust, the actions of the mob, and the puzzling exchange at the end of the episode between Jesus and the adulteress. Nevertheless, since the saying stands out from the rest of the story with a sort of epigrammatic intensity, I will begin with it before turning to the more mysterious aspects of the scene.

There is in the famous saying “Let him who is without sin among you be the first to throw a stone at her” more complexity than the homiletic tradition tends to grant it, complexity that resituating the saying in the fullness of its context helps to identify. The primary source of complexity in the saying and context is the melange of impulses motivating the crowd to want to lynch the woman in the first place. Behind these sometimes suspect and contradictory impulses stands, however, the unifying feeling of resentment, directed first and foremost against the Roman conquerors of Judea. Captured after the Sanhedrin has been stripped of its power to enforce the sanctions for violations of Jewish law (believed to have occurred around 30 C.E.), the woman must be lynched that is, executed without benefit of “official” due process because, as Duncan M. Derrett observes,

3

that was the only way in which she could be punished. Because the Sanhedrin was not allowed to hear cases involving the death-penalty, at any rate in Jerusalem itself, the constitutional method of seeking a penalty against her would have been to approach the Roman governor. The [Jewish] Law prescribed how and by what means an adulteress should be punished; but its application was hindered so far as regular administration was concerned, and the Romans provided no attractive alternative. No Roman judge would condemn to death a woman taken in adultery, and that was what the crowd (and the husband) wanted, it would seem, to happen to her. A smaller legal punishment, or even another at the judge’s discretion, would by no means satisfy their zeal (10-11).

The pericope itself demonstrates, however, that the zeal of the crowd was aroused by more than just the woman’s violation of the law. Mixed in with their righteous indignation against the woman’s sin are at least two kinds of resentment: the first against the constituted colonial authority of the Romans, the imposition of whose relatively lax legal code could be seen as yet another affront to Jewish religious and political sovereignty, and the second against Jesus, taken by the crowd as a self-constituted moral authority, whose self-evident righteousness also arouses resentment. When in John 7:19 Jesus asks an adoring throng, “Why are you looking for an opportunity to kill me?” he is greeted with shocked disbelief: “You have a demon! Who is trying to kill you?” (7:20) Verse 6 of chapter 8 reminds us that the crowd’s moral outrage against the woman is not unmixed with an animus against Jesus:

the purpose of their question of “Now what do you say?”, the story remarks, is “that they might have some charge to bring against him.” This lynching is, then, a more involved enterprise than it appears on the surface. The woman is largely a pretext for the expression of other resentments, especially those of the scribes and Pharisees for any perceived threat to their civic and political authority. Understanding this aspect of the story enables us to appreciate even more the interconnectedness between Jesus’ famous utterance and the context in which it arises. Note that “Let him who is without sin among you be the first to throw a stone at her” does not prohibit the contemplated action from taking place. Indeed, it is not even a direct answer to the question the crowd directs at Jesus; it is, rather, something of a mild suggestion (“Let him among you”) qualified by what is under the circumstances an ambiguous psychic and moral condition: what does it mean to be “without sin?” Not presently in the act of sinning? Never having committed a sin? Incapable of sinning? And to which of the many varieties of sin and sinfulness is Jesus referring?

The vague and mild character of Jesus’ response to the crowd’s question presents, of course, a striking counterpoint to the malice and clear intent presumably emanating from the assembled group. There is, though, one part of this utterance that is crystal clear, and from it emerges the saying’s overriding anthropological significance. The part of the sentence to which we should look for the saying’s ethical importance is not the ambiguous expression “without sin,” but the phrase “the first to throw a stone at her,” especially the adjectival phrase “the first.” “To throw a stone” is, of course, an unambiguous action, the motivation and consequences of which are obvious in this context. One cocks an arm, takes aim, and lets the stone fly, hoping it will strike the presumably restrained sinner squarely in the head. Jesus seeks unmistakably to bring to mind for each member of the crowd a clear picture of what is about to happen, and thus forgoes euphemism or any other type of figurative language. “First” is similarly unambiguous, and lies even closer to the revelatory kernel of the entire scene, for it brings to light the secret, fatal vulnerability that lurks at the heart of every lynch mob.

Generative anthropology sees the all-against-one configuration of the sacrificial mob as the sinister repetition of a moment of the event in which language originated, the moment of the *sparagmos* in which the violent impulses temporarily deferred by the emergence of linguistic signification are vented, as it were, upon the body of the central object. Since the center/periphery orientation of the originary scene of language was produced by a build-up of mimetic tension and rivalry between the members of the group, the aggression ultimately released on the body of the victim was not originally aroused by that victim *per se*. Thus the “sin” of the lynch-mob’s victim, as my analysis has already suggested, is something of a pretext, since at least part of the real purpose of the punishment is to ward off a threat of group disunity. Establishing and securing the unanimity of the group of sacrificers is, as it were, the *real* purpose of the lynching; and anything that conduces to single out any member of the group thus threatens the entire enterprise. The precise means that this group has chosen to exact punishment on the woman caught in adultery is, of course,

particularly well suited to this end, since in the aftermath of a hail of stones, who can say which was first and which was last?(2) (Or, for that matter, which merely injured the victim, and which delivered the fatal blow?) The unanimity of the group's action ultimately confers anonymity on each individual, who, after all the stones have been thrown, enlists his own uncertainty concerning the precise order of events in order to still any pangs of conscience that might be stirred by having participated in what could, under other circumstances, be construed as a murder. Jesus' use of the word "first" is intended precisely to destroy the comforts of anonymous unanimity. And this is precisely what it does, for after another short pause, the story relates how the mob, originally an undifferentiated mass headed by "scribes and Pharisees," degenerates into a collocation of individuals, who depart from the scene "one by one."

4

A sophisticated understanding of what could be called the hidden anthropological strata of lynch-law thus undergirds Jesus' canny response to the question laid before him both verbally by the group and situationally by the circumstance with which he is presented. This understanding stems not from just a historic or scriptural knowledge, but from an intuition of the originary connection between scenes like this one and the internal scene of representation—the conscience—that results from the origin of consciousness itself. Were there no need for some sort of forestalling of the pangs of conscience that such events are capable of arousing, were there no ethical ambiguity in the action contemplated by the mob, then there would be no need for the elaborate measures the crowd takes to ensure the anonymity of unanimity. Jesus knows that the crowd's felt need to ask the judgmental question testifies to the presence of a latent moral pang. Human consciousness is originally constituted on a public scene (possibly, like this one, a scene of victimization); the scene leaves in each individual a trace, a remnant, that is the source of what is commonly identified as *conscience*. There is an originary link, then, between victimization and conscience. Awareness of this link is precisely what lynch mobs must try to forget, but which Jesus' carefully crafted reply is formulated to bring to light.

But what of this scene's other feature which the story is so careful to preserve, the mysterious moments in which the reluctant judge "bent down and wrote with his finger on the ground?" What is the purpose of these actions, and what, if anything, does Jesus write in the dust at his feet? These evocative details have understandably intrigued generations of interpreters, and over the centuries many have exercised their ingenuity in attempting to solve this tantalizing textual riddle. Some have taken the story's failure to specify the content of Jesus' inscription to mean that nothing identifiable was written—Jesus doodles in order a), to buy some time for the victim and then to allow his words to sink in, or b) to show his contempt for the entire proceeding. Others see the unusual word used to describe the act of writing—*katagraphen*, "writing down" or perhaps "tallying up"—as an indication that Jesus wrote something specific, such as the sins of his questioners.(3) Duncan Derrett

enlists his formidable knowledge of the laws and customs of colonial Judea to support the hypothesis that Jesus wrote two passages from Exodus that comment upon the actions of the lynchers. The first is Exodus 23:1b, "You shall not join hands with the wicked to act as a malicious witness," and the second is Exodus 23:7, "Keep far from a false charge." (4)

These two schools of thought are, of course, mutually exclusive: either Jesus wrote a recognizable text the content of which somehow helped to shame the mob into dispersing, or his writing was illegible and achieved a similar purpose via less direct and obvious means. Of these two alternatives, the latter is preferable for two reasons. First, the chronicler shows meticulous care in preserving the delicate precision of Jesus' utterances. If Jesus had indeed written some text in the ground that directly commented on the event, it is likely that the chronicler would have carefully preserved it as well. Second, some sort of written accusation, such as the crowd's violation of a law, or their sins, no matter how subtle or implicit, would jar with the resolutely non-accusatory tenor of both Jesus' central utterance and his concluding refusal to condemn the woman.

To hold that nothing recognizable was written does not, however, necessitate viewing the action of writing in the dust in the way that Bultmann does, as a secondary, "novelistic" detail included to dramatize the heightening tension of the situation. The importance of this element of the story lies more in the act of writing itself than in what is or is not written on the ground. The very action of writing, in other words, is itself symbolic, and forms an essential part of Jesus' ethically-oriented response to the situation. That such is the case may be observed by recalling exactly *when* Jesus pursues this cryptic action. Verse 2 relates that after Jesus' early morning arrival at the temple, "all the people came to him, and he sat down and taught them." Though the text does not specify the precise configuration of this group, the fact that Jesus sat down to teach leads one reasonably to infer that the people were arranged in a rough circle, Jesus sitting with them seminar fashion on the periphery of the circle. That this was the arrangement is further suggested by verse 3, which relates how the scribes and Pharisees placed the woman caught in adultery "in the midst." The Scribes and Pharisees thus transform the egalitarian circle into a potential scene of violence simply by providing the circle with a center. Jesus' response is to bend down and write "with his finger on the ground," an action which, in its way, repeats the action of the scribes and Pharisees, though with a difference. Writing in the dust echoes the placement of the woman in the midst of the crowd by directing the attention of those on the periphery away from each other to the circle's center. Jesus' action differs from that of the scribes and Pharisees, however, in the extent to which it is ambiguous. Like the famous central saying, writing in the dust presents a striking conjunction of gestural clarity with representational ambiguity. Jesus touches the ground, and leaves a lingering trace of something in the dust—but what, exactly, is the inscription? Is it composed of letters, initials, pictures, or just random markings?

The intriguing combination of ambiguity and clarity serve something of the same purpose here as it does in the gripping central utterance. In the originary event, the production of the first linguistic sign occurred when a group arranged around an attractive central object reached for it at the same time, only to abort their gestures of appropriation in fear of the conflict that would break out if all managed to lay a hand on the object. The object's apparent ability to repel the appropriating gestures of the individuals on the periphery granted it a sacred aura, and, thereby, the "transcendent"-since it is capable of being both itself (an appetitively attractive object) and something beyond itself (the thing that forestalls conflict)-nature of the linguistic sign. On the originary scene, gestural certainty leads to sacred ambiguity, with the emergent capacity for language serving as a means to defer intraspecific, mimetic conflict. By writing in the dust, Jesus portrays how scenes of sacrifice like those urged by the scribes and Pharisees are capable of producing a decidedly less troubling and victimary outcome. The action symbolizes what generative anthropology offers as a minimal definition of the human capacity for language: the deferral of violence through representation.

### III

The two aspects of the *pericope de adultera* upon which this essay has so far concentrated-the famous saying and Jesus' writing in the dust-have something in common: both seem calculatedly ambiguous and ironic, requiring of the hearer a degree of interpretive intrepidity far beyond that of even the most obscure of the synoptic parables. In fact, the ambiguity of this pericope extends past obscurity to enter into the realm of irony, not in the narrow literary-critical sense of meaning the opposite of what one says, but in an existential sense akin to that developed in Soren Kierkegaard's doctoral dissertation, *The Concept of Irony*. Kierkegaard begins his examination of the unsuspected depths of irony with an observation about questions that emerges as remarkably pertinent to this essay's interpretation of the story of the woman taken in adultery:

It is manifest that the intention in asking questions can be twofold. That is, one can ask with the intention of receiving an answer containing the desired fullness, and hence the more one asks, the deeper and more significant becomes the answer; or one can ask without any interest in the answer except to suck out the apparent by means of the question and thereby to leave an emptiness behind. The first method presupposes that there is a plenitude; the second that there is an emptiness. The first is the *speculative* method; the second the *ironic* (36).

Jesus' first utterance is a response to a direct question posed by the Scribes and Pharisees, and his second utterance is comprised of two questions he directs to the erstwhile victim of the mob, with whom he is now left alone: "Woman, where are they? Has no one condemned you?" Strictly speaking, these are rhetorical questions, since their answer is obviously

provided by the context in which they are asked. The shamed crowd has trudged off, having abandoned in embarrassment their grim purpose. While, as Duncan Derrett observes, the text fails to provide any explicit guidance as to whether Jesus' tone in asking these questions is "sarcastic or humorous" (25), it seems likely that a faintly wry smile of irony—the look that says "Ah, I knew it" or "Just so"—crossed his face at that moment. The credulous woman answers the questions, which in the context of what has just occurred illustrate the unacknowledged ethical dimension of Kierkegaard's concept of the ironic mode of questioning. The ambiguity of Jesus' words and actions in the presence of the mob ironizes the menacing scene constituted by those who would condemn the woman to the extent that their scene is disassembled, leaving an emptiness behind. Or, to put it another way, the ironic distance Jesus is careful to put between himself and the woman's accusers has the ultimate effect of exposing the ultimately debilitating internal contradictions of "lynch law."

In addition, irony provides an important thematic and formal link between the interpolated story of the woman taken in adultery and the rest of the Fourth Gospel, which, for all the resolute Christology of its famous opening sentence—"In the beginning was the Word, and the Word was with God, and the Word was God"—presents us with a picture of Jesus at his most human: loquacious, emotional, occasionally bitter and mocking, and almost always teasingly ambiguous when he speaks. It is, after all, only in John's gospel that Jesus' troubling rebuke of his mother at the wedding in Cana occurs: informed by Mary that the wine has given out, Jesus responds "Woman, what concern is that to you and me? My time has not yet come" (2:3-4). It is also only in John that we find the encounter with the Samaritan woman at the well, in which Jesus may or may not declare himself the Messiah. The woman says to Jesus "'I know that Messiah is coming' (who is called Christ). 'When he comes, he will proclaim all things to us.'" Jesus' response in the original Greek is *ego eimi, ho lalon soi*: does that translate (as most Bibles have it) to "I am he (that is, the Christ), the one that is speaking to you?" Or is it just "I am the one that is speaking to you?" as if to say, "Don't talk to me of the Messiah now; listen to what *I* am saying to you."

6

By far the most striking and extended example of irony in John, though, comes in the trial before Pilate, longer and far more detailed here than in the synoptic gospels. As in the story of the woman taken in adultery, irony and verbal ambiguity arise in the context of a capital accusation. Unlike the lynch mob in the *pericope de adultera*, however, Jesus' priestly accusers admit—though not to Pilate, of course—that their real motivation for bringing the charge of sedition against Jesus is not to punish him for his crimes but to secure Jewish unity at the expense of a scapegoat. In chapter 11, the infamous Caiaphas berates his fellows on the high council with "You know nothing at all! You do not understand that it is better for you to have one man die than to have the whole nation destroyed," a statement which persuades the elders "from that day on" to plan to put Jesus to death. The Roman

governor's ignorance of this conspiracy initially places him in something akin to the impartial stance Jesus assumes when called on to judge the woman taken in adultery. His anthropological intuition, though, is no match for Jesus': that this is the case is indicated by Pilate's mode of questioning, which is, in Kierkegaard's terms, predominantly *speculative* rather than *ironic*:

18:33 Then Pilate entered the headquarters again, summoned Jesus, and asked him, "Are you the King of the Jews?" 34 Jesus answered, "Do you ask this on your own, or did others tell you about me?" 35 Pilate replied, "I am not a Jew, am I? Your own nation and the chief priests have handed you over to me. What have you done?" 36 Jesus answered, "My kingdom is not from this world. If my kingdom were from this world, my followers would be fighting to keep me from being handed over to the Jews. But as it is, my kingdom is not from here." 37 Pilate asked him, "So you are a king?" Jesus answered "You say that I am a king. For this I was born, and for this I came into the world, to testify to the truth. Everyone who belongs to the truth listens to my voice." 38 Pilate asked him, "What is truth?"

There is a great deal of psychological and anthropological significance packed into this subtle and complex verbal dance, the complete elucidation of which lies beyond the scope of this essay. For our purposes, it is necessary first of all to notice that irony and ambiguity once again arise during a forensic examination—that is, at a time and place in which discursive clarity assume life or death importance. Second, it is noteworthy that Pilate's famous ironic question—"What is truth?"—produces an emptiness similar to that revealed by Jesus' questions to the adulteress: without staying for a reply, the Roman governor leaves his captive and returns to the crowd to report "I find no case against him" (18:38). Again, questioning in the ironic mode reveals the moral emptiness of the charges brought against the scapegoat. But the events of the next few hours will demonstrate that there inheres yet another wrinkle to what the pericope and Pilate's examination reveal as irony's ethical dimension. By turning away from his interlocutee after asking his sardonic question, Pilate pinpoints the distinction between mere mockery and the revelatory irony Jesus employed to disperse the crowd in the pericope. In this context, mockery is irony's pale and ineffectual shadow, as is illustrated when Jesus, mocked and scourged as the "King of the Jews," *truly* has his body broken and *actually dies* on the cross.

#### IV

It may be observed from the above analysis of the scene between Pilate and Jesus that irony's structuring role in the Fourth Gospel is ultimately paradoxical, since what serves in the first case to avert a violent outcome appears to produce one in the second. How can this be?

Solving this riddle requires recognizing what the two episodes reveal in juxtaposition. In both, the essential function of the originary scene—the generation of meaning out of crisis—may be observed. In employing verbal irony and gestural ambiguity to divert the attention of the woman’s would-be lynchers from the object of their malicious intent, Jesus demonstrates the fragility of the sign/signified relationship which the lynching hopes to establish. The crowd, provoked by the scribes and Pharisees, want the dead body of the lapidated adulteress to serve as a guarantor of the authenticity of the Law which they feel has been delegitimized first by the Romans and then by Jesus. That is, they want to make the body into a *sign* that will derive an unshakable stability from the permanence of the woman’s death. The law of Moses, say the scribes and Pharisees, “commands” this. Jesus’ response is consistent with his statement in Matthew 5:17 that he came not “to abolish the law or the prophets.” To reveal through ironic detachment the law’s cognitive and linguistic sources is not, strictly speaking, to abolish the law. It is, however, to show how the law, as a system of representations, is vulnerable—perhaps even fatally so—to deconstruction. In the pericope, Jesus destabilizes the hoped-for sign—and thereby spares the woman—not by merely questioning the crowd’s right to execute her or by suddenly superseding the old law with a new. Rather, he approaches the question of the law *anthropologically*: he tacitly asks the crowd, “What is a law? What is the relationship between the law and the language in which law is expressed? What, if any, essential characteristics of social interaction are exemplified in setting up systems of law and punishing transgressors?”

7

That he asks these questions ironically and indirectly indicates the extent to which Jesus’ anthropology is *generative*—that is, it attempts to understand human interaction from the standpoint of the origin of humanity’s defining characteristic, language. To do so, however, is to threaten to unleash the mimetic tension originally deferred by the emergence of language against himself, for, as Gans writes,

Irony is the necessarily indirect and allusive expression of the deconstructability of the formal structure of language that is the model for all formal structures, all of which are in the last analysis structures of representation. To think a formal structure is to conceive both its levels on the same plane, to deconstruct it—to ironize it. True thinking, originary anthropological thinking as opposed to the positive thought that unconditionally respects formal difference, is thus always ironic. (*Signs of Paradox*, in MS).

The task of sifting the teachings of the “historical Jesus” from apostolic emendations and corruptions, it seems, would greatly benefit from considering whether the text in question respects or questions formal difference. For all that can be said about the New Testament’s varying depictions of Jesus—especially between the synoptics and the fourth gospel—there is

a striking consistency in the lack of respect Jesus affords to the formal differences upon which his age set such great store. What are the parables of the good Samaritan (Lk. 10:30-37), the laborers in the vineyard (Mt. 20:1-16), and the prodigal son (Lk. 15:11-32) if not reminders of the ultimate instability of human concepts of significant difference? What are the Beatitudes (Mt. 5:3-12) if not a call to re-think the relationship between linguistic sign (“Blessed” or “Happy”) and the collective contexts from which those signs originally derived their meaning?

That Jesus ultimately fell victim to the originary instability his characteristic irony was so effective in revealing does not, of course, invalidate either that irony or the truth it was capable of uncovering. As Gans writes,

because humanity depends on the maintenance of formal structures in order to defer conflict, ironic thinking is potentially tragic. Once the absolute formal barrier between sign and referent has been shown to be vulnerable, an end is made to deferral and the central figure becomes subject to sparagmatic violence (*Signs of Paradox*).

Both the *pericope de adultera* and John’s description of trial of Jesus by Pilate illustrate not only the power of generative anthropology, in Gans’s words, “to extract from religious texts clearly formulated and in principle ‘falsifiable’ anthropological theses” (*Science and Faith* vii-viii). They also show the extent to which Jesus’ theology and mission-his theory and practice-reflected an understanding of the originary links between mimesis, violence, and the definitive human attribute of language.

8

#### Notes

1. Thomas F. Bertonneau has pointed out how the discussion of language acquisition in Richard Leakey’s *The Origin of Humankind* (New York: Basic Books, 1994) exemplifies this kind of gradualism. Following Richard Pinker’s arguments in *The Language Instinct*, Leakey accepts that language is genetically programmed and therefore can be explained in terms of natural selection. However, continues Leakey, “what were the pressures of natural selection that favored the evolution of language? Presumably, the ability did not spring into being full-blown, so we have to wonder what advantages a less-developed language conferred on our ancestors. The most obvious answer is that it offered an efficient way to communicate. This ability, surely, would have been beneficial to our ancestors when they first adopted rudimentary hunting and gathering, which is a more challenging mode of subsistence than that of the apes. As their way of life grew more complex, the need for social and economic coordination grew, too. Effective communication would have become more and more

valuable under these circumstances. Natural selection would therefore have steadily enhanced language capacity. . . . Language as we know it today [would therefore have] emerged as the product of the exigencies of hunting and gathering” (122-23). See Bertonneau 1994: 2-3. ([back](#))

2. Derrett notes that the crowd is merely following tradition, not the law, in telling Jesus that “Moses commanded us to stone such women.” Stoning was an all-purpose form of execution, “the traditional penalty to be resorted to whenever the Law said ‘he shall certainly die’ or words to that effect without prescribing a different penalty” (11). ([back](#))

3. Some ancient manuscripts add the words “the sins of all of them” to the second instance of Jesus writing in the dust. This emendation is, however, widely held today to be a late textual corruption. ([back](#))

4. “Law in the New Testament,” pp. 16-23. ([back](#))

## Works Cited

Aristotle. *Poetics*. tr. Gerald F. Else. Ann Arbor: University of Michigan Press, 1986.

Brooke, A.E. “John,” in *Peake’s Commentary on the Bible*. London: Thomas Nelson and Sons, 1959.

Bultmann, Rudolf. *History of the Synoptic Tradition*. Tr. John Marsh. New York: Harper & Row, 1976.

Conrad, Carl W. “Jesus Seminar Premises and Rules of Evidence.”  
<http://www.artsci.wustl.edu/~cwconrad/>, March 6, 1997.

Derrett, J. Duncan M. “Law in the New Testament: The Story of the Woman Taken in Adultery.” *New Testament Studies* X,i (October 1963), 1-26.

Gans, Eric. “Differences,” *Modern Language Notes* 96(4): 792-808.

———. *Originary Thinking*. Stanford: Stanford University Press, 1993.

———. *Science and Faith: The Anthropology of Revelation*. Savage, Maryland: Rowman & Littlefield, 1990.

———. *Signs of Paradox*. In MSS.

Kierkegaard, Søren. *The Concept of Irony*. Princeton, New Jersey: Princeton University

Press, 1989.

Kysar, John. *John* (Augsburg Commentaries). Minneapolis: Augsburg, 1986.

Lightfoot, J.B. *Essays on the Work Entitled Supernatural Religion*. London: MacMillan, 1893.