

# Exceptions in Absolute Moral Norms with Reference to John 8:1-9

by *Onyema Anozie*

The experience of life points to the fact that there are absolute moral laws, which specify that there are moral regulations that do not admit exceptions. Although this seems to be the case, one still wonders, which human situation does not allow any exception. The fact is that human beings are finite beings operating in time and space, however, the urge for sameness in all cases, which is a mark of absoluteness, seems necessary. Anthropologically, the absoluteness of norms still needs to be properly articulated in relation to concrete cases. On the strength of what may be called authentic-moral-rectitude, one is compelled to appreciate the way Jesus Christ handled most of the issues that confronted him during his ministry, when the well-being of an individual was at stake. Although He came to abolish neither the law nor the prophets, He did not just follow the status quo. The question is whether He presents us with a noble and humane morality, a morality that seeks the mind of God and takes the real circumstances of an individual into consideration over and above *human-operative* norms as in the stoning to death of someone who commits adultery.

## 1. *Introduction*

In order to study exceptions in absolute moral norms this article concentrates on one uniquely spectacular case; the woman caught in adultery. It is divided into three parts: 1. an introduction with a look at adultery; 2. the issue of absolute moral norms; and 3. Jesus' approach to existing regulations and also a brief conclusion. The experiences of life point to the fact that there are absolute moral norms, which stipulate moral regulations that do not admit of exceptions as in adultery or the killing of an innocent person. Though human beings are limited and circumscribed by time and exigencies the desire for constancy and firmness calls for absoluteness of norms. Despite this fact, in reality, absoluteness of norms needs still to be interpreted in concrete cases. This poses serious questions in moral discussions such as in the picking of corn-ears on the Sabbath or the issue of the woman caught in adultery. On the one hand, life cannot be made too relative, since moral principles can not merely depend on undetermined exigencies, while on the other if moral laws become so rigid that no room is left for adjustment, it seems to make human beings into robots. Therefore, while certain moral principles remain absolute; there are moments that demand on the spot re-consideration without reducing the absoluteness of the moral norm in question. Although life is absolute there is need for constant adjust-

ment so that this life could be fully realized. On the basis of this one can't but think of the way Jesus handled most of the issues that confronted him during his ministry. A look at Jesus' approach to certain issues indicates he did not follow the «status quo», and so one is prone to ask if He presents us a new form of morality, which takes the individual's circumstances into consideration over and above what is obtainable. Or could it be said that there is nothing unique about all that he did and said? In the face of Jesus' Good News the question is how absolute moral norms should be understood.

In Hosea 8:14 we read: «I will not punish your daughters when they play the harlot, nor your brides when they commit adultery; for the men themselves go aside with harlots, and sacrifice with cult prostitutes, and a people without understanding shall come to ruin». Could this be the reason for Jesus not to have accepted the verdict of the Pharisees and Scribes? Obviously, the message of Jesus goes beyond this. For John Paul II any commandment detached from the wider framework is destined to become nothing more than an obligation imposed from without.<sup>1</sup> Jesus simply teaches kindness with anyone who falls short of the expectation and demands thorough re-examination of any moral case. Although Jesus does not approve the sins of the sinner, He invites the sinner to repentance, since He came specifically to call sinners to repentance. In this view, it is unjust to condemn the sinner without offering him or her opportunity to repentance. Even in the Old Testament God does not wish the death of the sinner but that he repents and lives (cf. Ezek 18:23). It would be a contradiction to the ministry of Jesus if he condemns this woman to death.

On this John Paul II points out that Jesus was criticized for being a friend of public sinners and tax collectors (cf. Matt 5:46; 9:11; 18:17). Although Jesus does not absolutely reject the existing regulations, He does not turn a blind eye or remain silent. In the case of Zacchaeus, the chief tax collector of Jericho, it could be said that Jesus invited himself to his home: «for today I must stay at your house». It was at the tax collector's house that Jesus declares his mission: «Today salvation has come ... For the Son of man has come to seek and to save what was lost» (cf. Lk 19:1-10). The same trend is seen in the case of Levi, son of Alphacus (Luke 5:27). The Evangelist Mark indicates that Jesus was at table in Levi's house and many tax collectors and sinners sat with Jesus and his disciples (cf. Mk 2:13-15). At that occasion, the Scribes and Pharisees remonstrate with his disciples. In reply, Jesus tells them: «Those who are well do not need a physician, but the sick do. I did not come to call the righteous but sinners» (Mk 2:17).<sup>2</sup>

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<sup>1</sup> JOHN PAUL II, *The Gospel of Life - Encyclical Letter EVANGELIUM VITAE*, March 25, 1995, nos. 38-39

<sup>2</sup> JOHN PAUL II, *General Audience. Jesus, a Man in Solidarity with the Whole of Mankind*, February 10, 1988, nos. 4-5.

## 2. *Understanding adultery (John 8:1-9)*

For Schnackenburg John 8:1-11 does not belong to the original fabric of John's Gospel, however, he is of the view that a commentator may decide to leave it out or treat it where it appears. He precisely treats it where it appears. A strong argument for considering this text draws from the fact that the Council of Trent by a majority decision of April 1, 1546 did not make any further statement about this text, which forms part of the canon, though this does not involve any decision about its literary origin.<sup>3</sup> The drama of the woman caught in adultery in John's Gospel actually begins from verse 3 where the Scribes and Pharisees bring a woman caught in adultery to Jesus. Though John does not combine Scribes and Pharisees, which is typical of Mathew, in the adultery story he does, which indicates the seriousness of the discussion. The controversy raised whether the woman was a betrothed girl or a married woman, seems to be solved by the demand that the law stipulates such women be stoned to death in reference to Deut 22:23-24. However, according to Mishna (Sanhendrin XI: 1,6) the punishment for such offence is strangling. Since the Mishna code was not operative in the time of Jesus, it does not have real convincing force.<sup>4</sup> In effect, there seems to be more evidence to the fact that the woman was married, and there is no debate about her offence – adultery. The question that may not escape any reader of this text is whether the woman is brought to Jesus for trial or whether she is already condemned and being sent for execution. If the later, why should she be brought again to Jesus? Schnackenburg holds that for Jeremias the trial had already taken place though he ignores Jesus' question to the woman «has no one condemned you»? He further points out that Becker thinks that the witnesses to the crime are both accusers and executioners, while Derret suggests that resort was made to lynch law in order to by-pass the Roman «*ius gladii*». The case of Stephen is a point in view.

Whatever is the case, 8:4-5 indicate the accusers address Jesus as teacher, thus in effect submitting the matter to his judgment; though they put Jesus in an awkward situation. The case of the woman is clear and what the Torah says is also known, would Jesus speak against the Torah and so act against the authority of Moses and thereby also God. John 8:6 makes it clear that the Scribes and Pharisees wanted to test Jesus in order to find grounds to condemn him. This text agrees with the text of the tribute paid to Caesar, Mark 12:13 and also Luke 20:20. However, it is interesting to note that Jesus gives no direct answer to their question. He rather stoops down to write on the ground with his finger. Why this gesture? The crucial point about all these arguments is that Jesus does

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<sup>3</sup> R. SCHNACKENBURG, *The Gospel According to St. John Vol. II: Commentary on Chapters 5-12*, London 1980.

<sup>4</sup> *Ibidem*.

not allow himself to be drawn into a single one of these conflicts and decisions. With each of His answers, He simply leaves the case of conflict beneath Him. When it is a matter of conscious malice on the part of the Pharisees, his answer is neat avoidance of a cleverly laid trap. So they speak on totally different levels and their words strikingly fail to make contact and therefore Jesus' answers do not appear to be answers at all.<sup>5</sup>

The end effect is that Jesus rejects the interpretation which through the centuries the Pharisees and Scribes give to the authentic content of the Law, inasmuch as such content, or rather the purpose and will of the Legislator, were subjected in a certain way to the varied weaknesses and limits of human will-power deriving precisely from the threefold concupiscence. This was a casuistic interpretation, which was superimposed on the original version of right and wrong connected with the Law of the Decalogue. If Christ tends to transform the ethos, he does so mainly to recover the fundamental clarity of the interpretation.<sup>6</sup> Fulfillment (Mt 5:17) is conditioned by a correct understanding as is applied among others particularly to the commandment: «Thou shalt not commit adultery». On the one hand Christ does not accept the interpretation of the Law as presented by the Pharisees and Scribes, and on the other, however, adultery refers to a breach of the unity, by means of which man and woman only as husband and wife, can unite so closely as to be «one flesh» (Gen 2:24). It is certain that unmarried man and woman commit adultery if they unite in a way as though husband and wife.<sup>7</sup> Generally, adultery takes place when as man and a woman who are not legal spouses unite with each other so as to become one flesh (cf. Gen 2:24), in a way characteristic of spouses. The detecting of adultery as a sin committed «in the body» is closely and exclusively united with the «exterior» act, with living together in a conjugal way, which refers also to the status of the acting persons, recognized by society.<sup>8</sup> Since Jesus does not condemn this woman, what implication has this on absolute moral norms?

### 3. *Norms*

#### a. Absolute moral norms

To speak about specific behaviour in life is another way of saying that one should act according to set ethical moral norms. Hetcher recognizes three distinct senses in which norms generally can be used. The first states a fact

<sup>5</sup> R. GILL, *A Textbook of Christian Ethics*, London 1985, p. 116.

<sup>6</sup> JOHN PAUL II, *General Audience. Content of Commandment: Thou Shalt Not Commit Adultery*, August 13, 1980.

<sup>7</sup> JOHN PAUL II, *General Audience. Ethical and Anthropological Content of the Commandment: Do not commit adultery!*, April 23, 1980.

<sup>8</sup> JOHN PAUL II, *General Audience. Establishing the Ethical Sense*, October 1, 1980.

as it is and can be classified as statistical, for instance that ‘people consume fifteen hundred calories a day.’<sup>9</sup> The other senses consider the norms as prescribed guide for human conduct; they could be seen as rules that must be widely prescribed, while others believe one person can set norms.<sup>10</sup> He goes on to say that a norm is a pattern of normatively governed behaviour, instantiated in a group through conformity, which is prescribed by at least some members, and usually enforced through sanctions.<sup>11</sup> The Webster’s Encyclopaedia of Dictionaries defines norm as: «A standard, model, or pattern regarded as typical».<sup>12</sup> It derives from the Latin word «norma», which refers to the carpenter’s pattern or square, which in fact is a guide. According to Gula, moral norms are the criteria of judgment about the sort of person one ought to be and the sort of action one ought to perform.<sup>13</sup>

The experience of absolute moral norms draws attention to the fact that there are norms that do not admit exceptions. Concretely moral experience shows that the human person is a whole and its choice can be conditioned depending on what principles motivate it. In spite of the difficulty in decision making, D. Brown holds that choice is made in freedom. One is free to respond to God’s grace and by it is able to perceive God’s moral purpose for creation. In Brown’s opinion this happens first before one is able to become aware of God’s saving will for humanity. For him it is the duty of moral theology to make people aware of natural law.<sup>14</sup> So that by being convinced one is able to choose one value in preference to the other. The issue of absolute moral norms forbids acts which under no condition can be said to be right, such as norms forbidding adultery or murder. Adultery according to the Jewish law is punishable by stoning to death. Also in the Christian codification adultery is listed among the grave sins (Gal 5:22). That Jesus handles a woman caught in adultery differently seems to present another slant in the understanding of what is sinful and so too absolutely forbidden. Although this work is not a treatise on sin, it is necessary to remark here that the sin of adultery seems so horrible that it is always mentioned in the list of sins all through the Old and New Testaments. The discussion on absolute moral laws on the one hand limits humans so that arbitrariness may be moderated.

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<sup>9</sup> Food scientists would tell what laws must be obeyed to maintain the correct body mass. Such a norm is important even in the regulation of the quantity or quality of food. For a particular result the guiding norm must be obeyed

<sup>10</sup> S. HETCHER, *Norms*, in *Encyclopedia of Ethics*, vol. 2, 1992, pp. 909-912.

<sup>11</sup> *Ibidem*, pp. 909-912.

<sup>12</sup> M.B. WHEELER (ed), *Webster’s New Reference Library: An Encyclopedia of Dictionaries*, Nashville TN 1984, p. 286.

<sup>13</sup> R.M. GULA, *What Are They Saying about Moral Norms?*, Mahwah NJ 1981, p. 1.

<sup>14</sup> D. BROWN, *Choices: Ethics and the Christian*, New York 1983, p. 29.

b. Exceptions to absolute moral norms

Exceptions defer from situation ethics, which Hildebrand holds embodies a radical ethical formalism and implies a certain moral relativism and seems to reject general moral commandments and principles, and so implicitly denies the obvious fact that certain actions; e.g. adultery, fraud, treason, murder, fornication, are morally evil as such. Another fact in situation ethics is that the weight placed on the personal good intention seems to confuse what good intention is.<sup>15</sup> Situation ethics is very much on a different plane and differs in its basic assumption from contextual theology, which appreciates all relevant factors in moral decision making. Also exceptions defer from epikeia, which does not remove anything from the law, but demands that a deficient law be corrected in application in this way the intention of the law is rendered effective.<sup>16</sup> Fuchs observes that Aristotle as well as Aquinas and Albert understood and openly held that the correction of a law that is somewhat deficient or the application of the particular law through the virtue of epikeia is morally superior to the mere observation of the letter of the law. The implication is that in a deficient law formulated by men, the application of the virtue of epikeia exposes the natural law, which positive law is intended to specify and render effective. This certainly surpasses the deficient law decreed by men. In this sense epikeia enhances, transcends and corrects and fulfills a law with the virtue of wisdom, which was humanly promulgated as in the case of stoning one caught in adultery.<sup>17</sup>

Exceptions which go further derive from the Medieval Latin legal principle «exceptio probat regulam in casibus non exceptis» («the exception confirms the rule in cases not excepted»). This concept is first proposed by Cicero in his defense of Lucius Cornelius Balbus. In other words, the fact that an exception is stated serves to establish the existence of a rule that applies to cases not covered in the exception. Fowler's *Modern English Usage* gives the following example: «Special leave is given for men to be out of barracks tonight till 11.00 p.m.». «The exception proves the rule» means that this special leave implies a rule requiring men, except when an exception is made, to be in earlier. The value of this in interpreting statutes is plain. Similarly, a sign that says «parking prohibited on Sundays» (the exception) «proves» that parking is allowed on the other six days of the week (the rule). The phrase may also be invoked to claim the existence of a rule that usually applies, when a case to which it does not apply is specially mentioned. For example, the fact that a nurse is described as 'male' (the exception) could be taken as evidence that most

<sup>15</sup> Cfr. VON A.J. HILDEBRAND, *Situation Ethics*, in *New Catholic Encyclopaedia of Theology*, vol. 13, New York 1967, pp. 268-269.

<sup>16</sup> J. FUCHS S.J., *Personal Responsibility and Christian Morality*, Washington D.C. 1983, p. 186.

<sup>17</sup> J. FUCHS S.J., *Personal Responsibility*, p. 187.

nurses are female (the rule). This is a slightly looser interpretation of the original meaning.<sup>18</sup>

Exigencies of life show that in the application of the universally valid norms with regard to absolute norms there are cases that may not sustain the claim for absoluteness, since there are acts in certain circumstances that seem contradictory to the already laid down precepts. In his article N.D. O'Donoghue posits not only the possibility, but also the fact of exceptions in behavioural norms.<sup>19</sup> This position can be seen in the light of Fletcher and Robison who concede absoluteness in the sense of admitting no exceptions to only one norm – love.<sup>20</sup> Fuchs indicates that an ethical system, according to O'Donoghue, is possible only because, despite change and diversity, man and his structures abide. Yet since the same man and his structures also exhibit changes and differences, exceptions must occur, but in such a way that they remain exceptions. The conclusion is then; moral norms necessarily admit of exceptions.<sup>21</sup> On the contrary P. Ramsey argues according to Fuchs that if there should be exception it has to be based objectively on the situation such that the same situation will always evoke the same exception. If that is the case the norm in question has to give way to a 'better' norm. This would also entail refining the existing norm so that it could take care of cases not previously considered. This leads Fuchs to say that for Ramsey fundamentally there are no exceptions, provided the formulation of the norm becomes ever more refined and precise. But this is hardly realisable, since human formulations remain short-sighted and inexact and so would be unable to take into account all possibilities. That reveals that Ramsey's position seems to see human beings as static. This obviously is opposed to real human experience which shows historical and cultural changes in the development of humanity. He also asks whether Ramsey would justify exceptions in cases of overriding right, or necessary compromise and even the acceptance of lesser evil. There is no doubt that when two values enter into conflict a rational being would choose that which has greater advantage – it is a matter of facing reality. If two facts stand in what Fuchs calls «apparent exception» one must reasonably justify that which has greater chance of success. That makes him ask what would be Ramsey's stand in such a case.

Fuchs further cites D.E Hurley<sup>22</sup> and C.E. Curran<sup>23</sup> as having strong evidence to believe that there should be exceptions and observes that the justification of the apparent exception lies in the fact that the supposed norm

<sup>18</sup> Cfr. Wikipedia Dictionary.

<sup>19</sup> N.D. O'DONOGHUE, *Towards a Theory of Exceptions*, in «The Irish Theological Quarterly», 35, 1951, pp. 217-232, quoted in J. FUCHS S.J., *Personal Responsibility*, p. 134.

<sup>20</sup> J.M. GUSTAFSON, *Context versus Principles: A Misplaced Debate in Christian Ethics*, in «Harvard Theological Review», 58 (1965), 3, quoted in J. FUCHS S.J., *Personal Responsibility*, p. 134.

<sup>21</sup> J. FUCHS S.J., *Personal Responsibility*, p. 134.

<sup>22</sup> Cf. D. HURLEY, *A New Moral Principle: When Right and Duty Clash*, in «The Furrow», 17 (1966), pp. 619-622, quoted in J. FUCHS S.J., *Personal Responsibility*, p. 135.

<sup>23</sup> Cf. C.E. CURRAN, *Dialogue with Joseph Fletcher. A New Look at Christian Morality*, Notre Dame 1968, quoted in J. FUCHS S.J., *Personal Responsibility*, p. 135.

simply does not possess the range of validity it appears to have, judging by inexact formulation.<sup>24</sup> A similar view is expressed by Burggraeve about the developing nature of the youth. Most of the conditions that arise are not foreseen by previous norms or are not adequately covered. Hence the need to refine or at least reconsider existing norms in that regard. Thus he writes that in traditional moral theology, attention was always given to the historical circumstances of ethical acting. This historicity was, however, never interpreted in a 'life-historical' way, i.e., in accordance with age and course of life. But one notices that the ethical feeling, judging, and acting of young people is inevitably marked by the fact that they are 'on the road'. Concretely the adolescent is not yet an ethical adult, but is on the way (perhaps) to becoming such. This implies that young persons, in accordance with the psycho-genetic phase through which they are passing, often show a rather tempting and trying, sometimes even provocatively 'deviating' behaviour, marked by great degree of provisionality.<sup>25</sup> The fact seems to be since the youths are in process and new circumstances emerge as a realistic process not previously taken care of, this should admit exception. Though such behaviour is not to be taken 'seriously and decisive,' but on the grounds of its consequences should not be trivialized.<sup>26</sup> In effect whoever sets up negative norms, but regards exceptions as justified, by reason of overriding right, or warranted compromise, or for the sake of the lesser evil (or greater good), shows by this that the *malum* repudiated by the norm is not (yet) to be understood as moral evil.<sup>27</sup>

#### 4. *Jesus' approach to existing regulations*

In Rhymes view the first thing that one notices is the complete absence of law in Christ's way of dealing with people. His attitude is always that the needs of men come before the law, that the law is subservient to men not men to law.<sup>28</sup> For him Jesus' freedom in treating problems brings new impetus into our moral discussion, which implies that Jesus Christ is the ultimate source of Christian moral life. It also focuses on the fact that Jesus Christ is not limited by laws and precepts. This can equally apply to all who draw their inference from him, hence being really absolute. The Jews did not feel comfortable about this and accused him of breaking the law. According to Rhymes it is not that Jesus Christ cares little about the law and the prophets but he sought to fulfil them by seeking the initial plan God has in

<sup>24</sup> J. FUCHS S.J., *Personal Responsibility*, p. 135.

<sup>25</sup> R. BURGGRAEVE, *Meaningful Living and Acting: An Ethical and Educational-Pastoral Model in Christian Perspective*, in «Louvain Studies», 13 (1988), p. 152.

<sup>26</sup> *Ibidem*, p. 153.

<sup>27</sup> J. FUCHS S.J., *Personal Responsibility*, p. 136.

<sup>28</sup> D. RHYMES, *No New Morality: Christian Personal Values and Sexual Morality*, London 1964, p. 22.



mind in the particular law. This view also applies to B.M. Ashley who holds that Jesus being a Jew knows what the Torah requires and tries to interpret this even to the letter. Christ is the paradigm; mode, model, or standard of Christian faith, the absolute way he interpreted the law should be normative to all who follow him. In this sense Ashley opines that the New Testament is the fulfilment and the confirmation of the eternal validity of the Old Testament. Earlier he says that Christ and Paul draw from the same source as the Rabbi. And so they could also offer their own authentic interpretation of the Torah. It is in this spirit that Jesus criticises the Pharisees and Scribes. He argues that since there were various schools of interpretation, Jesus could give his own interpretation of the Law within the Law. Moreover, attentive examination of the occasion on which Jesus is accused of breaking the Law reveals that according to his own interpretation, not necessarily discordant with that of some rabbis, he was always careful to observe it even to the letter.<sup>29</sup> Christ does not circumscribe himself to existing regulations and laws as such but sought recourse to their origin – the eternal regulations and laws which God establishes from the beginning of creation. Ashley points to Paul as imitating Christ in his interpretations too, that Paul is able to say that the Gentiles are not bound by the particularities of Mosaic law, while Paul still preaches to the Christian Jews on the authentic and a more universalistic and perfect morality. He stresses the «Torah, interpreted and perfected by Jesus, as a divinely approved system of concrete ethical prescriptions which is permanently valid because it reflects the original intentions of God which are now once again binding on those who would enter His Kingdom ‘on earth as it is in heaven’ (Mt 6:10)».<sup>30</sup>

Though Jesus seems to handle matters differently contrary to the established regulations, most theologians agree that neither Jesus nor the New Testament as such give a set of new and unspoken moral rules. In this vein M. Gula cites B. Schuller as arguing that scripturally described moral actions in principle are defensible rationally. What this entails Gula points out for Schuller is that revealed morality and what he calls natural morality are the same. He moves on to R. McCormick who holds the same position as B. Schuller with the addition that morality drawn from Christian sources applies to all people. He cites McCormick as holding that: «Christian ethics does not and cannot add to human ethical self-understanding as such any material content that is, in principle, strange or foreign to man as he exists and experiences himself».<sup>31</sup> While in principle we accept these theologians, it should be pointed out that the point of contention is not that Christian morality should introduce something opposed to the existing order but the

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<sup>29</sup> B.M. ASHLEY, *Scriptural Grounds for Concrete Moral Norms*, in «The Thomist», 52 (1988), pp. 1-22.

<sup>30</sup> *Ibidem*, p. 7.

<sup>31</sup> R.A. McCORMICK, *The Insights of the Judeo-Christian Tradition and the Development of an Ethical Code*, in E. KENNEDY et al. (eds), *Human Rights and Psychological Research: A Debate on Psychology and Ethics*, New York 1975, pp. 23-36, quoted in M. GULA, *What Are They Saying about Moral Norms?*, p. 32.

understanding and application of the existing order, is rather important. From a Catholic perspective for instance, grace is a free gift from God, but the openness of the recipient to this is very essential. Also in the 4th Eucharistic prayer it is clearly stated that our praise adds nothing to God but it is entirely God's gift that we should praise him. Although our praise adds nothing to the being of God, it cannot be said that it does not matter, whether we praise him or not. For the good of the human person it is noble that we praise him. For C.E. Curran though, the Gospels as such add nothing; the dispositional attitude affects the personal understanding of the Christian and the final decision the individual reaches. He is of the view that though Christ does not bring a new moral order, but the way he looks at existing order makes a lot of difference. Bernard Häring makes a similar assertion, when he says that if we speak about specific or distinctive notes of the New Testament moral message and moral pedagogy, we must be most careful not to cloud the truth that Christ died for all and is raised for all, he is the Redeemer and Lord of all. There is but one God and Father of all. And the Holy Spirit blows and works wherever He wants. Therefore we should not be surprised to find a number of distinctive Christian notes of morality also in other religions and particularly in holy men and women.<sup>32</sup>

It is fundamental that Christ died for all; however, the reception of this message is not viewed with the same devotion by all. Fuchs maintains that faith and love have little or no meaning if these are not realized in human conduct. Certainly for Gustafson, Christians see some difference in their moral obligation because of their commitment to Christ, because sometimes they can arrive at totally different conclusions as those by the other religions.<sup>33</sup> The distinction that may be made here is that the uniqueness is not as a result of content but the context provides the difference.<sup>34</sup> In other words there is no 'real-specifically' distinctiveness of what may be called Christian morality. In this context Christ's mission was not to establish a new moral order, new moral laws, nor was it his primary intent to teach a moral doctrine corresponding to creation. The fundamental fact remains that faith, love and salvation do not depend upon the rectitude of the norms of living that are basic to one's life practice. But faith and love are not genuine if there is no effort to manifest through one's life practice the right mode of life, – corresponding to the reality of human-Christian experience.<sup>35</sup>

<sup>32</sup> B. HÄRING, *The Specific Character of the New Testament Moral Theology*, in B. PUTHUR, *Moral Theology Today: Trends and Issues*, Alwaye Kerala 1991, pp. 15-25.

<sup>33</sup> Cf. J. GUSTAFSON, *Can Ethics be Christian*, Chicago 1975, quoted in M. GULA, *What Are They Saying about Moral Norms?*, p. 32.

<sup>34</sup> J. MACQUARRIE, *Three Issues in Ethics*, New York 1970, pp. 87-91 quoted in M. Gula, *What Are They Saying about Moral Norms?*, p. 32.

<sup>35</sup> J. FUCHS S.J., *Personal Responsibility*, p. 113; see also R.M. GULA, *What Are They Saying about Moral Norms?*, p. 5; Avery Dulles says that for Newman «since Christ came no new Revelation has been given. Though God continues to speak to His people, he only stands by what he has previously imparted and assists the Church in its task of applying and explaining what had been given once for all», cf. A. DULLES, *From Images to Truth: Newman on Revelation and Faith*, in «Theological Studies», 51 (1990), pp. 252-267.

In spite of the above, there should be no denial of the fact that for Christians there seems to be a certain mode of being that is peculiar to them due to their faith. However, these modes of being are in consonance with authentic human living. Experience shows that Christians make specific commitment to certain values which they hope to abide by with the help of the Holy Spirit. In this sense for though we may not speak of new morality we can speak about the uniqueness of Christian morality as seen in the teaching of the Church. But this in no way sets Christians on a higher level of morality – neither quantitatively nor qualitatively. The point of difference lies in the individual commitment. Fuchs says that while it is indeed possible to speak of a certain distinctiveness of the specifically Christian in contrast to the ‘authentically human’ elements in the ‘Christian’ morality, we should never lose sight of the fact that the newness of those called in Christ is postulated on a personal morality that is really distinct only from that of the old man, but not essentially from an ethic or moral doctrine which is an authentic expression of «humanitas».<sup>36</sup> Fuchs cites «Gaudium et Spes», no. 1 and 3, to affirm that whatever is genuinely human is not foreign to the Church. That the Church offers sincere cooperation to humanity in man’s quest for establishing the fraternity of men because they share the same humanity. The Church does not participate in this task in a self-interested manner in order to establish its own exclusive society as an absolute ghetto adrift in a sea of non-Christians, nor is it fashioning a society that is distinctively Christian; rather it seeks to build a genuinely human society.<sup>37</sup>

## 5. Conclusions

We conclude this paper by citing the Holy Father Pope Benedict XVI, who tells us not to be afraid of Christ because He takes nothing away but gives everything. He is of the view that when we give ourselves to Christ, we receive a hundredfold in return. «Yes open, open wide the doors to Christ – and you will find true life».<sup>38</sup> The uneasiness about exception borders on a kind of fear. We are afraid to lose the status quo. We would want to maintain the tradition. Exception makes us realize the fullness of human dignity. Human beings are finite and so need on the spot re-consideration which takes into consideration all necessary exigencies and not a one sided approach as in situation ethics. The key remains: what would Christ have done if he were to handle this issue! If we accept that Jesus handled some serious issues brought to him exceptionally, then this implies that he is calling on the Church, on all of us, theologians and all

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<sup>36</sup> J. FUCHS S.J., *Personal Responsibility*, pp. 32–49, especially the section treating «Vocation and Hope: Conciliar Orientations for a Christian Morality», p. 38.

<sup>37</sup> J. FUCHS S.J., *Personal Responsibility*, p. 38.

<sup>38</sup> BENEDICT XVI, *Mass for the Inauguration of the Pontificate of Pope Benedict XVI. Homily of His Holiness Benedict XVI*, April 2005.

in authority to look at certain issues a second time and see if the case in question is also not covered by previous stipulations. Jesus is certainly against a «status quo» approach to issues; a kind of *Gleichgültigkeit*; issues may look alike but never the same. So by treating the woman caught in adultery the way he did, Jesus simply is saying that though you say this woman committed adultery that is really not the case. For if she actually did and Jesus for any reason frees her, he would be confirming what he came to solve, namely; He would be saying that adultery is no longer sinful. However, his action simply indicates that not all cases labelled adultery qualify as one – Jesus speaks of sin rather than adultery. Or in the case of curing the woman on a Sabbath, his question whether it is allowed to save life on a Sabbath or to do evil, but since it is allowed to good on a Sabbath, he cures the woman to the glory of God. This article joins Jesus to call on the Church and her theologians to take extra concern in attending to cases brought before them, in the spirit with which Jesus the Master handles matters brought to him. It is not enough to say the law says, no two cases are the same though they may look alike, they are never the same.

According to Hirst, the originality of Christian ethics is not to be found in its content as in its note of authority, its emphasis, and its religious setting. Though Buddha arrived at truth through painful and rigorous meditation and the classical Greek moralists developed their thought through complicated argumentation, on the contrary, with his: *ipse dixit* – «I say unto you» Jesus sets himself above all the traditions of the elders which had hitherto been the model of conduct.<sup>39</sup> In fact, where there is no way with Jesus there is a way. With Jesus just as with God the Father through the Holy Spirit everything is possible. He not only makes the impossible possible, with Jesus one should not really give up. There is no need to despair. He is the answer to all human predicaments. With Jesus the insurmountable is not an issue at all, all that one needs is to have faith in him just as he told the official Jarius (Luke 8:51). The many Sabbath cures: healing of the crippled woman (Luke 13:10ff), the dropsical man (Luke 14:1ff), not only that he did things that were forbidden on the Sabbath he even gave people course to do the same. He was challenged that his disciples were picking and eating grains that were forbidden on a Sabbath (Mt 12), the answer he gave makes one feel this is one who has no respect for the law. But He is the Bridegroom who not only makes the bride but also the attendants and in fact all happy and lets them rejoice. So with Jesus it seems hard to know what keeping the law really meant. But it should not be forgotten that he came not to abolish but to fulfil the law.

Finally Jesus should not only be understood only in confrontation with the authorities, he goes all the way to anticipate people's needs and

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<sup>39</sup> C.G. MONTEFIORE, *Rabbinic Literature and Gospel Teachings*, London 1935, p. 47, quoted in E.W. HIRST, *Jesus and the Moralists a Comparative Study of the Christian Ethic*, London 1935, p. 11.

attend to them before ever the request is made so too should the Church attend to people's genuine needs. A clear event is the marriage at Cana in Galilee (John 2), although it was not time yet to begin his public ministry he still wrought his first sign to save the newly married couple from public embarrassment. The Church too could save people a lot of embarrassment if she timely attends to their moral cases. When Jesus cured the man born blind (John 9:1ff), when neither himself nor the parents showed any faith, he excused them from having committed any sin, stating the cured was for the glory of God. He not only spared the man and the parents public retribution but attended to one of the most turbulent issues of his time that connects suffering directly with sinfulness. Jesus not only gives us the assurance that God is not merely a judge but a loving Father who wishes that all his creatures may have life in abundance. The point is that with Jesus there seem to have dawned a new epoch, a new lease of morality drawn from faith commitment. Though Jesus claims to fulfil the law, things have not remained the same and will not be so ever again. Clearly Jesus' way of treating matters gives cause to rethink the laws and regulations, those norms deemed absolute and admit no exceptions especially when they seem to be against the human person and not merely the acts. As Christ's emissary, the Church too should act as Christ did and would still do.