



THE TRIAL(S) OF JESUS CHRIST-THE SON OF MAN

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ABSTRACT

Conducting research on the historical event like trial of Jesus Christ that changed the course of history presents unparalleled challenges unlike that for any of the other famous trials that humanity witnessed. First, there is the challenge of understanding as to what actually could have happened nearly 2,000 years ago before the Sanhedrin and the Roman prefect of Judea, Pontius Pilate. The task is herculean because almost our entire understanding of events comes from divergent accounts, which was written by a Christians (who did not witness the final days of Jesus directly) for a distinct audience from fifteen (at least) to seventy years after the trial. The purpose of this paper is to provide an overview of many issues and questions surrounding the historicity and legality of the trial(s) of Jesus Christ as presented in the Gospels.

KEY-WORDS: Jesus Christ, Christianity, Gospel, Roman, Jew, Law, Trial

INTRODUCTION:

Christ's life is told through the Gospels from four different vantage points, each an independent witness. Matthew, the tax collector and publican, was testifying to the unbelieving Jews. Mark, the missionary with Peter, was testifying to the Romans or Gentiles. Luke, the educated physician, was well qualified to testify to the Greeks. And John, the Beloved, would give his testimony to the disciples, the believers. Each left a

record of Christ that is synoptic but distinctive¹, however, in spite of Biblical Recordsthere is so much mysticism and confusion surrounding the crucifixion and resurrection that we lose sight of the fact that Jesus of Nazareth was a man tried before a court of men under laws of men, that he was convicted and executed as a man, and that for sheer drama the trial of Jesus surely matches any of the great courtroom stories in the history of human justice. Skeptics and scholars unanimously hold series of objections against the Sanhedrin trial(s) of Jesus, focusing in particular on the perceived "illegality" of the events. But it is far more reasonable, to give the Gospel writers the benefit of the doubt - and to keep in mind their limitations. It seems clear that the primary cause of the trial and execution of Jesus was his role in an incident at the Temple in Jerusalem. The incident occurred in April, 30 C.E. (or possibly in 33 C.E.) during Festival time, the period including the Day of Passover leading into the week of the Unleavened Bread. The Festival brought huge numbers of Jews into the city to celebrate the Exodus, the leaving of Egyptian oppression and the arrival in the Promised Land. Romans had to understand the special risks presented by such a commemoration: large concentrations of Jews celebrating their former freedom in a time of new oppression--this time by Rome, not Egypt. Gospel accounts describe the participation of Jesus in a protest directed at some of the commercial practices associated with the Temple. The practices offended many Jews. According to Matthew, Jesus had complained, "My house shall be called a house of prayer, but you have made it a den of robbers"². Mark and John tell of Jesus overturning the tables of money-changers, those persons who converted coins bearing images of the emperor into Tyrian silver coins, the only form of coin acceptable for donations. The Gospels also describe Jesus driving the pigeon-sellers (the birds were used as sacrifices by worshipers) from the Temple. Whatever the precise nature of his actions, they were almost certainly accompanied by words--perhaps including a prediction that the Temple would fall unless reforms were instituted to bring the Temple back to its central religious mission. So the most likely crime for which Jesus was crucified is reflected in the Gospels' account of the charge attached to Jesus' cross: "King of the Jews." That is, either Jesus himself claimed to be the Jewish royal messiah, or his followers put out this claim.

²Matthew 21:13

THE GREAT SANHEDRIN-ANALYSIS OF ANCIENT SUPREME COUNCIL OF JEWS:

In Jerusalem, which then was the capital city, the great religious center of the life of Israel, there was what was called the Great Sanhedrin³-the Great Council which was made up of a Nasi (President), who functioned as head or representing president, but was not a member of the court, an Av Beit Din⁴, the chief of the court, and sixty-nine general members (Mufla), hence it can be said that it was composed most likely of 70 men who were elders, 24 chief priests, 24 elders, 23 scribes plus the high priest makes 71, so they got an odd number by including the high priest⁵. They were the final court for appeal. Any person who felt that the adjudication made at a lower level was not fair could appeal to the Sanhedrin and the Supreme Court level in Jerusalem, and under some conditions, no doubt, gain a hearing. They were the highest and ultimate ruling body in Israel. The men who were on that group were chosen because of their wisdom. They were chosen from the lesser councils. They did their apprenticeship work by serving a lesser council, and if they proved themselves to be uniquely wise, were brought to the Sanhedrin level. Also, people were invited to sit on the Sanhedrin who became aware of their duties and who grew to understand the function by being pupils who sat at the feet of other Sanhedrinists. So it was made up, then, of students and pupils of the group itself, as well as those taken from local groups, brought to that point because of their high esteem, and their proven track record of wisdom and impartiality, and so forth.

The Sanhedrin in terms of criminal procedure, guaranteed to a person who was under prosecution several things. There were three primary things in relation to criminal procedure that the laws of jurisprudence upheld in the Sanhedrin guaranteed to a person.

³From the Greek sunedrion, "a council-chamber" commonly but in correctly Sanhedrim, the supreme council of the Jewish people in the time of Christ and earlier. The origin of this assembly is traced in the Mishna to the seventy elders whom Moses was directed, (Numbers 11:16, Numbers 11:17) to associate with him in the government of the Israelites; but this tribunal was probably temporary, and did not continue to exist after the Israelites had entered Palestine. In the lack of definite historical information as to the establishment of the Sanhedrin, it can only be said in general that the Greek etymology of the name seems to point to a period subsequent to the Macedonian supremacy in Palestine. From the few incidental notices in the New Testament, we gather that it consisted of chief priests, or the heads of the twenty-four classes into which the priests were divided, elders, men of age and experience, and scribes, lawyers, or those learned in the Jewish law. (Matthew 26:57 Matthew 26:59 ;Mark 15:1 ; Luke 22:66 ; Acts 5:21)

⁴Av Beit Din, Av Beis Din, or Abh Beth Din was the second-highest-ranking member of the Sanhedrin during the Second Temple period. The president, who bore the title Nasi "Prince", was in a way the supervisor, but not a member of the court, which consisted of seventy members. The most learned and important of these seventy members was called Av Beit Din, a title similar to that of vice-president

⁵Matthew 26:3,17; Acts 5:17; 7:1; 9:1; 22:5; 23:2; 24:1; Ant, IV, viii, 17; XX, x

Number one: public trial – public trial. In other words, there was to be no hidden, secret, clandestine trials. Everything was to be open and exposed, so that no one could be framed and railroaded into some kind of execution or some kind of penalty without just trial taking place. The judges were always, then, under the scrutiny of the populace, who were able to see and attend and, to some extent at least, know what was going on. And courts today have maintained the same thing. Secondly, the Sanhedrin guaranteed for anyone brought in on a criminal procedure the right of self-defense. That is, there was to be a defender. There was to be someone who provided a defense for the accused. He had the right to bring in defense of himself in the mouth of other witnesses who could participate in the trial. Thirdly, no one could be convicted of anything unless convicted or proven to be guilty by two or three witnesses.

So basically, those three things: public trial, the right of defense, and a solid case based upon the evidence of more than one witness. Those things remain with us even today under the basic guarantee of courts in our own society. It might be added at this point that false witnessing was so serious a crime, because their punishments were so swift and so serious, that anyone who gave false testimony was punished with the very penalty the false witness sought to bring upon the person he witnessed against. In other words, if you came into the court to witness that someone had committed a murder, and you were giving false witness, you would pay the death penalty yourself. Whatever penalty you sought, you received, if your testimony was false.

In the time of Christ the Great Sanhedrin at Jerusalem enjoyed a very high status of independence. It exercised not only civil jurisdiction, according to Jewish law, but also, in some degree, criminal. It had administrative authority and could order arrests by its own officers of justice⁶. It was empowered to judge cases which did not involve capital punishment, which latter required the confirmation of the Roman procurator⁷, however, as a rule; the procurator arranged his judgment in accordance with the demands of the Sanhedrin. For one offense the Sanhedrin could put to death, on their own authority, even a Roman citizen, namely, in the case of a Gentile passing the fence which divided the inner court of the Temple from that of the Gentiles.⁸ The only case of capital punishment in

⁶Matthew 26:47; Mark 14:43; Acts 4:3; 5:17; 9:2

⁷John 18:31; compare the Jerusalem Sanhedrin 1 1; 7 2 (p. 24); Josephus, Ant, XX, ix, 1

⁸BJ, VI, ii, 4; Middoth 11 3; compare Acts 21:28

connection with the Sanhedrin in the New Testament⁹ is that of Jesus Christ as mentioned in the Gospels.

THE TRIALS OF THE KING OF JEWS: JESHUA THE NAZAREAN

The night of Jesus' arrest, he was brought before Annas¹⁰, Caiaphas¹¹, and an assembly of religious leaders called the Sanhedrin¹². After this he was taken before Pontius Pilate, the Roman Governor¹³, sent off to Herod¹⁴, and returned to Pilate¹⁵, who finally sentenced Him to death.

Jesus before Sanhedrin:

This interrogation of Jesus was a "fishing expedition" for the purpose of finding some accusation that could be made against Jesus. The Sanhedrinists had arrested him, intended to turn him over to the Romans for execution, but so far had been unable to discover any sort of indictment they might lodge against him. Annas's impertinent questioning was illegal by Jewish jurisprudential protocols: every matter was to be settled "by two or three witnesses," not by forcing the accused to testify against Himself. Thus, Jesus's measured and appropriate response to Annas's questions.

This "trial" was illegal on several counts; it was intended not to determine guilt but to accomplish execution. There is much about the dynamics of the week, about the difficulty of Jesus's claims, and about the sorry state of leadership in the Jewish nation at this time that

⁹New Testament is the second major part of the Christian biblical canon, the first part being the Old Testament, based on the Hebrew Bible. The New Testament discusses the teachings and person of Jesus, as well as events in first-century Christianity. Christians regard both the Old and New Testaments together as sacred scripture. The New Testament (in whole or in part) has frequently accompanied the spread of Christianity around the world. It reflects and serves as a source for Christian theology and morality. Both extended readings and phrases directly from the New Testament are also incorporated (along with readings from the Old Testament) into the various Christian liturgies. The New Testament has influenced religious, philosophical, and political movements in Christendom and left an indelible mark on literature, art, and music.

¹⁰Annas, son of Seth (23/22 BC – death date unknown, probably around 40 A.D.), was appointed by the Roman legate Quirinius as the first High Priest of the newly formed Roman province of Iudaea in 6 A.D; just after the Romans had deposed Archelaus, Ethnarch of Judaea, thereby putting Judaea directly under Roman rule. According to the Gospel of John (the event is not mentioned in other accounts), Jesus was first brought before Annas, and after a brief questioning of him (John 18:19-23) was sent to the home of Caiaphas, where some members of the Sanhedrin had met, and the first trial of Jesus took place (Matt. 26:57-68).

¹¹Joseph Caiaphas, known simply as Caiaphas in the New Testament, was the Jewish high priest who is said to have organized the plot to kill Jesus. Caiaphas is also said to have been involved in the Sanhedrin trial of Jesus.

¹²John 18:19-24; Matthew 26:57

¹³John 18:23

¹⁴Luke 23:7

¹⁵Luke 23:11-12

combines to produce this travesty of justice, and it was all, of course, in the providence and purposes of God. There is no sense in which the Jewish people as a whole incur any special guilt because of the events of this night. The record is clear that "by the determined purpose and foreknowledge of God," Jesus was "taken by wicked hands, crucified, and put to death"¹⁶.

The Sanhedrinists knew that the trial held in the middle of the night was illegal and that it likely would not pass muster with the Roman procurator. So, they intended to bring Jesus back into the chambers at the first sign of dawn for a brief "early morning" hearing, get him to confess to his claims once again, and then take him to Pilate. They had been holding him in some sort of underground installation - perhaps a cistern or cellar, and as they brought him back into the chamber, he was manhandled through the courtyard. Peter was still in that courtyard, and just as He denied Jesus a third time.¹⁷ Luke further records an attempt to put a façade of legitimacy upon the illegal nocturnal trial to which Jesus had been subjected; thus it occurred "as soon as it was day"¹⁸. There were no witnesses or interrogations; Jesus was simply required to confess once again his two-fold claim: to be Messiah and to be God come in the flesh.

Jesus before Roman Authorities:

The trials before the Roman authorities started with Pilate¹⁹ after Jesus was beaten. The charges brought against him were very different from the charges in his religious trials. He was charged with inciting people to riot, forbidding the people to pay their taxes, and claiming to be King. Pilate found no reason to kill Jesus so he sent Him to Herod²⁰. Herod had Jesus ridiculed but, wanting to avoid the political liability, sent Jesus back to Pilate²¹ and that was going to be the last trial as Pilate tried to appease the animosity of the Jews by having Jesus scourged. The Roman scourge was a terrible whipping designed to remove the flesh from the back of the one being punished. In a final effort to have Jesus released, Pilate offered the prisoner Barabbas to be crucified and Jesus released, but to no avail. The crowds

¹⁶Acts 2:23

¹⁷Luke 24:61-62

¹⁸Luke 22:66

¹⁹John 18:23

²⁰Luke 23:7

²¹Luke 23:11-12

called for Barabbas to be released and Jesus to be crucified. Pilate granted their demand and surrendered Jesus to their will²².

The gospels report that Jesus was brought before high priest Joseph Caiaphas and the Sanhedrin-the Jewish supreme governing council and court. Mark and Matthew report a trial at night in the house of Caiaphas, whereas Luke explicitly states that Jesus was tried in the morning before the Sanhedrin. Some scholars doubt the accuracy of the gospel accounts. They note that Jewish law prohibits both capital trials on the eves of a festival and trials by night. (Other scholars answer that Jewish law might have been different then.)

The gospels point to different sources of initial concern among the Jewish authorities. Mark suggests that the Jewish authorities were concerned primarily with the confrontation Jesus had with traders in the Temple, while Luke's account identifies their primary concern as his teachings in the Temple. John, meanwhile, points to a fear among Jewish authorities that Jesus' rising popularity could lead to an uprising that would provoke a violent response from Rome.

All four Biblical accounts agree, however, that Caiaphas and the Sanhedrin ultimately condemned Jesus for blasphemy²³. The gospels record that when Caiaphas asked Jesus whether he claimed to be the Messiah, he replied, "I am"²⁴or "You have said so"²⁵or "If I tell you, you will not believe"²⁶or "You say that I am"²⁷. Although the Mishnah²⁸, the Jewish law-code assembled around 200 C.E., defined blasphemy more narrowly as speaking the sacred name of God (YHWH), the gospel writers suggest a looser first-century construction of the term, one that includes a variety of serious theological offenses.

The trials before Jewish authorities, the religious trials, showed the degree to which the Jewish leaders hated Jesus because they carelessly disregarded many of their own laws.

²²Luke 23:25

²³Blasphemy is the act of insulting or showing contempt or lack of reverence to a deity, to religious or holy persons or sacred things, or toward something considered sacred or inviolable. Some religions consider blasphemy as a religious crime

²⁴Mark 14:62

²⁵Matthew 26:64

²⁶Luke 22:67-8

²⁷John 19:7

²⁸Mishnah was published at the end of the second century CE, the Mishnah is an edited record of the complex body of material known as oral Torah that was transmitted in the aftermath of the destruction of the Second Temple in 70 CE.

There were several illegalities involved in these trials from the perspective of Jewish law: (1) No trial was to be held during feast time. (2) Each member of the court was to vote individually to convict or acquit, but Jesus was convicted by acclamation. (3) If the death penalty was given, a night must pass before the sentence was carried out; however, only a few hours passed before Jesus was placed on the Cross. (4) The Jews had no authority to execute anyone. (5) No trial was to be held at night, but this trial was held before dawn. (6) The accused was to be given counsel or representation, but Jesus had none. (7) The accused was not to be asked self-incriminating questions, but Jesus was asked if He was the Christ.

However, Trial before the Roman authorities came out with the different angle of the story of accusations initiated by Jewish authorities. When Jesus was brought before Pilate ‘The sixth procurator of Judea’ who was appointed by Tiberius Caesar²⁹, he began his inquiry by asking, “What accusations bring you against this man?”, he was asking for a definite formal charge against this man? The reply was: “If He were not a malefactor” (literally, one doing evil), we would not be here³⁰. However, it is seen that Pilate was not ready for such a vague charge and replied that they should handle the case according to their own law. Pilate did not want to be involved with their religious disputes. Luke records the specific charges by the chief priests as (1) stirring up or exciting (perverting) the people (nation), (2) prohibition of payment of the tribute-money to Caesar, and (3) the assumption of the title of Christ as “King of the Jews”³¹. Pilate knew the first assertion was false. The second charge was a deliberate falsehood³². Pilate would examine privately Jesus on the nature of his kingdom and “truth.”

Entering into the Praetorium (judgment hall or palace), Pilate’s judicial inquiry of Jesus was furthered with the question of treason “Are you the King of the Jews?” Jesus explains that his kingdom was a spiritual kingdom and not a political kingdom that would threaten the Roman Empire. He did not gather a political army to provoke a rebellion against Rome. His

²⁹Tiberius (16 November 42 BC – 16 March 37 AD) was a Roman Emperor from 14 AD to 37 AD. Born Tiberius Claudius Nero, a Claudian, Tiberius was the son of Tiberius Claudius Nero and Livia Drusilla. His mother divorced Nero and married Octavian, later known as Augustus, in 39 BC, making him a step-son of Octavian. Tiberius would later marry Augustus' daughter (from his marriage to Scribonia), Julia the Elder, and even later be adopted by Augustus, by which act he officially became a Julian, bearing the name Tiberius Julius Caesar.

³⁰John 18:30 or a criminal from *kakos*, “evil” and *ergon* “work” meaning an evil worker or doer in Luke 23:32, 33, 39, and 2 Tim. 2:9.

³¹Luke 23:2

³²Matt. 22:14-22

kingdom was based upon spiritual “truth” rather than political “philosophy” or power³³. No defendant can be found guilty on his own testimony.

Pilate responded with the second question, “What is truth?” Pilate returns outside and announces the official acquittal: “I find no fault in this man”³⁴. This meant that Pilate found no legal ground for punishment. Since there was no crime against Roman law, the charges should have been dropped.

After Pilate’s attempt to change the circumstances based upon jurisdiction, he calls “the chief priest and rulers and people” together and restates his conclusion. Neither Pilate nor Herod Antipas has found any fault/crime “in this man touching those things whereof you accuse him and nothing worthy of death”³⁵. Pilate attempts to avoid the judgment of condemnation again by suggesting that he would chastise him and release him³⁶. Pilate recognized that the Jewish leaders were motivated by envy³⁷ and were persistent in their attempts to condemn Jesus.

The Gospel of John mentions a “custom” at the Feast of releasing a prisoner. The origin of the custom is obscure. Nevertheless, Pilate asked the Jews whether he should release “the King of the Jews”³⁸ or Barabbas³⁹. The chief priest persuaded or stirred up the multitude that they should ask for Barabbas. After the soldiers had put a crown of thorns on the head of Jesus and a purple garment, they came out saying, “Hail, King of the Jews.” Pilate said, “I bring him out to you, that you may know that I find no crime in him”⁴⁰. This is a clear-cut indication of acquittal.

When the chief priest and other officers saw Jesus, they cried out, “Crucify him.” Pilate responded with the question, “What shall I do with Jesus who is called Christ and whom you call the King of the Jews?” And the multitude cried out, “Let him be crucified.”

³³John 18:33-37

³⁴Luke 23:4; John 18:38

³⁵Luke 23:14

³⁶Luke 23:15

³⁷Matt.27:18; Mark 15:10

³⁸Mark 15:9; John 18:39

³⁹Matt. 27:17

⁴⁰John 19:4

It is certainly possible that by the time Jesus appeared before Pilate those conspiring against Jesus had enough time to recruit the kind of crowd they wanted. Some would simply have been going along with the leaders (doing them a favor, perhaps), others may have thought he was an imposter since he was claiming to be the Messiah but not acting like the Messiah, and others might have been disillusioned by how Jesus' ministry had gone, perhaps like Judas. Nevertheless, the cries of the crowd, "CRUCIFY HIM, CRUCIFY HIM!!"⁴¹ were heard loudly and clearly by Pilate.

CONCLUSION:

The trials of Jesus were a total miscarriage of justice that involved Jewish envy, political pandering, evil and pure cowardice. Contrary to the popular view held by today's Jewish community, it was the pagan Romans who found Jesus innocent. Pilate said as he washed his hands, "I am innocent of this man's blood"⁴² the Jews actually responded, "His blood be upon us and our children".⁴³

The Trials of Jesus Christ before Jewish authorities is the best example as to how the authorities disregarded their own laws (in the spirit of vengeance) which they are subject to and derives their authority to try Jesus Christ. It is further noted that, in addition to the policy of there being no defense Lawyer, there was also no prosecutor or States Attorney which categorically violated the principles of natural justice, hence the trial of Jesus should have been considered as Void-Ab-Initio in the absence of opportunity to voice out his side of the story. In these trials the witnesses acted as informants/witnesses and prosecutors alike. The Sanhedrin was not allowed, under rules of the Romans, to impose the death penalty, and all such penalties were required to be reviewed by the Roman Governor in Jerusalem which ironically supposed to act under the advice of Sanhedrin. Further it is necessary to take a note of the fact that Jesus' trial was concluded in one day. Jewish law says: "If a sentence of death is to be pronounced, it [a criminal case] cannot be concluded before the following day"⁴⁴. This was to allow sufficient opportunity for any witnesses in support of the accused to present themselves. Jesus' trial was conducted in In-camera (private) and completed in less than nine hours!

⁴¹Luke 23:21

⁴²Matt 27:24

⁴³Matt 27:25

⁴⁴Mishna, "Sanhedrin" IV, 1

Jesus was judged before he was tried. He was charged and tried for three separate and distinct crimes. The Sanhedrin illegally convicted him of blasphemy. Pilate refused to recognize this initial proceeding. Pilate twice acquitted Jesus of the charge of treason. He was charged with sedition before both Pilate and Herod but was acquitted by each. Yet Jesus was executed under a pretense he had been found guilty of treason. Threatened with possible loss of his position, Pilate chose to crucify Jesus as the easiest way to silence the angry priests.

Finally, before noon that same day Jesus was illegally crucified in violation of the laws of Israel and Rome, closing the darkest chapter in the history of law and judicial administration. The life and death of Jesus Christ has inspired millions of souls who stood up for justice, equality, liberty, fraternity, love and compassion throughout the recorded history of mankind.

The saga of judicial murder of Jesus Christ will never die, for from its truth forever springs the light of hope for all mankind to work for that system of government whereby we may live in peace and safety under the Rule of Law administered by men and women who revere humanity, justice, truth, love, compassion and mercy.