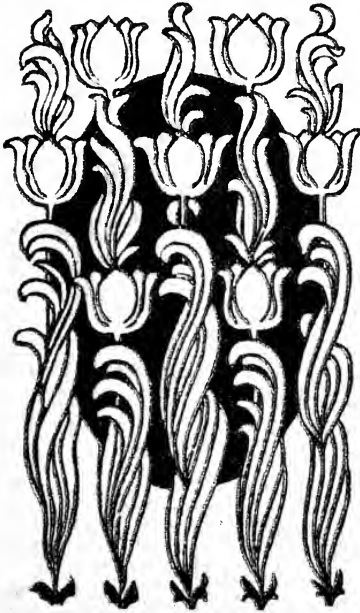


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A Comment on the Tragedy of Jesus

By Robert Clowry Chapman
Of the Chicago Bar



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The difficulty of reaching a fair conclusion regarding the character and significance of a particular phenomenon is thoroughly impressed upon a present-day student of the events which lead up to the tragedy of Jesus of Nazareth. This is so because he is ever conscious of fallibility in the records of facts and of laws relating to them, and of an almost irremovable bias of perception. It is certainly remarkable that events so signal in the life of one whose influence has extended and intensified should apparently have escaped the greatest historians of his time and be preserved to us through the writings of his followers only. This has led Strauss and others into the belief that the tragic element of this phenomenon, at least, may be merely a myth.¹ True, there

¹ "The Tübingen School and its Antecedents," R. W. Mackay, p. 149.

are passages in modern copies of the works of Josephus and of Tacitus briefly referring to it, but they are considered interpolations.² Apocryphal writings, and even those purporting to be portions of scripture, are quite numerous; but they, also, are rejected by recognized critics, though they have a peculiar interest as enlargements upon and seeming explanations of the references in "Matthew," "Mark," "Luke," and "John."³ These gospels are not in entire harmony nor even complete; still, an attempt is made to assimilate them and to present a connected narrative.

With the strains of a hymn⁴ lingering in

² "History of the Christian Church," Philip Schaff, 3 rev., vol. 1, p. 92; "The Gospel History and Doctrinal Teaching Critically Examined by the author of 'Mankind, their Origin and Destiny'," a Master of Arts of Balliol College, Oxford, whose writings always appear anonymously, p. 171.

³ "The Apocryphal Gospels and Other Documents Relating to the History of Christ," B. Harris Cowper, pp. v, ix, xxiii, xxviii. Of the writings bearing upon this phenomenon, see particularly "The Gospel of Nicodemus, or Acts of Pilate," the letters ascribed to Pilate and Herod, and the report purporting to have been sent by the former to Tiberius Cæsar, the emperor, all of which are translated in full in Cowper's work, and also "The Gospel According to Peter," the author of "Supernatural Religion."

⁴ "Matthew," ch. 26, v. 30; "Mark," ch. 14, v. 26. These

the upper room⁵ of that old Jewish capital, the little group⁶ arose from its last supper, went out into the night, threaded the narrow, wind-

references are to the revisions of 1881. The "polychrome edition" of the gospels has not yet been published.

⁵ "Mark," ch. 14, v. 15; "Luke," ch. 22, v. 12. Pierotti (Ermete) locates the site of The Last Supper in a poor quarter, the extreme southwest, one which, certainly, would have conformed to the circumstances of the disciples and afforded the retirement necessary in view of the designs of the authorities. See "Jerusalem Explored," tr. Thomas George Bonney, vol. 2, pl. 1. This event was on Wednesday, 12 Nisan (Jewish), April 5 (Julian), A.D. 30. The Preparation of the Passover was on the evening of Friday, 14 Nisan. "The Life of Christ in its Historical Connection and Historical Development," Augustus Neander, tr. 4 ed. John M'Clintock and Charles E. Blumenthal, p. 425, n. t.; "The Gospel History," anon., p. 136; "Bible Chronology Carefully Unfolded," Smith B. Goodenow, wherein is a detailed exposition of the systems and methods by which the time of this and other events narrated in the "Bible" have been computed. See also "Leviticus," ch. 23, v. 5; p. 25, and n. 50.

⁶ All but Judas, whom it appears ("John," ch. 13, v. 30), had left during the meal; doubtless, to perfect arrangements with the Temple officers. It has, however, been stated ("The History of Jesus of Nazara Freely Investigated in its Connection with the National Life of Israel and Related in Detail," Theodor Keim, 2 ed. tr. Arthur Ransom, vol. 6, p. 3), that Judas probably accompanied Jesus so far as the approach to the Mount in order to learn where he was going; but, inasmuch as Jesus was accustomed to go to a certain spot (n. 11), that would have been unnecessary, though a slinking away, as suggested, would lend dramatic color to the event. In this connection, it may be questioned why Judas did not betray Jesus in the upper room or on the way through the city instead of in Gethsemane. Probably, because an arrest in a remote spot, in the dead of night,

ing streets, passed through the gate,⁷ down the valley,⁸ across the brook,⁹ and up into an olive grove¹⁰ just beyond, where it had often rested;¹¹ but, to one member of that little group further rest was to be denied, for, entering a recess, he fell prostrate and prayed with the intensity which comes with mental an-

precluded a popular disturbance or an escape, for, it will be remembered that, at that time, Jesus had many sympathizers; besides, the kiss agreed upon as a sign could there be more naturally given.

⁷ Stephen's Gate. "Jesus of Nazara," Keim, vol. 6, p. 9.

⁸ This Valley of Jehoshaphat is, really, a deep ravine separating the Mount of Olives from Jerusalem, with the dry bed of the Kidron in its greatest depression. Roads, edged by boulders indigenous to that region, cross it, and densely crowded in every open are Moslems and Jews who died in the faith that The Last Judgment is to be there.

⁹ The Kidron. "John," ch. 18, v. 1.

¹⁰ "Matthew," ch. 26, v. 36; "Mark," ch. 14, v. 32; "John," ch. 18, v. 1. There were few gardens in Jerusalem owing to the comparatively narrow confines of its walls and the difficulty and ceremonial uncleanness in caring for them. Instead, they were about the Mount of Olives, and, as each was surrounded by a stone fence, they offered seclusion and a measure of protection from invasion, as Titus learned during his conquest of that region. Such was the olive grove of Gethsemane before it was destroyed by his army; destroyed, and yet, visitors are still shown a spot which is said to be the unchanged scene of the agony and arrest, with its venerable shelter trees and stones upon which the disciples are said to have rested, and even the one accursed through the act of Judas. "Jesus of Nazara," Keim, vol. 6, p. 11.

¹¹ "John," ch. 18, v. 2.

guish.¹² Perhaps, he lived over again, in fancy, all the events of the weeks, the months, the years; and was again in the highways and by-ways, healing the sick, lifting the fallen, comforting the distressed; again in the Temple and on the Mount, preaching to eager, receptive throngs; then in favorite retreats with his disciples, with scenes like that of the early evening with its every service consecrated to love; and now following that one who had left him during the meal.¹³ Indeed, he prayed so long that the others were overcome by stupor. Arousing one, he begged him to watch,¹⁴ and then withdrew to pray even more earnestly.¹⁵ Once more he returned, only to find them all sleeping soundly.¹⁶ Oh, the thought that he was alone—all, all alone, with none to sympathize, none to assure that, whatever befell him, the work would be continued! With these thoughts and emotions, perhaps, he had lifted a broken voice in an appeal for deliverance,

¹² "Matthew," ch. 26, v. 39; "Mark," ch. 14, v. 35.

¹³ "John," ch. 13, v. 30. See n. 6.

¹⁴ "Matthew," ch. 26, v. 40, 41; "Mark," ch. 14, v. 37, 38

¹⁵ "Luke," ch. 22, v. 44.

¹⁶ "Matthew," ch. 26, v. 43; "Mark," ch. 14, v. 40.

until fortitude welled in him and he lapsed into that sweet serenity and devotion which has marked the hour. This was interrupted by the sound of unfamiliar steps, and, looking up, he beheld at the head of the arresting party the twelfth disciple,¹⁷ and in that moment a kiss signed a betrayal.¹⁸

Dawn¹⁹ found Jesus before Annas, one of the high priests, who inquired into his doctrine and followers,²⁰ then bound and dispatched him to the Sanhedrim,²¹ which convened in the morning.²²

¹⁷ "Matthew," ch. 26, v. 47; "Mark," ch. 14, v. 43; "Luke," ch. 22, v. 47; "John," ch. 18, v. 2, 3.

¹⁸ "Matthew," ch. 26, v. 49; "Mark," ch. 14, v. 45. See "II Samuel," ch. 20, v. 9, where a kiss is shown to have been a precursor of treachery. In "Dissertatio de Osculo Judae," Martin von Kempen, the kiss, as a signal, is said to have been agreed upon to avoid the confusion which would, probably, have followed any other owing to the close resemblance between James and Jesus. "Jesus of Nazara," Keim, vol. 6, p. 28, n. 2.

¹⁹ See n. 86.

²⁰ "John," ch. 18, v. 19.

²¹ "John," ch. 18, v. 24.

²² "Luke," ch. 22, v. 66. The sessions of the local courts were on Monday and Thursday of each week, and these days may also have been chosen by the Sanhedrim, though there is no means of knowing certainly. "A History of the Jewish People in the Time of Jesus Christ," Emil Schürer, tr. Sophia Taylor and Peter Christie, div. 2, vol. 1, p. 190. See also n. 67.

It was an august presence²³—that semi-circle of seventy-one, the very quintessence of the provincial power and culture, with priests of the purest Jewish blood, many grown old in

²³ "This, according to the account of it given in the 'Mishna,' was as follows: The members of the court sat in a semicircle, in order that they might be able to see each other. In front of them stood the two clerks of the court, one on the right hand and the other on the left, whose duty it was to record the votes of those who were in favour of acquittal on the one hand, and of those who were in favour of a sentence of condemnation on the other. There also sat in front of them three rows of the disciples of the learned men, each of whom had his own special seat assigned to him. The prisoner at the bar was always required to appear in a humble attitude and dressed in mourning. In cases involving a capital sentence, special forms were prescribed for conducting the trial and pronouncing the sentence. On such occasions it was the practice always to hear the reasons in favour of acquittal in the first place, which being done, those in favour of a conviction might next be stated. When anyone had once spoken in favour of the accused he was not at liberty afterwards to say anything unfavourable to him, though the converse was permissible. Those of the student disciples who happened to be present were also allowed to speak, though only in favour of and not against the prisoner, while on other occasions not involving a capital sentence they could do either the one or the other as they thought proper. A sentence of acquittal might be pronounced on the same day as that of the trial, whereas a sentence of condemnation could not be pronounced till the following day. The voting, in the course of which each individual stood up in his turn, began 'at the side,' *i. e.*, with the youngest member of the court, whereas on other occasions it was the practice to commence with the most distinguished member. For a sentence of acquittal a simple majority was sufficient, while for one of condemnation again a majority of two was required. If, therefore, twelve of the twenty-three

service, scribes learned in every detail of the making and administration of laws, and elders chosen from the people and representing many vocations, though largely of the patri-

judges necessary to form a quorum voted for acquittal and eleven for a conviction, then the prisoner was discharged; but if, on the other hand, twelve were for a conviction and eleven for acquittal, then in that case the number of the judges had to be increased by the addition of two to their number, which was repeated if necessary until either an acquittal was secured or the majority requisite for a conviction was obtained. But, of course, they had to restrict themselves to the maximum number of seventy-one." "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 2, vol. 1, p. 193. See also "The Provinces of the Roman Empire from Cæsar to Diocletian," Theodor Mommsen, tr. William P. Dickson, vol. 2, p. 203. The Sanhedrim was in existence so early as the Ptolemies. "A History of the Jewish People in the Time of Jesus Christ," div. 2, vol. 1, p. 166. The individual members of this court were styled "dayanim," the collective body "beth din," the presiding officer "nasi," and his deputies as "abbethin" and "hakham" respectively. The term "nasi" is equivalent to "prince." "Altogether the Talmud names twenty-one such princes who successively presided over the highest tribunal in Judea, during a period of six hundred years (180 B. C. E.—425 C. E.) but whether all bore the official title is rather doubtful. Those who occupied that position during the first quarter of this period, are never quoted in Rabbinic lore with the title, though the Talmud explicitly states that they were princes in their respective days. Hillel the Great (30 B. C. E.—10 C. E.) is the first of those whom the Talmud often styles *nasi*; and he, being a lineal descendant of the house of David, the patriarchate, with but slight interruption, remained hereditary in his family, until the suppression of that office." "The Criminal Jurisprudence of the Ancient Hebrews," S. Mendelsohn, pp. 87, 90 and 91.

cian class. Below were rows of judicial aspirants, while a clerk stood at each side. Crowding the rest of the room were lictors, witnesses and onlookers, and in the center, clothed in mourning and in a humble attitude, was the counselless prisoner; yes, counselless, for, though grave charges had been entered, among them blasphemy, none of the candidates, no friend, arose to follow the custom and speak for him; no, not one, and in silence he let the prosecution proceed. Much evidence was introduced, though largely discordant;²⁴ nevertheless, among other things, it was sufficiently shown²⁵ that he had publicly claimed to be able to destroy the Temple and to build another within three days.²⁶ When no denial was evoked, he was asked if he was the Christ,

²⁴ "Mark," ch. 14, v. 56.

²⁵ Under the Jewish law of that time, it was necessary that the testimony of at least two witnesses should agree (see "Matthew," ch. 26, v. 60) in the main before a prisoner should be subjected to capital or even mild corporal punishment. "The Criminal Jurisprudence of the Ancient Hebrews," Mendelsohn, pp. 29, 115. It appears in "John," ch. 8, v. 17, that Jesus knew that was so.

²⁶ "Matthew," ch. 26, v. 61; "Mark," ch. 14, v. 58. Three was a favorite round number of the Jews, and so this expression should not be taken literally. "Jesus of Nazara," Keim, vol. 6, p. 15, n. 1.

the Son of God.²⁷ Following the answer all know so well, Caiaphas, the president, arose, tore off his vestments,²⁸ and the tribunal, as one man, agreed that not from witnesses alone, but from the accused, as well, they had proof of guilt.²⁹ Thus condemned, amid jeers and bodily violence,³⁰ Jesus was led away.

The next morning, as Pilate came out³¹ to the court of the Prætorium,³² which was alive

²⁷ "Matthew," ch. 26, v. 63. Cf. "Mark," ch. 14, v. 61.

²⁸ "Matthew," ch. 26, v. 65; "Mark," ch. 14, v. 63. At that time, these gorgeous vestments of the high priest were ordinarily in the custody of the Roman officers in the tower of Antonia, who surrendered them to the Jews, for their observances, but four times a year. "Jesus of Nazara," Keim, vol. 6, p. 53, n. 1.

²⁹ "Matthew," ch. 26, v. 66; "Mark," ch. 14, v. 64; "Luke," ch. 22, v. 71.

³⁰ "Matthew," ch. 26, v. 67; "Mark," ch. 14, v. 65.

³¹ "John," ch. 18, v. 29.

³² "Mark," ch. 15, v. 16. The word "praetorium" was applied to the large enclosed court at the entrance to the residence of the procurator, as well as to the residence itself. "Cyclopaedia of Biblical, Theological and Ecclesiastical Literature," John M'Clintock and James Strong, vol. 8, p. 467. "The residence of the procurator of Judea was not at Jerusalem, but at Caesarea. . . . On special occasions, especially during the chief Jewish feasts, when, on account of the crowds of people that streamed into Jerusalem particularly careful oversight was necessary, the procurator went up to Jerusalem, and resided then in what had been the palace of Herod. . . . on the west side of the city. It was not only a princely dwelling, but at the same time a strong castle, in which at times (during the rebellion in

with a restless, curious crowd, and was greeted by his Roman confreres and bodyguard at one side, and by the Sanhedrists ranged in front along steps leading to the judgment seat,³³ he doubtless little thought of the true significance of the moment, or of the fame to follow his conduct toward the hapless prisoner, chiefly because the scene was not unfamiliar, nor the matters for consideration; but, as he proceeded, certain elements of a novel character attracted his attention. Jesus was represented as not only having blasphemed, but as having incited the people to overthrow the existing Jewish institutions, to disregard the sway of Cæsar, and to look to himself as their king.³⁴ Of course, the emphasis of such charges was

B. C. 4 and again in A. D. 66) large detachments of troops could maintain their position against the assaults of the whole mass of the people. Hence, also, during the residence there of the procurator, the detachment of troops accompanying him had their quarters within its walls." "A History of the Jewish People in the Time of Jesus Christ," Schürer, tr. John Macpherson, div. 1, vol. 2, p. 48. The "bema" or tribunal was, probably, erected in the court immediately adjoining the palace, for publicity was a characteristic of Roman trials. "Jesus of Nazara," Keim, vol. 6, p. 84. See also "John," ch. 19, v. 13; Cyclopaedia of M'Clintock and Strong, vol. 3, p. 700.

³³ "Jesus of Nazara," Keim, vol. 6, pp. 84-87.

³⁴ "Luke," ch. 23, v. 2.

calculated to arouse the Roman in him. Inasmuch as the accused admitted³⁵ the charges in part, an act which, under that law, was sufficient to justify immediate condemnation,³⁶ there must have been something in his appearance and manner foreign to ordinary malefactors to have made Pilate hesitate. Probably, he secretly admired one who dared renounce the old theocracy; was secretly pleased to have another annoy the Jews; consequently, through a hope of effecting a release, he sent him to Herod,³⁷ the tetrarch of Syria, who was also in Jerusalem then, under the guise of submission to superior authority, but, really, to save himself from further criticism at Rome, for his constant antipathy toward the obstinate underlings had been strongly discountenanced by a tactful emperor.³⁸

Herod evinced no little gratification at this unexpected meeting, and questioned Jesus

³⁵ "Matthew," ch. 27, v. 11; "Mark," ch. 15, v. 3; "Luke," ch. 23, v. 3. See "Matthew," ch. 26, v. 25, for the significance of "Thou sayest," or "Thou hast said."

³⁶ "Jesus of Nazara," Keim, vol. 6, p. 89.

³⁷ "Luke," ch. 23, v. 7.

³⁸ "Jesus of Nazara," Keim, vol. 6, pp. 83, 84.

closely and curiously; for he had long heard of his work; but all to no purpose.³⁹ So, deeply piqued, he subjected him to the indignity of being robed as a mock king, and returned by a scoffing soldiery to the procurator.⁴⁰

Pilate was perplexed at first; then, emboldened through a determination to wound the pride of the rabbis by vindicating the lowly Nazarene, announced that the charges were unsustainable,⁴¹ and that he would follow a custom⁴² of festal times and release this one of their prisoners. But no, they would not have that; another was preferred⁴³—Barabbas,⁴⁴ a

39 "Luke," ch. 23, v. 8, 9.

40 "Luke," ch. 23, v. 11.

41 "Luke," ch. 23, v. 14.

42 "Matthew," ch. 27, v. 15. "It is a question whether the release of a prisoner at the Passover was a custom of Roman origin, resembling what took place at the Lectisternium, and in later times on the birthday of an emperor; or whether it was an old Hebrew usage belonging to the festival, which Pilate allowed the Jews to retain." Cyclopædia of M'Clintock and Strong, vol. 7, p. 741.

43 "Matthew," ch. 27, v. 20; "Mark," ch. 15, v. 11; "Luke," ch. 23, v. 18.

44 "It was an accident of the most remarkable kind, and almost more than an accident, the irony of fate, . . . that a Barabba should have the honor of becoming the rival, the fortunate competitor, of Jesus. He was also called Jesus, besides possessing—what was again remarkable—the designation Bar Abba, i. e. 'Son of the Father.'"

criminal truly,⁴⁵ and though Pilate sought again to favor Jesus,⁴⁶ the cry, "Crucify him, crucify him,"⁴⁷ all about, dismayed him, and bowing to the popular will,⁴⁸ he uttered the sentence⁴⁹ which made possible that awful tragedy in the afternoon⁵⁰ on Calvary.

What are the character and significance of these events which are, really, so connected as to create one phenomenon? To determine, it will be necessary to review in the light of the laws of that time and then of ethics. Such a

"Jesus of Nazara," Keim, vol. 6, p. 97, and n. 3. This was so repugnant to them, that Matthew, alone, of the gospel writers recorded Barabbas' penomen, and even that record as found in modern translations does not contain it. Id.

45 "Luke," ch. 23, v. 19.

46 "Matthew," ch. 27, v. 23; "Mark," ch. 15, v. 14; "Luke," ch. 23, v. 20.

47 "Mark," ch. 15, v. 14; "Luke," ch. 23, v. 21, 23.

48 "Mark," ch. 15, v. 15. Keim points out ("Jesus of Nazara," vol. 6, p. 99) that Eusebius mentions an instance during the Diocletian persecution of a murderer having been released and a Christian thrown to the wild beasts because of the demands of those about the amphitheater.

49 "Luke," ch. 23, v. 24.

50 Friday, 14 Nisan, (Jewish), April 7, (Julian), A. D. 30. "A Chronological Synopsis of the Four Gospels," Karl Wieseler, tr. Edmund Venables, 2 ed., pp. 324, 374; "Bible Chronology," Goodenow, p. 11. See also n. 5.

legal review involves the question of the authority by which certain individuals assumed the judicial prerogative, and all that comprehends; briefly, the jurisdiction of localities, of matters and of the person, the auxiliaries employed to assist in securing attendance before them and in executing their orders and judgments, with the rules of procedure which governed in the formation of those judgments.

Not less obscure than the facts are the Jewish and the Roman laws applicable to them. Of such Jewish laws there is a code—the “Mishna” of the “Talmud,” which, however, was not completed until nearly two centuries after this event, so, naturally, is not absolutely trustworthy.⁵¹ But the Roman constitutional and criminal laws of that period are

⁵¹ M'Clintock's and Strong's Cyclopædia, vol. 6, p. 334. The “Mishna” contains a remarkable prophecy concerning the Messianic advent summarized in this quotation from it: “Truth will be oppressed.” Id., vol. 10, p. 179. The entire “Talmud” has never been translated in any language, but the part known as the “Mishna” is largely and satisfactorily set forth in the above work. The section of the “Mishna” known as “Moed” (festivals), a part of which relates to the Passover, is to be found fully translated with the “Gemara,” or commentaries, in the “New Edition of the Babylonian Talmud,” Michael L. Rodkinson.

not codified and can be found only as scattered throughout miscellaneous works, principally those of historians.

In the closing years of the last era, when the tide of Roman conquest swept over the countries bordering on the Mediterranean, and Judea was absorbed, the imperial government, through a hope of mollifying its effect on a proud people and of more easily establishing its own position, indulged the leaders with much of their former power.⁵² Accordingly,

⁵² "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 2, vol. 1, p. 184; "The Provinces of the Roman Empire," Mommsen, vol. 2, p. 203. In the punishment of some offenses there was no restraint placed upon the Sanhedrim, so far as the nationality of the offender was concerned; for instance, there was a provision which had the sanction of the Roman authorities that, if any Gentile shall pass the railing at the base of the steps leading to the inner court of the Temple, he shall be killed. "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 2, vol. 1, p. 265. Capital punishment with the Jews was by stoning, burning, decapitating or strangling. Stoning was the punishment for blasphemy, magic, violation of the Sabbath, etc.; strangling for false prophecy, etc. "The Criminal Jurisprudence of the Ancient Hebrews," Mendelsohn, pp. 44-52. There was no distinction of class before the Jewish criminal law; the only exemptions were in favor of those who were deaf and dumb, idiotic, under age, or influenced by bodily menace, except in two divisions of crime. *Id.*, pp. 78-82.

the Great Sanhedrim, as the supreme governing body of the Jews, continued in general control of ecclesiastical matters; and in secular matters, also, was rather independent within Jerusalem and the rest of Judea, for the Roman provincial system had not been rigidly adhered to there, as is evident from its having been immediately amenable to a procurator, instead of to the tetrarch of the country to which it was annexed.

Among the auxiliaries of the Sanhedrim were those who brought persons before it, executed its orders and judgments, and rendered police protection. They were known as "The Temple Guard;" their officers, "captains."⁵³ Because the "officers"⁵⁴ mentioned in connection with the apprehension of Jesus were from the chief priests, it seems reasonable to presume that they were such auxiliaries engaged in the line of their employment; and if so, jurisdiction of his person was acquired in the regular way; or, if the tribune or "chief cap-

⁵³ "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 2, vol. 1, pp. 187, 264; "Jesus of Nazara," Keim, vol. 6, p. 23.

⁵⁴ "John," ch. 18, v. 3. Cf. n. 55.

tain"⁵⁵ of the soldiers who were also present, commanded the arrest, a legal method was pursued, for the tribune was empowered to cause persons to undergo judicial examination by the Sanhedrim.⁵⁶ And there is nothing to show that, during and after the trials, other than legally deputed officers assisted in carrying out the orders and judgments. This being so, the inquiry is reduced to matters connected with the trials proper.

It is most unfortunate that the record of the proceedings is so meager. However, as it is, there are certain features which indicate their general character. In the Sanhedrim, the course agreeable to the rule that prisoners shall open with proof of innocence, was waived by Jesus because, it is explained, he did not have counsel. It was never provided the accused by the state as a right under that law, though, had they been requested or inclined to do so, the candidates for the judiciary might have spoken for him.⁵⁷ The evidence of the

⁵⁵ "John," ch. 18, v. 12.

⁵⁶ "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 2, vol. 1, p. 189.

⁵⁷ See n. 23.

many witnesses for the prosecution was conflicting; besides, it will be remembered that, after it was in, the president recalled the prisoner, pointed out that portion of it which was sufficient to convict and gave him an opportunity to rebut it.⁵⁸ Jesus did not embrace that opportunity, for it seems that he felt the impossibility as well as the inexpediency of denial.⁵⁹ To claim relation to, or the attributes of divinity, was blasphemy at that time;⁶⁰ and had he not done both but lately within the jurisdiction of that court? Yes; and, presumably, he remembered the incident relating to the destruction and building of the Temple;⁶¹ the public professions of divine relationship—yes, of divinity itself, and those in plainest terms,⁶² as, “I and the Father are

⁵⁸ This was customary. See “The Criminal Jurisprudence of the Ancient Hebrews,” Mendelsohn, p. 132.

⁵⁹ Jesus was in the condition about which he once spoke. See “Luke,” ch. 12, v. 11, 12.

⁶⁰ “Matthew,” ch. 9, v. 2, 3; “Mark,” ch. 2, v. 5-7; “Luke,” ch. 5, v. 20, 21; “John,” ch. 10, v. 33; Id., ch. 19, v. 7; M’Clintock’s and Strong’s Cyclopædia, vol. 1, p. 830.

⁶¹ “John,” ch. 2, v. 19.

⁶² “John,” ch. 5, v. 17-47; Id., ch. 8, v. 12-54; Id., ch. 10, v. 15-38; Id., ch. 12, v. 26-50. “I and the Father are one.” Id., ch. 10, v. 30.

one." In support of the other charges, he had even asserted his kingship;⁶³ he had denounced the sacerdotal power⁶⁴ and, not improbably, all those utterances, like that concerning the giving of tribute to Cæsar,⁶⁵ misunderstood as they were, were urged against him both before the Sanhedrim and the procurator;⁶⁶ consequently, there was enough to substantiate all the charges, of which that of blasphemy seems to have been uppermost before the former, that of sedition before the latter.

Various opinions have, nevertheless, been advanced which have a tendency to debase the character of this phenomenon. Among them, one that the interview before Annas was, really, a first session of the Sanhedrim, and unlawful, because in the night and at the high priest's house, instead of the regular quarters in the Temple; that at that session all the

⁶³ "Luke," ch. 19, v. 27.

⁶⁴ "Matthew," ch. 23, v. 1-39; "Mark," ch. 12, v. 38-40; "Luke," ch. 20, v. 45-47.

⁶⁵ "Matthew," ch 22, v. 16-21; "Mark," ch. 12, v. 14-17; "Luke," ch. 20, v. 21-25.

⁶⁶ "Mark," ch. 15, v. 3, and the outlined charges in a record so palpably brief and incomplete, would seem to warrant that presumption.

testimony was heard and a judgment determined upon, so that a morning session⁶⁷ was held simply to create a semblance of legality. Another, and a far more sweeping one, if substantial, that both of those sessions were during the Passover festivals, when legal proceedings were prohibited.⁶⁸ And still another, that the trial before the procurator, the sentence and execution followed later the same day as that of the trial and judgment of the Jewish court, contrary to the law that no one shall undergo capital punishment, unless sentence shall be pronounced the day after that of the trial by the Sanhedrim.⁶⁹ Furthermore, inasmuch as that sentence was not upon the original judgment, Pilate is charged with having illegally effected a crafty design, if not a conspiracy, of the Sanhedrists.

A few words in passing, regarding Pilate's

⁶⁷ The sessions of the Sanhedrim opened immediately after the morning service. "The Criminal Jurisprudence of the Ancient Hebrews," Mendelsohn, p. 97. See also n. 22.

⁶⁸ "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 2, vol. 1, p. 190.

⁶⁹ "Jesus of Nazara," Keim, vol. 6, p. 63; "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 2, vol. 1, p. 194. Acquittal might have followed on the day of trial. Id.

rank and authority.⁷⁰ While ordinarily at that time a procurator was merely a fiscal agent of the imperial government, the one sent to Judea was invested with the superior title and authority of a legate, was accompanied by a cohort as a bodyguard, and in many ways surrounded by pomp and splendor. His was the power of life and death. In fact, capital punishment⁷¹ might never be inflicted without his dictation, so that the Sanhedrim and other Jewish tribunals were always subordinate in criminal matters. However, in considering those which came from them, he usually favored the Jewish laws and the findings of the Jewish courts; though, of course, as is indicated, he could set aside a whole proceeding or take an initiative at any time. It seems that, in Jesus' case, it was this last power of which he availed himself, for while he consid-

⁷⁰ Cyclopædia of M'Clintock and Strong, vol. 8, p. 623; "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 2, vol. 1, pp. 188, 189; Id., div. 1, vol. 2, p. 72; "Jesus of Nazara," Keim, vol. 6, p. 75, n. 3.

⁷¹ "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 1, vol. 2, p. 61. For an outline of the history, process and pathology of crucifixion, see Cyclopædia of M'Clintock and Strong, vol. 2, p. 588.

ered all the charges brought by the Sanhedrists, he was most influenced by that of sedition, as his questions and the inscription on the cross plainly show.

Turning to the question of the relation between the time of these trials and the Passover, one finds that the unequivocal statement of John that that festival followed not only the trials,⁷² but the execution⁷³ also, is, really, supported by those of the synoptists in apparent self-contradictions and inconsistencies. A striking example of the former is that found in the somewhat separated statements that the last supper⁷⁴ and the surrender of the lifeless body of Jesus⁷⁵ were on the Passover. If the first statement of the synoptists is correct, Jesus and his disciples violated the law, not only in departing from the orderly rites of the feast itself, but in going out of the house before the morning,⁷⁶ as did they also who

⁷² "John," ch. 18, v. 28.

⁷³ "John," ch. 19, v. 31, 42.

⁷⁴ "Matthew," ch. 26, v. 17-20; "Mark," ch. 14, v. 12-17; "Luke," ch. 22, v. 7-14.

⁷⁵ "Mark," ch. 15, v. 42-45; "Luke," ch. 23, v. 50-54.

⁷⁶ "Exodus," ch. 12, v. 22.

were engaged with Judas. These features are removed if the event was not the celebration of the regular Passover, but the institution of a new memorial which, for want of a better name, Jesus called, "*this* Passover." Indeed, he distinctly said: "I will not eat *it*, until *it* be fulfilled in the kingdom of God."⁷⁷ Now, what does "it" refer to? Surely, the regular Passover, if one accepts the statement of Paul: "For our Passover also hath been sacrificed, even Christ."⁷⁸

The opinion regarding the nature of the affair of Annas⁷⁹ doubtless comes from the impression that, because the title "high priest" is used for Caiaphas, no one else is entitled to it at the same time, and, consequently, the reference to Annas is erroneous and a patent contradiction.⁸⁰ Not so, for in the Sanhedrim the

⁷⁷ "Luke," ch. 22, v. 15, 16.

⁷⁸ "I Corinthians," ch. 5, v. 7.

⁷⁹ Schürer holds that Annas' was simply a private examination. "A History of the Jewish People in the Time of Jesus Christ," div. 2, vol. 1, p. 182. See also Keim's "Jesus of Nazara," vol. 6, pp. 36-40 and n.

⁸⁰ "In Luke xxii. 66 we find that some time elapsed between the arrest and the meeting of the Council; the latter occurring 'as soon as it was day.' This accounts for the arraignment before Annas, mentioned only by John (xviii., 13). As for the *invention* of such

title "high priest" was not confined to the president, but remained with his predecessors, though retired to associate judgeships.⁸¹ But why this incident? Because Annas was *the patriarch*, whose family⁸² had added to his

a fact as this, the idea is absurd; there could be no motive for it; and John himself only relates it by the way. The mention of such minute incidents, however, prove him to have been an eye-witness. . . . I cannot think John would have given such prominence to the arraignment before Caiaphas, had he not meant to unfold this preparatory trial further; and, therefore, cannot suppose that, in xviii., 19-23, he records the official examination before the Council. In that case he certainly would have dwelt upon it more, and made more of it. On the other hand, it is easy to understand that he *omitted* the latter examination, because generally known by other traditions, and *gave* the one which was least known. In fact, this is presupposed in the examination before Pilate, as recorded by him, when compared with the account of the trial before the Council in the other Evangelists. In xviii., 13, express mention is made of Caiaphas as '*for that year,*' to distinguish him from Annas, who bore the same title. In v. 14 he cites the declaration of Caiaphas (notable as coming from the lips of the Head of Ecclesiastical affairs during the year in which Christ suffered) *in view* of the omission of the full trial before him." "The Life of Jesus Christ," Neander, p. 455, n. x. See also "The Life of Jesus Christ," Ernest Renan, p. 272.

⁸¹ "Jesus of Nazara," Keim, vol. 6, p. 71.

⁸² Eleasar (son), some time between 16 and 17 A. D.; Joseph, called Caiaphas (son-in-law), some time between 18 and 36 A. D.; Jonathan (son), 36, 37 A. D.; Theophilus (son), 37 A. D.; Matthias (son), some time between 41 and 44 A. D.; Annas or Ananos (son), three months in 62 A. D. and Matthias (grandson), 65 A. D. "A History of the Jewish People in the Time of Jesus Christ," Schürer, div. 2, vol. 1, pp. 198-201.

power⁸³ and dignity in the succession to the presidency of the great tribunal. He was doubtless proud of that power, proud of those who shared it, and, as his life was so much in the nation's, was naturally aroused by all those persons and events which seemed to threaten it. Jesus was such a person, his ministry such an event, and, probably, through a hope of humiliating him in a private interview, he ordered Jesus brought to his house on the way from Gethsemane.⁸⁴ This incident is worthy of consideration, then, not because it formed a part of the Jewish trial, for it did not; but, because the nature of the latter is thus made clear.

⁸³ Annas had great power at that time, as did his sons, Jonathan and Annas, Ananias (president some time between 47 and 59 A. D.) and Jesus (about 63 to 65 A. D.) later, after retirement from the chief position among their people. That office seemed to give a "character indelibilis," as Schürer says. "A History of the Jewish People in the Time of Jesus Christ," div. 2, vol. 1, pp. 202, 203. While president of the Sanhedrim, the elder Annas had been so powerful and fearless that he opposed Pilate, even, and was deposed in consequence. "The Gospel History and Doctrinal Teaching Critically Examined," anon., p. 137.

⁸⁴ Grotius says that Annas lived near the city gate ("Jesus of Nazara," Keim, vol. 6, p. 37, n. 3), instead of in a remote district, as some claim (*Id.*, p. 71, n. 1). This is credible for, with this propinquity to his chief resort, he would have been enabled to avoid the fatigue incident to a long walk or ride through tortuous ways.

It will be remembered that, while Jesus was in the high priest's house, the cock crew.⁸⁵ According to the best authorities, this incident is not to be taken literally, but to indicate the time—daybreak.⁸⁶

“As soon as it was day,”⁸⁷ the Sanhedrim met, presumably in term time and at the regular place, and while the exact extent of the session is not known, in view of the number of witnesses introduced, it could hardly have been so short that Pilate's, also, was “early”⁸⁸ that same day.⁸⁹ If Pilate's session was not that same day, the law, in form at least, was observed in all the essentials of the arrest, the trials and the execution of Jesus, though, through them, a great moral wrong was perpetrated; for, whatever differences there may be in the concep-

⁸⁵ “Luke,” ch. 22, v. 60; “John,” ch. 18, v. 27.

⁸⁶ “Jesus of Nazara,” Keim, vol. 6, p. 7, n. 1.

⁸⁷ “Luke,” ch. 22, v. 66.

⁸⁸ “John,” ch. 18, v. 28.

⁸⁹ The length of the interview before Annas, is, likewise, doubtful, yet the reference in “Luke” (ch. 22, v. 59) to the incident connected with the third denial of Peter, while in the high priest's house, i.e., “after the space of about one hour,” etc., seems to be a slight indication, and, doubtless, that event was brief compared with the trial following it.

tions of his nature, the world now generally recognizes that the precepts ascribed to him have made for progress, the ultimate goal—the total worth of man.

Jesus was a reformer and met the not unusual fate of one. In every age, indeed, high ideals, the principles of progress, have given their best in sacrifice. Socrates was poisoned because he maintained a questioning philosophy; Bruno was burned because he demanded reason and conscience in religion; while Cromwell's body was disinterred and the head rudely exposed because he fought for non-sectarian government. But progress did not end with them; it can never end through oppression. It may receive a check for a while and its champions suffer the humiliation of a Columbus in chains; but the stern, immutable laws of nature favor it, and all else must give way. Jesus' body was crucified, but he has risen to greater power: yet, what of that Rome and that Jerusalem! In truth, many unrighteous empires, institutions and laws have changed since then; the cup, the cross, the stake have disappeared, but bigotry and intolerance

survive; and, as in that darker age, there is many another ready to force a way through the dense and clamorous throng to light the pyre beneath a Huss. That is a course of weakness — ignorance and passion — above which the soul of progress shall ever triumph; and shall do so, because constantly strengthened through inspirations like that which comes when, in fancy, one turns back the universe and sees again the suffering Jesus, hears that closing prayer: "Father, forgive them, for they know not what they do."



