SECTION 69

JESUS IS "TRIED" BEFORE CAIAPHAS

(Parallels: Mark 14:55-65; Luke 22:63-65; John 18:24)

TEXT: 26:57-68

57 And they that had taken Jesus led him away to the house of Caiaphas the high priest, where the scribes and the elders were gathered together. 58 But Peter followed him afar off, unto the court of the high priest, and entered in, and sat with the officers, to see the end. 59 Now the chief priests and the whole council sought false witness against Jesus, that they might put him to death; 60 and they found it not, though many false witnesses came. But afterward came two, 61 and said, This man said, I am able to destroy the temple of God, and build it in three days. 62 And the high priest stood up, and said unto him, Answerest thou nothing? what is it which these witness against thee? 63 But Jesus held his peace. And the high priest said unto him, I adjure thee by the living God, that thou tell us whether thou art the Christ, the Son of God. 64 Jesus saith unto him. Thou hast said: nevertheless I say unto you, Henceforth ye shall see the Son of man sitting at the right hand of Power, and coming on the clouds of heaven, 65 Then the high priest rent his garments, saying, He hath spoken blasphemy: what further need have we of witnesses? behold, now ye have heard the blasphemy: 66 what think ye? They answered and said, He is worthy of death. 67 Then did they spit in his face and buffet him: and some smote him with the palms of their hands, 68 saying, Prophesy unto us, thou Christ: who is he that struck thee?

THOUGHT QUESTIONS

- a. Why were so many of the Jewish leaders available to meet in the middle of the night?
- b. Do you see any indication in the Gospels that the Jews considered what they were doing in any sense a formal "trial"?
- c. If everyone is so sure Jesus must be put to death, why could no unimpeachable witnesses be found to testify against Him? What does this tell you about (1) the Sanhedrin and priesthood of Israel? (2) about Jesus?

- d. Was it really the authorities' true purpose to find *false* witness? Did they seek no true witnesses at all?
- e. Is there any sense in which the following testimony is true? "This fellow said, 'I am able to destroy the temple of God and to build it in three days." What part is true and what is false?
- f. Do you think the Sanhedrin would really crucify Jesus for predicting the destruction of the Temple in Jerusalem? Should not they simply wait out the fulfillment before acting against Him? How could this charge ever become a lever powerful enough to move Pilate to crucify Him?
- g. Why did the high priest challenge Jesus to speak in His own defense? Was he interested in hearing Jesus' position?
- h. Why did Jesus remain silent during the attacks against Him? Did He not have anything to say? Is not His silence evidence of guilt?
- i. Do you think Caiaphas understood what his own question meant? What do you think he meant by "Christ" and "Son of God"?
- j, Did Jesus admit to being "the Christ, the Son of God"? What did He mean by saying, "You have said so"? Is not this ambiguous? Why not just come out and say "yes" or "no"?
- k. Why did not Jesus work a mighty miracle there in the presence of the Sanhedrin to substantiate His claim to divine Messiahship? Would not this have avoided the charge of blasphemy? Or would the Sanhedrin have accepted this God-given testimony to His true identity and authority?
- 1. Jesus asserted that the Sanhedrin would see "the Son of man seated at the right hand of Power and coming on the clouds of heaven. How would this (a) reveal His true identity and right to speak for God? (b) warn those elders of the judgment of God upon them?
- m. How did Jesus' affirmations constitute a basis for their judgment of "blasphemy"? What was there about His statement that in their mind justified this conclusion?
- n. Why did they not need to seek any witnesses after His confession to being the Christ, the Son of God?
- o. How did their judgment that He was guilty of "blasphemy" justify their verdict of death?
- p. How does the demand that Jesus prophesy reveal the beliefs of those who struck Him? Who were they? What were their beliefs?
- q. What does this section teach us about the violent energy of prejudice and party spirit?

- r. Why bother to study the illegal trials of Jesus? Has not the resurrection turned all this into a bad episode that is better forgotten? If so, then, why did the Gospel writers dedicate so much space to Jesus' Passion that someone could describe all the Gospels as "a Passion account preceded by an extremely long introduction"?
- s. What does Jesus' conduct before the Sanhedrin tell you about Him?

PARAPHRASE AND HARMONY

Then those who seized Jesus led Him away to the residence of the high priest, first to Annas, because he was the father-in-law of Caiaphas, who was high priest that year. It was Caiaphas who had advised the Jews that it was in their interest that one man be sacrificed to save the people.

[At this point John records Jesus' preliminary hearing before Annas (John 18:19-23). Luke teaches that Peter's denials, recorded by the other Synoptics after Jesus' arraignment before the high priests, were taking place simultaneous with it.]

Annas then sent Him bound to Caiaphas the high priest. All the Jewish clergy, the scholars and ruling elders were assembled there. Now the chief priest and the whole Sanhedrin began trying to find evidence against Jesus, however false it might be, on which a death sentence could be based. However, they were not finding any. Even though many "witnesses" volunteered, their statements did not agree. Finally, two came forward to submit this deposition against Him, declaring, "We heard this guy say, 'I can tear down this manmade temple and build another in three days that is not made by man." Yet even so, their testimony was conflicting.

So the high priest stood up in his place among the other members of the council and questioned Jesus, "Are you not going to answer? What is this evidence these men bring against you?"

But Jesus remained silent and offered no answer.

Then the high priest demanded point-blank, "I am ordering you on your oath by the living God, tell us if you are the Messiah, the Son of our Blessed God!"

"That's right: it's just as you say," Jesus replied, "I am! Nevertheless, I can assure you that, in the future, you will all see me, the 'Son of man seated at the right hand' of Almighty God and 'coming on the clouds of heaven."

At this point the high priest tore his robes and cried, "He has blasphemed! Why do we need any more witnesses? Look, you are all witnesses to His blasphemy! What is your verdict?"

They unanimously condemned Him, "He deserves death!" Now some of the men who were holding Jesus began to make sport of Him, spitting in His face and beating Him with their fists. Some slapped Him. They also blindfolded Him and teased, "Show us you are a prophet, you 'Christ!' Guess who hit you!" Even the guards who took charge of Him, beat Him and made many more insulting remarks against Him.

SUMMARY -

After His capture, Jesus was arraigned before Annas and Caiaphas for questioning. They hoped to establish His guilt upon objective evidence, but despaired of finding any, Caiaphas put Jesus on oath to confess His position. Unequivocably Jesus announced His divine Messiahship before the highest court in the nation. His announcement, however, became the accusation upon which they sentenced Him to death for blasphemy. His captors then began to mistreat their prisoner.

NOTES

Why study the Passion stories? Has not the resurrection turned them into a bad episode to forget? However, the Gospel writers do not relegate these facts into second place, because the resurrection actually drives us to re-evaluate the Lord's suffering. As we pour over these facts, incredulous, we exclaim: Jesus loved us this much! Further, if in the death of Christ the love of God is made manifest, then our grasp of His magnificence is affected by our grasp of these chapters. It affects the way we think about God. Further, the scandal of the cross affects our self-consciousness as the Church and as individual believers. How do we participate appropriately in the suffering of Christ? (I Peter 2:21ff.; 4:13ff.; Phil. 3:10; II Cor. 1:5ff.; Col. 1:24), unless Christ's way of living and dying becomes our way?

1. THE HEARING BEFORE CAIAPHAS BEGINS

26:57 And they that had taken Jesus led him away to the house of Caiaphas the high priest, where the scribes and the elders were

gathered together. Many note a number of technical violations of Jewish jurisprudence surrounding these hearings (cf. Mishna, Sanh. 4.1), illegalities which point to a deliberate intention to deny Jesus basic justice. Sadly, on the basis of these judicial anomalies the accuracy of the Gospels has been questioned on the assumption that our authors deliberately create a story critical to the Jews, since the Sanhedrin must be supposed to have acted in full consciousness of its high duty according to its laws. However, the Synoptics, writing while that high tribunal was yet functioning in Israel, presuppose the notoriety of the facts they recount. Hence theirs is the duty of recounting those details that affect our understanding of Jesus, yet without declaring inexactitudes easily refuted by the well-informed. Again, because opposition to Him did not begin that terrible night, no objection to the historicity of the Gospels can be raised that is not ultimately resolved in harmony with the well-known purpose of Jesus' enemies. (See Farrar's masterful expression, Life, 588f.) Again, what may be known of their existing laws comes from later times that may describe the ideal more than the real, what should have been more than what was (Edersheim, Life, II,553f.). So, if the Gospels are not to be impugned, should this mockery of justice be dignified with the title of "official trials"? What did these elders of Israel themselves think they were doing? Two positions are possible:

1. THERE NEVER WAS AN OFFICIAL JEWISH TRIAL. It might be argued that because the Romans had, with one notable exception (Wars, VI.2.4), deprived the Sanhedrin of the power to execute the death sentence (John 18:31; cf. Wars, II,8,1; Ant. XX,9,1; Y. Sanhedrin 1,18a.34; 7,24b,41), it is therefore more probable that in capital cases this court practically functioned as would a grand jury. They could examine accusations against Jesus, and if the evidence warranted, bring formal charges on which He could be tried by the Roman judicial system. Accordingly, this Supreme Council was not intending to try Jesus according to their judiciary procedures. Hence, the judicial injustices that are usually mentioned in connection with Jesus' hearings before the Sanhedrin are simply irrelevant. However, the Jews' argument that Pilate's insistence that they try Jesus is pointless (John 18:31), is not merely a demurring on the ground that they are not competent to try capital cases. It implies, rather, that in some sense they had already officially judged Jesus and that He must be executed on their findings, hence Pilate's authorization is the only requirement lacking before the already decided execution can occur.

Perhaps the reason they do not stone Jesus outright, as in the case of Stephen (Acts 7) or murder Him as the 40 conspirators planned to do with Paul (Acts 23)—all without Roman blessing—is Jesus' far greater popular support which could touch off riots, if they dared suppress Him with violence.

2. THERE WAS A JEWISH TRIAL OF SORTS but what occurred that night is not its main deliberation, but its culmination. In every segment of the national leadership a groundswell consensus against Jesus had been growing for months. When an objective voice of protest had been raised in the Senate against this railroading, it was ruthlessly stilled (John 7:51). Accordingly, what took place this night was but a final hearing to create a case whereby Jewish responsibility for Jesus' death could be placed on Pilate's shoulders, exonerating the Sanhedrin and priesthood of blame before the people. Witnesses were called, evidence heard and a vote taken to legitimize the proceedings, but no effort was made to follow strict procedure to protect Jesus' rights, since His execution was already a settled matter. However, did the Hebrew legislation have no appropriate procedure for conducting these hearings? Finally, the special morning session for the final sentencing is damning evidence of their intention to legitimize their act (27:1 =Mark 15:1 = Luke 22:66-23:1). Whatever may be said about their procedure, the Jewish leaders themselves treated their own acts as official, legitimized by certain apparently indispensible formalities (witnesses, testimony, voting). Even if they are not acting as the Sanhedrin in regular session or even a quorum thereof. it is certainly not as private citizens. So, before Pilate, they argue as representatives of the Jewish people who have already properly investigated, judged and condemned Jesus (John 19:7; cf. 18:30f.).

Therefore, rather than assault the Evangelists' accounts as inaccurate, we should treat these sessions as a religious heresy trial masked as a preliminary investigation with reference to the Roman trials. It really counted.

What does it matter, if no legal procedure is respected, when the avowed purpose of its perpetrators is not strict adherence to rules of evidence but to eliminate Jesus? Men who instigate a judicial murder are not models of consistency nor quibble over technicalities when they sense victory within their grasp. (Cf. the procedure at Naboth's crooked "trial." I Kings 21:7-14). Was it that they scrupulously

avoided calling it a trial according to the rules, but, by a twisted concession to justice, observed some of the forms to absolve themselves before the nation, if that ever became necessary? By what canon may it be determined that the Sanhedrin under no condition would violate its own judiciary procedure, if a sufficient number of its members considered the eliminating of a dangerous, false Messiah, to be politically more crucial than strict adherence to its own legal conventions?

So, if Jesus' judicial murder were already decided (John 11:45-52), why need a "trial"? Because they must yet formulate some official justification that would satisfy the people and secure the indispensible cooperation of Pilate. To justify to the Jewish people the arraignment of a Hebrew before a Roman court, they must first judge and excommunicate him as a transgressor of Jewish law.

Caiaphas and the other authorities were not the first to question Jesus, since John clearly names Annas, the political boss and deposed high priest (cf. Ant. XX,9,2), as the man before whom the first preliminary hearing took place (18:13ff.; cf. Luke 3:2; Acts 4:6 calls Annas "high priest"). Perhaps this semi-private, unofficial hearing aimed at uncovering some line of accusation or juridical pretext that would sway the Sanhedrin. Further, this examination gained time to assemble both the witnesses and jurors. Without getting much satisfaction, Annas then sent Him bound to his son-in-law, Caiaphas the high priest (John 18:24). Apparently this palace complex was constructed around a central courtyard open to the sky, surrounded by the various apartments on different floors (cf. aulé, 26:58, 69; Luke 22:55). If Annas and Caiaphas lived in separate apartments in the same building, this move could be easily accomplished without going out into the street of the City. Peter and the others remained in the same courtyard for the second hearing (26:58: John 18:15f., 28).

Caiaphas the high priest... the scribes and the elders were gathered together. (See notes on 26:3.) Even if the language might admit of a few exceptions (were Nicodemus and Joseph of Arimathea summoned?), this constitutes "the whole council" (tò sunédrion hòlon, 26:59). For this closed session they are not met in regular court session in their official council chamber, as they would next day (Luke 22:66), but in the capacity of Sanhedrin members acting as a more or less official caucus (Matt. 26:59). Matthew and Mark report the substance of this main session, without repeating it during the "official ratification" next day in the regular meeting-place of the Sanhedrin (27:1 = Mark 15:1 = Luke 22:66).

Does "the whole council" stand for an official quorum of 23? (Bemidb. R.1, cited by Edersheim, Life, II,555.) Although the Sanhedrin was composed of 71 members, to decide a death sentence, the presence of 23 judges was sufficient. Some would exonerate the gentler Pharisees from the injustices perpetrated. Flusser (Jesus, 159, citing Mishna Sanh. 4,1; cf. Josephus, Ant. XX,9,1) argued that a Sadducee-packed quorum could have sentenced Jesus to death whereas the more equitable Pharisees would have brought about the dismissal of the high priest, Annas, claiming that this Sanhedrin session was illegal, having been called without the governor's consent. This bypasses the following considerations:

- 1. In his case cited it appears that Flusser overstates his case by giving Pharisees this honor, but, granted his conclusion, it would not prove Pharisean favor to Christ, because the case cited served purely political interests of the Pharisees by putting the Sadducees in disfavor with Rome and proved themselves better subjects of Caesar than the high priest.
- 2. The arresting party was also sent by the Pharisees (John 18:3). The Pharisees were alarmed about a supposed "faked resurrection plot" (Matt. 27:62). Did they abandon their cause during the hearings?
- 3. Luke calls the morning session "the assembly of the elders of the people gathererd together with the chief priests and scribes" (sunéchthe tò presbutérion toû laoû, archiereîs te kai grammateîs). Cf. Luke's use of sunédrion, Acts 4:15; 5:21, 27, 34, 41; 6:12, 15; 22:30; 23:1, 6, 15, 20, 28; 24:20, as a general expression for the Supreme Sanhedrin of Israel. Mark has: "the chief priests and the elders and scribes and [kai = even?] the whole council." By what logic would Pharisees have been excluded from this?
- 4. Nor can it be concluded that absence of all reference to the Pharisees in the trial of Jesus meant that "they were too small a minority to have an effective role in the courts, least of all in the Great Sanhedrin." (So Bowker, Jesus and the Pharisees, 42.) Does not this completely underestimate the influence of the great Gamaiiel (Acts 5:34ff.)? Further, if the Sadducees must follow the traditions of the Pharisees, then were not these latter a highly influential part of that body that must decide on points of law and tradition? Mishna Yom. 1.8 [= Bab. Talm. Yoma 19b; = Pal. Talm.

Yoma 1.5] Acts 23:6-10) The Pharisees dominated the national leadership from early times. (Ant. XIII,15,5—16,2 [= Wars I,5,1-3] = 78 B.C.; XVII,2,4 = before 4 B.C.; XVIII,1,4 = idem.) The bitter hatred of the Pharisees induced them to cooperate with their natural enemies, the Sadducees and the Herodians, to eliminate Jesus (cf. Mark 3:6: John 7:32, 47ff.: 11:57).

That the wiser, more conscientious elders on this high tribunal should have been present and sentenced Jesus to death without raising a single dissenting voice, thus perpetrating this gross violation of justice, is not incredible. The consideration that His elimination in the name of national peace was the less of two evils may have anesthetized the conscience of stricter observers of the Law or of any friends Jesus may have had in the council (John 11:50).

Gathered: awaiting the arrival of Jesus after His arrest. That there were so many people available to meet all night long, if necessary to curcify Jesus, should come as no surprise.

- 1. These men listed are assembled in the crucial session that must conclude the final, authoritative judgment on the Nazarene. Because the ring-leaders are determined to sentence Him to death, they will stop at nothing until their goal is reached. The others recognize the national emergency involved (John 11:45ff.).
- 2. But that many others, not directly connected with the hierarchy, could be convoked at will, was possible, because every night of the year 240 Levites and 30 priests were on guard duty in the Temple (Edersheim, Temple, 148-151). Caiaphas could have tapped any one of these for "special duties," should the need arise for false witnesses or mob scenes in this judiciary farce. Edersheim (ibid.) wrote,

Perhaps it was on this ground that, on the morning of the Passover, they who led Jesus from Caiaphas thronged so 'early' 'the judgment-hall of Pilate.' Thus, while some of them would be preparing the Temple to offer the morning sacrifice, others were at the same moment unwittingly fulfilling the meaning of that very type, when He on whom was 'laid the iniquity of us all' was 'brought as a lamb to the slaughter.'

2. PETER ENTERS THE COURTYARD TO OBSERVE

26:58 This verse will be treated in connection with the next section because it relates directly to Peter's denials.

3. THEY SEEK VAINLY FOR WITNESSES

26:59 Now the chief priests and the whole council sought false witness against Jesus, that they might put him to death. Because divisions among the Jewish parties in the Sanhedrin made confusion in technical procedure inevitable, a clear-cut and unified legal definition of Jesus' guilt was not simple. Consequently, they must cast about to obtain a sufficient consensus on a commonly acceptable charge.

They sought false witness? Some suggest that they consciencelessly coached paid "witnesses" to falsify the evidence. If they paid Judas, why not also others? But was this predicable of the whole council? From their own point of view, were they not, rather, seeking evidence that appeared plausible enough to stand up in court? However, because their purpose is to secure a death sentence, regardless of the facts, they must seek evidence however flimsy to sustain it. They already had their conclusion: that they might put him to death. But, because there was public opinion and a Roman procurator to content, they were now seeking a procedural foundation on which to establish it. This, says Matthew, is tantamount to seeking false witness. That they sought any witness points to their attempt to give an appearance of legality, hence points to a trial, even if it bypasses almost every rule of their jurisprudence.

The unanimous verdict reached by this session is suspect because no sincere effort was expended to investigate objectively. (Cf. Deut. 19:18.) Why did not they have at least one defender to serve as "Devil's Advocate" to question the majority opinion and speak on behalf of the accused? But this is the injustice of prejudice.

26:60 and they found it not, though many false witnesses came. But afterward came two. The Law required at least two consistent witnesses (Deut. 17:6; 19:15). That the critical minds of these theological lawyers found it not, though many false witnesses came, is a marvel, because Jesus had been such a prominent, public figure constantly exposed to the careful scrutiny of thousands. They were slightly unsuccessful for several reasons:

1. Consistent false witnesses did not exist. His opposition simply could not uncover two men who could testify to a single fault

worthy of the death sentence. This becomes striking presumptive evidence of His innocence. Jesus' challenge to Annas was not helpless flailing but logical and extremely appropriate:

"I have spoken openly to the world. I have always taught in synagogues and in the temple, where all Jews come together. I have said nothing secretly. Why do you ask me? Ask those who have heard me, what I said to them. They know what I said." (John 18:19-23).

But, because the closed-minded authorities are interested not in truth but in a legal smokescreen that assures the cross for the Nazarene, none of the multitudes would be called to testify. Only those witnesses whose loyalty to the Sanhedrin remained unquestioned could be permitted to testify.

- 2. They found it not, because they must construct a doubly solid case not only according to Jewish jurisprudence to satisfy Jewish public opinion, but that would also stand up in court and convince the Roman governor. It was this kind of false testimony that they could not find, even though many would-be witnesses came forward.
- 3. Further, the conflict in the witnesses may testify to their own deep uncertainty as to what kind of charge to bring against Him and whether He could be proven to be a rebel against the central authority, despite the authorities' own seriously divided conflicts of interpretation. This uncertainty would lead to the kind of exploratory debate and conflict that kept the witnesses from agreeing, leading to a serious difficulty in obtaining a consensus.

On what basis can they objectively avoid condemnation for a blatant violation of ancient law because they do not punish these who witness falsely against Jesus (Deut. 19:16-21)?

One witness whom they could have called, but who did not offer his own testimony against Christ, was still lurking in the shadows to see how this trial would end. Were there anything compromising in Jesus' doctrine or character that could be alleged against Him as proof that He was nothing but an imposter, Judas Iscariot could have furnished that evidence. But this man who knew Him so well and even turned Him over to His enemies, could not and would not accuse Him of anything wrong, even though his testimony would have vindicated his betrayal. Judas' silence is no proof of Jesus' innocence, because Iscariot's motives undermine his testimony. He

could support a magical Messiah who, despite character defects and doctrinal irregularities, enriched him. (Cf. notes on 26:14, 25, 48-50.) However, his silence indicates that his motives had not been revenge. As far as Judas is concerned, his participation in this crisis has ended. However tardy, he testified to Jesus' innocence (27:3f.).

But afterward came two, the legal minimum. Were these two priests who had challenged Jesus' first purification of the Temple (John 2:18f.)?

26::61 and said, This man said, I am able to destroy the temple of God, and build it in three days. Many see this deposition as (1) deliberately twisted to make Jesus' true statement appear dangerous, or (2) a different version based on their misunderstanding. Paradoxically, however, Jesus could actually have said this, without meaning, naturally, what these two witnesses thought He meant. In fact, this is a free paraphrase of His declaration at the first Temple cleansing (John 2:19). But as on that occasion the Jews thought that He meant the Herodian Temple still under construction, even so now these false witnesses assume He meant that same structure. In fact, Mark's version more clearly reflects their understanding: "We heard him say, 'I will destroy this temple that is made with hands, and in three days I will build another, not made with hands" (Mark 14:58). However, His predictions of Jerusalem's fall and the destruction of the temple could also cause the two strains of Temple-prophecy to be blended in men's minds, whereas Jesus referred to two separate objects: the destruction of the Temple and His own death and resurrection (Luke 19:41-44; Matt. 22:7; 23:36-39). Their witness is still false because of their added inferences, even if not intentionally wrong as to form.

The great irony of their accusations is that they were substantially correct, even if misunderstood and perhaps somewhat garbled. For if, by the temple of God, Jesus intended God's dwelling on earth in its ideal, highest sense, He referred to His own body in which all the fulness of the Godhead dwelt bodily, (Col. 2:9; 1:19; cf. John 2:21), then He conclusively proved that He was able to lay down His life ("destroy this temple of God") and take it up again ("rebuild it in three days") (John 10:17f.). And, in His resurrection, not only did He build it in three days, but He made possible the construction of an indestructible temple of God, formed out of living stones for a dwelling place of God in the Spirit (Eph. 2:21f., I Peter 2:5).

Thus, if Jesus really did say (as Mark quotes the false witnesses): "temple made with hands... another not made with hands," He really did effect this as well. With His death and resurrection our Lord brought to an end the Old Covenant with its earthly temple under construction for already more than 46 years (John 2:20). It would be 40 years more before that building were demolished. Nevertheless, its relation to the program of God ended with the cross. The new, gloriously spiritual Temple, the Church, became an instant possibility when Jesus conquered death (John 2:21f.). Because God dwelt in Him, the new Temple was erected instantly and permanently. Now, in the Church, which was born shortly thereafter, God dwells in all who are in Christ Jesus (Gal. 3:26f.; Eph. 2:19ff.; Rom. 8:1; Col. 2:10). This Church is "made without hands," just as He is reported to have predicted! (Cf. Dan. 2:34f., 44f.)

The accusation of hostility to the Temple made sense, because, if it could be established that Jesus repudiated the centrality of the Temple and, by implication, its authority, He could be tried as a rebel. Further, the Romans had an interest in assuring the protection of holy places in the Empire as a guarantee of the stability of law and order among the peoples who worshiped thereat. From the political standpoint, therefore, if this accusation proved well-founded, Caiaphas would have a telling capital accusation with which to consign Jesus over to the Roman procurator. Had not Jesus openly attacked the Temple monoply twice (John 2:13ff.; Matt. 21:12ff.)? If proven, the quoted threat was potentially plausible ground for a capital case with the Romans.

Then, too, His absurd claim to be able to rebuild the Temple in three days smacked of an assertion to possess superhuman power, which, in turn, borders on sacrilege. This consideration may have suggested to Caiaphas another approach to try, the claim of deity, as a more likely accusation with which to eliminate Him (26:63).

4. THE HIGH PRIEST QUESTIONS JESUS UNDER OATH

26:62 And the high priest stood up, and said unto him, Answerest thou nothing? What is it which these witness against thee? The agitated pontiff leaped to his feet because he realized that these unprovable and judicially unpunishable declarations are the worst that can be alleged against the Nazarene.

- 1. The foregoing evidence was so insufficient, distorted and contradictory that no solid conclusion could be based on it. The case could not rest on such flimsy testimony. If the judges themselves remained unconvinced, how could they persuade Pilate?!
- 2. Jesus' so-called "threat" to destroy the Temple was a reckless boast at worst and certainly not yet fact, i.e. still in the realm of prophecy, hence could not yet serve as a basis of final incrimination. Further, His zeal for the purity of God's Temple, recently expressed in its purification, undermined any supposed intention on His part to destroy it (21:12f.). Again, His promise to rebuild the Temple, while absurd if He could not do it, could be thought to testify against His reputed repudiation of it as a permanent institution.
- 3. The normal, instinctive reaction of an undefended accused person would be self-defense.

Perhaps the Nazarene could be induced to give the damning evidence inadvertently Himself. The priest's baited question means: "Are you going to give no justification or explanation for these pretentious words attributed to you? Does not this accumulation of testimony deserve a reply?" But this pretense of fairness in offering an opportunity for self-defense against apparently ruinous, unshakable testimony is an ill-disguised trap leading Jesus to self-incrimination. Caiaphas is not simply presiding now but manipulating the session to achieve his own declared purpose (John 11:45-53).

All of the malice of His enemies could not bring forward any sin against Him. Their best effort was a misunderstood repetition of a figurative statement. He must die, if at all, for His most majestic claim, which, proven true by His resurrection, vindicated His life and authorized His teaching.

26:63 But Jesus held his peace. And the high priest said unto him, I adjure thee by the living God, that thou tell us whether thou art the Christ, the Son of God.

Jesus held his peace: Although Jesus may have been able to ignore the more absurd accusations, surely the temptation to respond to and correct misunderstandings of His teachings would have been sorely felt. Here is impressive proof of Jesus' total self-mastery. (Cf. Heb. 12:3; Isa. 53:7.) Though He had the right to answer His accusers, He declined to exercise that right. The key to our Lord's majestic, disciplined silence here may be the combination of various factors:

- 1. His keen awareness that the real issue is not whether or not He had said this or that. The real question is His *identity* and His consequent right to say *anything* that God wants said.
- 2. His confidence that the Father, in time and history, would interpret His teaching correctly and prove His claims well-founded. Rather than demand His rights through violent self-assertion, He would achieve His victory through meek self-denial.
- 3. His certainty that a fair trial was not to be expected. The purpose of this "trial" is not to clear the innocent and punish the guilty, but to punish the innocent and save the guilty. To correct their willed misconceptions is hopelessly useless.
- 4. His accusers were actually self-defeated, hopelessly entangling themselves in their own unbased accusations and consequently refuting each other's testimony.

I adjure thee by the living God: "I put you on your oath by the living God." Jesus does not quibble with the fuming pontiff about the rightness of swearing in court before the national tribunal. Rather, He tacitly accepts the formulation and proceeds to speak as under oath before God and these witnesses. He does this without any mental reservation about swearing, because He always spoke everything He ever said in the full awareness that His Father is ever present and hears all. His example, then, is proof that swearing is not evil in all circumstances. (See notes on 5:33-37.)

Further, in obedience to God, He must give testimony in court even if it is self-incriminating. (Cf. Lev. 5:1; see Joshua's application of this: Josh. 7:19.) This does not violate the rule that "one witness is no witness" (Num. 35:30; Deut. 17:6; 19:15), because, as Caiaphas observes, by His utterance He made them all witnesses. If there were a juridical principle in Mosaic legislation whereby the accused must not be compelled to incriminate Himself, Jesus waived His privilege and chose to testify.

Tell us whether thou art the Christ, the Son of God. Caiaphas knew that Jesus' offence lay, so far as jurisdiction was concerned, in His approach to authority, because in numerous ways He claimed direct authority and power from God. His debates turned on whether He were God's Son and authorized representative or not (John 5:17f., 21-28; 6:29-59; 8:24, 46f., 51, 58; 10:30-38; 12:44ff.). Caiaphas could also guess that, whatever Pilate thought of Jesus' concept of Messiahship, the governor would recognize that, to let Him continue a proclamation which so radically challenged fundamental concepts

of the Jewish system, meant that He could disrupt the delicate balance among the holders of political and religious power in Israel. Hence, Pilate could sense a political threat. So, if the Galilean could be induced to repeat His claims in court, He could be crucified for sacrilege and rebellion.

That Caiaphas had to resort to this blunt procedure establishes several things all favorable to Jesus:

- 1. It proves how desperate he was to find some telling evidence on which to establish the death sentence. The clumsy prosecution has failed, and Caiaphas knows it.
- 2. It measured how completely Jesus' imperturbable calm nettled the cunning priest. There was really nothing to criticize in His dignified behavior under fire, even though it thwarted their purpose and plotting.
- 3. It suggests how well-established and thoroughly embarrassing to them were His majestic miracles. Each miracle inevitably brought only glory to God and blessing to men or was connected with some grand Messianic declaration or claim to Deity and established His right to make those declarations. So, to bring up any of His claims was a tremendous risk for Caiaphas, because to do so would inevitably bring up also the unquestionably supernatural proof of their validity.

The Christ, the Son of God. Old Testament passages revealed the divinity of the Christ (Ps. 2:7; Isa. 7:14; 9:6; Zech. 12:10; 13:7; cf. Dan. 7:13f.). So, if the charge of blasphemy is to be based on a human claim to equality with God with divine authority and rights, then the terms of Caiaphas' question must be somewhat equivalent, even if some Jews failed to equate them.

That Caiaphas, in this night session, formulated his question so that Christ and the Son of God refer to the same person, whereas in the formal morning trial these terms are separated into two distinct questions (Luke 22:67, 70), does not prove we have two contradictory reports of one questioning. In the night trial Caiaphas is more succinct, combining the two potentially separate claims into one self-incriminating answer. In the morning the court proceeded successive steps to establish an unshakable conviction of Jesus' guilt.

To be the Son of God is tantamount to being "equal with God" (John 5:18). Were the Son of God merely a Jewish paraphrase for

the Christ, they could not have accused Jesus of blasphemy. The claim to be the Messiah was, alone, not strictly punishable with death nor considered blasphemy per sè. This claim, even if proven groundless, did not sully the honor of God. But to claim to be Son of God meant deity, and, if untrue, was blasphemy. Jesus claimed it, they reject it and Jesus does not correct their understanding. They understood Him, and He them. Unquestionably, Caiaphas formulated this last-ditch challenge, knowing that Jesus made these claims (John 5:17f.; 10:30-39; Matt. 21:37-46; 22:41-46). He thus forced Him to repeat them before the council to convince them of the charge that must unequivocably lead to His condemnation for blasphemy.

That Jesus will go on trial before Pilate for His confession to being the Son of God does not come out in the early stages of Pilate's interrogations. Nonetheless, this claim was a key issue on which a later phase of the trial turned, because Pilate, upon hearing this claim, lost his nerve (John 19:7f.). Unquestionably, the Jews did not unveil this issue in the original charges, because such a claim could bring only a laugh from the hardened Roman, not a death sentence. However, launched at the appropriate moment, it shook the governor. His claim to be the Christ offered a more volatile issue with politically dangerous overtones which would instantly carry substantially more weight with the Procurator.

5. JESUS CONFESSES HIS DEITY AND MESSIAHSHIP

26:64 Jesus saith unto him, Thou hast said: nevertheless I say unto you, Henceforth ye shall see the Son of man sitting at the right hand of Power, and coming on the clouds of heaven. The appropriate answer to unjust accusations and crumbling testimony had been silence earlier. Now, because the truth is at stake, silence would be a denial of His true identity on which everything else hinged. To affirm His deity with clarity and conviction would offer the testimony which these men needed to hear, not merely to convict Him, but to be told that truth, His Messianic self-consciousness, for which He was willing to die. During His public ministry, because of common misconceptions of Messiahship, He had maintained His Messianic reserve, often masking His true identity in public and avoiding publicity. Now, however, all reserve must give way to unhesitating affirmation before the competent authorities of His people. Of all His public declarations, this is the most decisive, emphatic affirmation.

His answer is a model of succinctness, because He could have argued His case, citing miracles without end. Instead, His statements are three, composed of His initial confession followed by two supporting statements:

1. Thou hast said (suleipas) expresses a sense of reservation about the affirmation: "The words are yours." Blass-Debrunner (§441, 3) note the emphasis on the personal pronoun (su):

"You say it yourself, not I" (§277,1, for emphasis or other contrast) in which there is always something of an implication that the statement would not have been made had the question not been asked... Cf. Matt. 27:11; 26:25; Mark 15:2; Luke 23:3; in John 18:37 sù légeis, hòti (not 'that,' but 'because, for,' ... basileùs eimi, cf. Luke 22:70 humeîs légete, hòti egò eimi).

With this Arndt-Gingrich (225) substantially agree: "As an answer sù eîpas sc. autò = you have said it = Yes. (Bl-D... §331,3. Not a simple affirmative ans., but one that is forced: Const. Apost. 15,14,4 ouk eîpen hò kùrios 'nai', all'hòti 'su eîpas'." However, what should be made of Mark's version with its unequivocal answer, egò eimi? (See below.)

The you have said must not be misinterpreted to suggest that Jesus' confession of His own Messiahship was unclear and equivocable. Rather, because the concepts of Christhood and divine Sonship in the mind of the high priest and of the Sanhedrin were as unclear and equivocable as those held by so many others in the first century who were ignorant of God's true planning. with respect to Caiaphas' formulation Jesus MUST formally demur. The content of the high priest's words—as the Sanhedrin understood them—may not precisely coincide with the content of Jesus' confession. Nevertheless, lest anyone conclude that He were not "the Christ, the Son of God" in any sense, He could not actually say "no" to Caiaphas' formulation. Hence, before saying, "Yes, I am," He lodged a mild objection based on His own well-founded doubt about the acceptability of the formulation proposed. This He did in the well-known words. "You have said. The words are yours, however, yes, in a sense that you have not understood and with reservations about what you think these terms mean, ves. I am the Christ, the Son of God."

To affirm that *Thou hast said* is an idiom for "I am" is not proved by Mark 14:62. Mark's version simply eliminates the subtle reservation Jesus expressed, and gives His general meaning. For Mark's presumably Gentile readership, the Messianic concept would be less garbled by Jewish nationalism than for Matthew's Jewish audience for whom Jesus' mild taking exception would be especially edifying, hence reported verbatim.

Thou hast said, however, does not mean "You yourself affirm what is true," as if Jesus saw an unconscious or unwilling tribute to His divine authority and identity in the words of the very man whose denial of it drove him relentlessly to crucify Jesus. Caiaphas fully understood what he meant by his own question and repudiated Jesus' claim to being anything near what Caiaphas thought his question meant.

Further, the violent reaction of the high priest (v. 65) and of the court is fully justified from their own view, only if we correctly understand Jesus' answer to be unequivocably positive because sustained by the comment that follows it. It is highly unlikely that the Jewish clergy would have cried "Sacrilege!" or "Blasphemy!" if their Prisoner's total answer ultimately hid behind ambiguities.

Nevertheless continues His mild objection to mistaken connotations in the popular use of these terms. Rather than simply admit to being the *Christ* in any political revolutionary sense, Jesus proceeded to interpret His Messiahship in terms of God's definitions. He knew quite clearly what He was doing, because in refining His answer, He went even further than the priest asked.

Henceforth ye shall see: from this moment at the beginning of His suffering they could discern His royal Lordship by His accession to the Throne. This glorification actually began with His betrayal (John 13:31). The manifestation of the triumph and Lordship of Jesus was even then becoming evident in the world, and needs not await some eschatological realization at the end of the world, for it had already begun with His Passion. Rather than defeat Him, His crucifixion, resurrection and ascension represent the very means of His accession to power and glory. His earthly humiliation is about over: the way of the cross leads home. Shortly, He would return to the Father, the Holy Spirit would

be given, His Church would be started and the Jewish State would live to see the vindication of Jesus' daring claims!

Henceforth ye shall see: Jesus' sustaining argument, that demonstrates the truthfulness of His former claim, is composed of two unquestionably Messianic Scriptures. (For further notes, see my Vol. II, pp. 446-449: "The Coming of the Son of Man." See notes on 24:29-31.)

- 2. the Son of man sitting at the right hand of Power (Ps. 110:1). This masterful concept of a Man seated on God's glorious throne as supreme King and Judge of all the world is the sort of self-consciousness one would expect of someone who considered Himself the Lord's Elect, the Servant of Jahveh, His own unique Son who alone knows the Father. It is this very self-awareness of His own deity that gave Him the courage, when on trial for His life, to identify Himself unequivocally as the Messianic Son of man. The right hand of Power is an idiomatic Hebrew paraphrase for "God's almighty right hand."
- 3. the Son of man...coming on the clouds of heaven (Dan. 7:13ff.). This refers to Jesus' ascension and incoronation. For this concept, see full notes on 24:29-31 esp. 30. That this has nothing to do with the Second Coming is established by Jesus' time-schedule: henceforth you shall see. . . They would not have to wait in line two millennia to get a glimpse of it.

Because in Daniel the Son of man comes TO GOD to receive His Kingdom and He must rule, as David writes, until His triumph is absolute and total, Jesus prophesies His exaltation and triumph over His enemies.

Thus, just as before Pilate Jesus declared Himself to be the King of a Kingdom not of this world (John 19:36f.), so also before the high priest He declared Himself to be the Son of man, God's universal King of whom Daniel spoke. Jesus prophesied that they would live to see the fulfillment of these prophetic truths realized in Himself. Unless they repented, their roles would rapidly be reversed: He would be their King and Judge; they the judged. His heavenly glorification would eclipse them in every way, and His vindication exclude them from that glorious Kingdom which He coming must usher in. This dramatic vindication occurred just forty years later when He poured out terrible, punitive judgment on them, their City and their Temple.

With the crucifixion, they would suppose the Nazarene question closed. Instead, not four days later the religious clique discovered

they had not heard the last of Jesus of Nazareth. Less than two months later, shaken by a flourishing spiritual movement that threatened their religious hegemony, they arraigned before their council a couple of ex-fisherman, saying to them, "We gave you strict orders not to teach in this name. Yet you have filled Jerusalem with your teaching, and are determined to make us guilty of this Man's death" (Acts 5:28). What is the significance of this complaint? The Sanhedrin and the priesthood were just beginning to reckon with Jesus the Christ ascended to the throne of the universe. Everything they attempted to stop His growing movement utterly failed. He had won. And His victory song went on.

The Apostles hammered on this concept (Acts 2:33-36; 3:13; 5:31f.; Rom. 8:34; Heb. 1:3f., 13; 10:12f.; I Peter 3:22). The Christians found their hope and power in it (Acts 4:24ff.; 7:55). As they went through their trials, they looked up, not only for the coming of Christ, but to the Christ now reigning in heavenly majesty.

6. JESUS IS CONDEMNED TO DEATH FOR BLASPHEMY

26:65 Then the high priest rent his garments, saying. He hath spoken blasphemy: what further need have we of witnesses? behold. now ve have heard the blasphemy. Jesus had neither yielded nor evaded, but His confession turned the course of the trial. Rent his garments: among Orientals this was the customary way of expressing extreme shock, dismay and indignation. This was accomplished by gripping the garment at the neck in front and tearing it a bit. May we not judge our own sense of God's high holiness by how profoundly we are shocked by a blatant case of treating God with disrespect? (Cf. Isa. 36:22 where men appropriately tore their clothes at hearing blasphemy; cf. 1 Macc. 11:71; Josephus, Wars, II,15,4; Acts 14:14.) Rent his garments, i.e., not his official dress, which was worn during his official functions as high priest, but his personal "clothes" (pl. himàtia; chitônas, Mark 14:63) as president of the Council. Although a high priest was prohibited from expressing personal grief in this way (Lev. 21:10), he protests in his official position against what he considers blasphemy (Sanhedrin 7,5). According to Rabbinical rules the judges must be "standing on their feet, rend their garments and not sew them up again" (P.H.C., XXII,587).

So, in theory, the high priest was expressing holy grief at this profanation of the honor and holiness of God. In reality, however,

because Jesus' self-incrimination was more thorough than expected, Caiaphas was neither grieved nor shocked, but greatly relieved at surpassing so easily what had appeared an impossible obstacle. Inwardly he was fiercely jubilant. With imitation horror and hidden malice the cunning Caiaphas prejudiced the Council vote by his dramatic cry of blasphemy!

What further need have we of witnesses? The previous trouble with conflicting witnesses is now obviated. The whole council is now itself a witness to Jesus' assertions, hence all of them could now testify to the nation as to the crime for which the Nazarene would die. Paradoxically, they had found but one faithful Witness (Rev. 3:14). Although they repudiated His testimony, yet they intended to sentence Him on the basis of His word alone!

Blasphemy: For a man not to substantiate His claims to divinity when on trial for His life is to stand self-convicted. But they ignore how many hundreds of times Jesus had already validated His Messiahship and divine Sonship by incontestable supernatural proof during His ministry (John 7:31; 10:38; 12:37; 14:10f.). Since all previous evidence in favor of Jesus is excluded a priori, only what occurs at this trial counts. However, they suppose they must judge Him here and now on the sole basis of arguments in the trial. So, His present answer is treated as an assertion unsupported by immediately evident proof. Lacking this support, His judges must pronounce it blasphemy. So Jesus is defeated in the eyes of His enemies. By claiming to be, in some sense, divine, He appeared to attck the basic tenet of Israel: monotheism, for how could there be but one God (Deut. 6:4), if He were somehow God too? This realization would strike the unthinking unbeliever with tremendous impact.

However, the issue is clear: either Jesus was divine or He was not. If He was not, He spoke blasphemy and deserved to be condemned. If He spoke the truth, He was God's Son and they deserve death who condemned Him. If He lied, it was the greatest folly ever committed because done in full awareness that this deception would send Him to the cross. If false, we could perhaps excuse His claim as that of a deluded fanatic. However, if His claim to be divine is true, do we worship Him?

26:66 What think ye? They answered and said, He is worthy of death. The triumphant Caiaphas charged the obsequious jury to do its duty. Ramming through a quick voice vote, he finally obtained his consensus of action in this unanimous verdict (Mark 14:64). Since

death was the normal penalty for blasphemy (Lev. 24:15f.), for being a false prophet (Deut. 18:20), a seducer (Deut. 13) or a rebel (Deut. 17:12), Jesus had no chance and could be considered worthy of death, indicted on whatever count His enemies found pragmatically successful. Formal sentencing would follow early the next morning (27:1 = Luke 22:66ff.). That later trial simply marks this one as informal and exploratory in character and its test vote the expression of a legal opinion. Even if not the formal de jure determination of the Sanhedrin met in regular session, Jesus' condemnation and death were the de facto product of its members. They expressed the decision and aims of a significent cross section of Israel's leadership and its supreme tribunal. (See on 26:3.)

Their superficial judgment is totally incomprehensible, if we suppose that they condemned Jesus for claiming to be a Messiah on the strictly political level, for there were later, openly political messiahs in abundance whom the Sanhedrin did not bring to trial as they did Jesus. (See on 24:4f., 11, 23-26. Was that only because those political messiahs were so often halted by Roman might, hence the Sanhedrin did not have to deal with them?) On the contrary, Jesus' claim to Messiahship consisted in supernatural identity, His claim to be the Son of God. In this He was a threat to them.

7. FRENZIED DISPLAY OF HATRED

26:67 Then did they spit in his face and buffet him: and some smote him with the palms of their hands. Since their Prisoner had not defended Himself by a devastating display of supernatural might, they viewed Him as innocuous and their courage returned. Before covering His face, they spit in his face. To the legal injustice they add insult and shame. (Cf. Num. 12:14; Deut. 25:9; Job 30:10.)

Who really abused Jesus? They points to the Sanhedrists, whereas Luke 22:63 mentions the guards. But the latter did not have Jesus yet, because "they received him with blows" after the Councilors themselves had begun the mocking (Mark 14:65). However, it matters little, because the shameless brutality of their lackeys proved they had the full approval of their masters. These savagely attack their defenseless Victim. This inhumanity shames those who showed it, not Him who tolerated it.

26:68 saying, Prophesy unto us, thou Christ: who is he that struck thee? Without a piece of information from Luke's Gospel (22:64),

some unfriendly critics might judge this sentence a piece of absurdity, since if the smiter were then standing before Jesus, what purpose could he have had in taunting Jesus by challenging: "Tell us who struck you!" Luke, however, reports that they had blindfolded Jesus to keep Him from seeing who His attackers were. McGarvey (Evidences of Christianity, 92) wrote:

If Matthew had been making up his story, he would probably have been on his guard against such omissions; but as he was conscious of writing only the truth, he left his statement to take care of itself.

Did the Jews cover their Prisoner's face to symbolize the death sentence? (Cf. Mark 14:65; Esth. 7:8.) If so, this would rationalize the blindfolding by His tormentors. This man had claimed to be a prophet. Let him prove it. Because He could not see who hit Him, any faked prophecy would be impossible, if He were no real prophet. Thou Christ sneers at His Messianic claims in much the same way the Romans insulted Jesus by allusion to His supposedly political position (27:27-29).

Jesus chose to ignore these challenges, not because He could not prophesy, but because this was not the time for proof and answers but for death and reconciliation. He tolerated far more than these insulting gestures and painful blows. As Edersheim (*Life*, II,562) put it:

... these insults, taunts, and blows which fell upon that lonely Sufferer, not defenseless, but undefending, not vanquished, but uncontending, not helpless, but majestic in voluntary self-submission for the highest purpose of love—have not only exhibited the curse of humanity, but also removed it by letting it descend on Him, the Perfect Man, the Christ, the Son of God.

But, ironically, to accept this suffering is not the mere exercise of moral grandeur that dwarfed those who thus abused Him. In a world gone awry where the purest of the race is mocked, for Him to suffer is to triumph, because God's plan, salvation made possible by His death as an atonement for sins, is progressing right on schedule. Again, He took this cruel mockery not merely because it too was foreseen in prophecy (Ps. 22:6f.; Isa. 50:6; 52:14; 53:3). Unjustly accused, unfairly tried and unkindly insulted, Jesus bore the unjust accusations, the unfair trial and the unkindly insults patiently, because He was committed to US. It was because He was committed to do God's will

that He loved us so. This same "divine toughness" can be ours, to the degree to which we turn ourselves over to God in the same way He did: "Not my will, but yours be done."

FACT QUESTIONS

- 1. According to what logical procedure would it be normal for Jesus to be taken first to Annas, as John says, rather than to Caiaphas, as the Synoptics report? What prior right(s) did Annas possess?
- 2. What was the difference between this session before Caiaphas and the one before Annas recorded by John (John 18:19-23)? How does it differ from that of Luke (22:66f.)?
- 3. Who constituted this jury that judged Jesus' case? What reasons justified each man's or group's opposition to Jesus?
- 4. State briefly what was charged against Jesus at this stage of His trial. What is the fundamental accusation back of all the Sanhedrin's deliberations that justifies their resistance to Jesus?
- 5. Were the witnesses against Jesus at His trials few or many? What was the character of the witnesses who came forward?
- 6. On what occasion(s) did Jesus affirm what they report?
- 7. In what way does this Synoptic's report of the false testimony about the destruction of the temple corroborate the testimony of John?
- 8. Did Jesus answer any of their accusations? If so, which and how?
- 9. Was there anything illegal about the high priest's putting Jesus on oath to speak: 'I adjure you by the living God, tell us if you are the Christ, the Son of God''? Prove your answer.
- 10. What was Jesus' reply? What is the source and meaning of the language He used?
- 11. What is meant by Caiaphas' tearing his clothes?
- 12. Define "blasphemy" as this is used by the Sanhedrin to describe Jesus' crime. Then, show why Jesus was not guilty as charged.
- 13. What was the Mosaic punishment for blasphemy and for being a false prophet? Where are these laws stated? (book and chapter)
- 14. What sentiment is expressed by spitting in Jesus' face? Who did it?
- 15. On the basis of what specific law did the rulers decide Jesus must die?
- 16. List every evidence of Jesus' moral stature as His trial before Caiaphas reveals this.