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Jesus and the Samaritan Woman: A Coda

ALAN WATSON*

For the final examination in my 'Law and the Gospels' class at the University of Georgia Law School, fall semester in 2004, I set essay questions, one of which was about law in the encounter between Jesus and the Samaritan woman in John 4. Several students chose that option. I had already published on the subject,¹ claiming that the episode involved a sexual 'come-on' by the woman. 'Bucket' was a hidden — not too hidden — word for 'penis', 'well' likewise for 'vagina', and 'living water' for 'semen'. In antiquity, as in the modern Western world (until recently), women were not supposed to make sexual advances. Of course, they did — but covertly. (I was not suggesting that such an episode involving Jesus actually occurred. Rather, my argument always has been that the four episodes that occur in John and not in the Synoptics had their roots in a Jewish tradition that was hostile to Jesus. The Gospel writer could not ignore it, but he dealt with it in such a way as to defang it.)

Two students wrote something that rather surprised me, that John 4:11 reads something like 'You have no bucket and no rope to draw with, and the well is deep'. I recalled nothing in the verse about a rope to draw with.

Besides, a reference to the absence of a rope to draw with made no sense. To begin with, of course there would be a rope in position. The well was deep, women coming to draw water would not bring a large coil of heavy rope with them on each visit, so a rope would already be in place. Also, if my sexual interpretation of the scene was reasonable, as both students accepted, mention of a rope as well as a bucket would be out of place.

I checked the translation of the *New Revised Standard Version* which I had mainly used, and found for John 4:11 the following: 'The woman said to him, "Sir, you have no bucket, and the well is deep. Where do you get that living water?"' No rope. Then I turned to the Greek, and found no rope. I will come back to the Greek shortly. But my curiosity was piqued, and I looked at other translations. The *New American Standard Bible* has 'You have nothing to draw with and the well is deep'; the *New International Version* is exactly the same; and the *King James Version* is very similar. In these translations, what Jesus does not have could be thought to be a rope. The *Bible of the Gideons in SA* has a similar English translation, but in Afrikaans the vital word is 'skeptding' which is unquestionably 'bucket'. The *Novum Testamentum Latine*² has 'neque in quo haurias habes', 'Nor do you

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¹ Watson, A (1995) *Jesus and the Jews: The Pharisaic Tradition in John* University of Georgia Press at 29 ff.

² I have used the Nestle-Aland edition.

have in which you may draw'. 'In quo' points without doubt to a bucket, not to a rope.

Thus, in some translations, what Jesus lacks could be a rope or equally a bucket. But not both. The Greek has 'λέγει αὐτῷ ἡ γυνή: Κύριε, οὔτε ἀντλημα ἔχεις, καὶ τὸ φρέαθ ἐστὶ βαθύ· πόθεν οὖν ἔχεις τὸ ὕδωρ τὸ ζῶν'.

The noun for what Jesus lacks is ἀντλημα, and this for me in the context can only mean 'bucket'.³ The word has many cognates listed in Liddell and Scott's *Greek-English Lexicon*,⁴ a high proportion of which relate to drawing or draining water. No text points to 'rope'. Our ἀντλημα is given the meaning of 'bucket for drawing water', and John 4.11 is listed as one of the sources. No Greek text cited in the *Lexicon* can bear the meaning 'rope'.

The two students were wrong, of course. Jesus is credited with lacking two things, the verse lists only one. But, given the ambiguous translation in various translations, 'nothing to draw with', the error is understandable. What needs to be clarified is the reason for the ambiguous translation. *The Amplified Bible* even has for 4.11: 'She said to Him, Sir, you have nothing to draw with [no drawing bucket] and the well is deep: how then can you provide living water? [Where do you get your living water?]'.

The translation is 'nothing to draw with', and the amplification or explanation is 'no drawing bucket'. But the problem still is that the translation should be simply 'no bucket'. Why do we have so often 'nothing to draw with'?

I can think of only one explanation. The episode has hidden but blatant sexual overtones, which are typically overlooked. Sexual advances, even disguised, made to Jesus by a woman, especially an unclean Samaritan, are not to be contemplated. They are not to be thought of. Still, the message may come through to the unconscious and the text would be toned down in translation, and 'bucket', blatantly sexual in the overall context, would become the innocent 'to draw with'. I wondered if perhaps we had to deal with English (unconscious) prudery. So I looked at the translations into other languages. First, Italian, where I found 'secchio',⁵ unquestionably 'bucket'. Boccaccio would be pleased. But then I found in Martin Luther's German Bible 'Herr, has du doch nichts, damit du schöpfest'. Again, 'draw with'. And in French 'tu n'as rien pour puiser',⁶ just the same. And, for Latin America, the similar 'Señor, no tienes con que sacarla',⁷ but with more than a hint of a bucket. I will never trust translations again.

The lesson for comparative lawyers is obvious. For one fundamental mistranslation up to the present day, I refer to J1.2.1. The opening texts of Justinian's *Institutes* are among the best known legal texts in the Western world. For centuries they were the beginning of all law students' education. My concern is with book 1 title 2, the *principium*, and §§1 and 2, on the distinction between 'ius naturale, which is common to all animals' or 'natural law', *ius gentium*, 'the law common to peoples', and *ius civile*, 'the law particular to a given state'. The texts are fundamental for an understanding of law. Yet they are confusing, and have, indeed, confused.

The text of J1.1.1, reads:

³ Cf Bruce, FF (1983) *The Gospel and Epistles of John* William B Eerdmans Publishing at 124.

⁴ Liddell, HG, Scott, R, Jones, HSS, McKenzie, R, Glare, PGW and Thompson, AA (1996) *A Greek-English Lexicon* Clarendon Press at 166.

⁵ (1985) *La Bibbia: parola del Signore: traduzione interconfessionale in lingua corrente* Elle Di Ci: Alleanza Biblica Universal.

⁶ For instance, (1961) *La Sainte Bible* Editions du Cerf.

⁷ (1963) *La Santa Biblia* Sociedades Biblicas en America Latina.

Ius autem civile vel gentium ita dividitur: omnes populi qui legibus et moribus reguntur partim suo proprio, partim communi omnium hominum iure utuntur; nam quod quisque populus ipse sibi ius constituit, id ipsius proprium civitatis est vocaturque ius civile, quasi ius proprium ipsius civitatis: quod vero naturalis ratio inter omnes homines constituit, id apud omnes populos peraeque custoditur vocaturque ius gentium, quasi quo iure omnes gentes utuntur. et populus itaque Romanus partim suo proprio, partim communi omnium hominum iure utitur. quae singula qualia sunt, suis locis proponemus.

Our main concern is with the first sentence of §1. A standard modern translation, that of JAC Thomas, reads:

Civil law and the law of nations, however, are distinguished in this way. All peoples who are governed by laws and customs use law which is in part particular to themselves, in part common to all men: the law which each people has established for itself is particular to that state and is styled civil law as being peculiarly of that state: but what natural reason has established among all men is observed equally by all nations and is designated *ius gentium* or the law of nations, being that which all peoples⁸ obey. Hence the Roman people observe partly their own particular law, partly that which is common to all peoples. Which is which, we shall explain whenever it is desirable to do so.⁹

The Latin *autem*, most reasonably translated as 'But', is moved in the translation from its place as second word in the sentence to a much later point. And it is given the much weaker translation 'Civil law and the law of nations, however, are distinguished in this way'. The most recent Dutch translation omits the *autem* completely 'Het *ius civile* en het *ius gentium* worden als volgt onderscheiden'.¹⁰ So does that of Birks and McLeod: 'The law of all peoples and the law of the state are distinguished as follows'.¹¹ Indeed, the last have even inverted the Latin, placing 'the law of all peoples' before 'the law of the state'.¹² The newest German translation is equally faulty, though this may be less evident because of the German usage of compound words, and because the translators do give *autem*, 'aber', a place 'Zivilrecht aber und Völkergemeinrecht [*ius gentium*] werden wie folgt unterschieden'.¹³ An accurate, though less attractive, translation would run 'Recht aber, Zivil — oder Völkergemein — wird wie folgt unterschieden'.¹⁴

Not only that, but there is a second mistranslation. The Latin singular, *distinguitur*, 'is divided' is always translated as plural 'are divided'. The text's point is that law is

⁸ Thomas confusingly has 'nations'.

⁹ Thomas, JAC (1975) *The Institutes of Justinian: Text, Translation and Commentary* North Holland Publishing Company at 4.

¹⁰ Spruit, JE, Feenstra, R and Bongenaar, KEM (1993) *Corpus Iuris Civilis, Tekst en Vertaling I Instituten* Walburg Press at 12.

¹¹ Birks, P and McLeod, G (1987) *Justinian's Institutes* Cornell University Press at 38.

¹² Their translation of the Institutes is often just wrong, often far from the spirit of the original. If this translation is used at all, it must be used with caution, and checked against others.

¹³ Behrends, O, Knütel, R, Kupisch, B and Seiler, HH (1997) *Corpus Iuris Civilis: Text und Übersetzung: auf der Grundlage der von Theodor Mommsen und Paul Krüger besorgten Textausgaben* CF Müller at 3.

¹⁴ For a fuller discussion see Watson, A (2001) *Legal History and a Common Law for Europe: Mystery, Reality, Imagination* Olin Foundation for Legal History at 21ff.

divided into only two categories: civil law and law of peoples. The former is restricted to Romans, the latter is common to all men.

A correct translation in my view is 'But law, civil and common to peoples, is divided in this way'.

The modern mistranslations are easily explicable given the treatment of natural law in the *principium* where it is given as first of three kinds. It is the law common to all animals including humans. The idea of natural law has a long history, but not among the Roman jurists who show little interest in philosophy. Natural law could not be ignored, but it is given a useless meaning, which can then be ignored. Law is not divided into three kinds but only two. The consequences were immense, but will not be explored here.

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