Monday of the Fifth Week of Lent
The Merciful Judge Who Saves

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Much exegetical ink has been spilt on speculation about the words that Jesus might have traced in the sand during the incident recorded in today’s Gospel reading, but the real significance of this extraordinary moment surely lies elsewhere. Two things are noteworthy.

In the first place, of course, the most important thing about this incident is that, whereas the crowd would have condemned and stoned her, Christ forgives the woman caught in adultery. We need to know and be convinced that this forgiveness is always ours when we confess our sins—as we should do regularly in the precious Sacrament of Penance—and strive to live in and with Christ, the unquenchable font of divine mercy. But there is second element in this incident that is of enormous significance. With the departure of all these self-deputed judges, Christ alone stands as the judge.

We sometimes read that a judge has been dismissed from the bench for having taken a bribe or otherwise compromising his or her office. It’s a rare thing, thank God, and the news always unsettles us. But imagine with me for a moment that all the judges were declared to be culpable and unworthy of office. To my mind, the departure of the crowd signifies something like this: all the judges—like Susannah’s accusers and the crowd in today’s Gospel—have been declared incompetent and thrown out of office.
Understand that I am not referring to the judges who serve us in all the levels of the judicial system. No, the departure of the crowd one by one signifies that we are the judges who have now been relieved of office—naturally, not in the circumstances where our professions or positions require that we make judgments (about performance, or qualifications and abilities, or culpability in defined circumstances, and so on), but in the deeper and more pervasive sense that we have appointed ourselves judges and make it our business to be experts in the faults and shortcomings of everyone around us, and in the knowledge of our own guilt or innocence.

“For where does our judgment always lead? To the place where we pronounce ourselves innocent, and where, on account of their...sins, and with more or less indulgence and understanding or severity and inflexibility, we pronounce others as guilty” (Karl Barth, *Church Dogmatics IV: The Doctrine of Reconciliation, Part I*, p. 233). But our judgment can lead in another way as well, to scrupulosity and despair when we declare our sins innumerable or unforgivable. “The fruit of [the] tree [of good and evil] which was eaten with such relish is still rumbling in all of us” (*ibid.*, p. 232). More often than not, it is upon others that our judgment falls. “It is...an affliction always to have to make it clear to ourselves [that we are in the right] so that we can cling to it that others are in one way or another in the wrong, and to have to wrack our brains how we can make it clear to them, and either bring them to an amendment of their ways or give them up as hopeless....It is a terrible thing to know good and evil if only in this ostensible and ineffective way” (*ibid.*, p. 233-4).
“We are all in process of dying from this office of judge which we have arrogated to ourselves. It is, therefore, a liberation that it has come to pass in Jesus Christ that we are deposed and dismissed from this office because He has come to exercise it in our place“ (ibid., p. 234). In addition to Christ’s power to forgive, this also is what is revealed to us in the incident of the woman caught in adultery. No one is without sin, and thus no one can be a judge either of the hearts of others, or even of his own heart. Only the absolutely sinless one who took upon himself the sins of the whole world, and thus ours as well, can be the true Judge upon whose righteousness and mercy we can confidently rely. In his Cross and Resurrection, Christ won the right to be the only Judge of the good and evil in the human heart.

And what a relief it is! It is a mistake to regard the figure of Christ the Judge as a forbidding or fearsome one. On the contrary, it is liberating. “I am not the Judge. Jesus Christ is the Judge. The matter is taken out of my hands. And that means liberation. A great anxiety is lifted, the greatest of all” (ibid., p. 234). “…[T]he fact that Jesus Christ judges in our place means an immeasurable liberation and hope” (ibid., p. 233).

When we find our minds full of critical judgments about others—as we so frequently do—we should remind ourselves that this activity is, if you will, above our pay scale, that Christ alone can fill the office of judge. When we find ourselves anxious about our own sins, even after having sought forgiveness and performed the required penance, we should remember that we stand before the Judge upon whose good and redemptive will we can count absolutely.
In either situation, each of us must think: “He who knows about myself and others as I never could or should do, will judge concerning me and them in a way which is again infinitely more just than I could ever do…” (ibid., p. 234).

Recall the historical context of the incident recounted in today’s Gospel. Possibly around the year 30 AD, the Roman authorities in Palestine prohibited the execution of sentences of capital punishment by the Jewish leadership in Jerusalem. This ruling would have created considerable difficulties for the Jewish authorities since the Mosaic law prescribed the death penalty for a variety of offenses, including adultery, as in the case recounted in today’s Gospel.

Hence the challenge posed by the scribes and Pharisees in this situation. If Jesus were to have encouraged the crowd to carry out the sentence prescribed by the Mosaic law, he would have appeared to contravene Roman authority. If, on the other hand, his response were to have been to prevent the stoning, he would have appeared to discount the seriousness both of the offense and of the injunctions of the Mosaic law itself. In one of the “coolest”—if you’ll permit me the expression—actions recorded in the Gospels, in the face of this dilemma, Jesus bends to the ground and begins writing in the sand. When the crowd fails to disperse, he rises and says, “Let the one among you who is without sin be the first to throw a stone at her.” At last, when he again bends to the ground, the crowd gradually departs, one by one, and Christ alone stands as the Judge. What a relief!