

THE TRIAL OF JESUS CHRIST

(The following was sent to us by Homer Hamlin, with this explanation: "The information on Hebrew and Roman law is the result of research by Mr. Howard A. Rankin, an Attorney of Portland, Oregon, a man I have never met. This information was supplied to me by Mr. Leonard Seaman, an attorney now living in San Luis Obispo.")

In April of A.D. 33, about the 6th, Jesus was accused of three separate crimes; two being Hebrew crimes, and one, a Roman crime. He was subjected to not one, but actually five separate trials in a period of six hours, under two different laws. He was found guilty of but one of these laws, a Roman law, and innocent of the remainder, and for this he was put to death on the cross.

It is important that we recall the historical background that preceded the events of this discussion. In 63 B.C. the Romans swept down through the Mediterranean Sea, conquered the then known world, and imposed their military dictatorship on the conquered peoples, including those of Judea. The Romans took away all of their civil rights, and deprived them of all civil and political power. Later, before the time of Jesus, the Romans restored considerable religious freedom to the Judeans, and allowed them to reinstate, but never to put anyone to death. This power rested solely with the Romans.

It will help us to understand the trial better, if we know something about the characters involved, other than Jesus. The most important person, aside from Jesus, of course, was Annas, for he was directly responsible for the ordering the death of Jesus. Annas was considered by some to be the uncrowned king of Judea; he was the wealthiest and most influential man in the entire province. It is believed that he directed Caiaphas to tell the people that it was expedient that one man should die for the people. How right were his words, and how terribly evil his motives. (John 18:14) There is no question that Annas masterminded the proceedings that led to Jesus' crucifixion.

Annas had acquired his great wealth and power in a manner not too uncommon today. Since it was the custom of the Jews to make pilgrimages to Jerusalem, and there to make a sacrifice in the temple, Annas found a way to make this convenient for the people. A sacrifice could be made in either of two ways--either by giving of the coin of the temple, or by sacrificing an animal. Since the temple coin was not in general circulation, it was necessary for the Jews to exchange their native or local money for this temple coin. The discount rate was quite high at this exchange. Annas owned and controlled all of the money changers, and no doubt his profits were substantial. Evidently the Judean Justice Department took a broader view of monopoly than is the case today in the United States. When Jesus drove the money changers from the temple, he struck at the very heart of Annas' wealth and power (Mark 11:15-17), and, in effect, signed his own death warrant.

Annas had no respect for the Law, and repeatedly violated it, and the rules of procedure. He served for 17 years as the Chief Priest, and leader of the greater Sanhedrin, the supreme religious court of Judea. He then appointed in order, each of his six sons, each of which was deposed and then his son-in-law, Caiaphas was given the office; Annas completely dominated him, and instructed him in the prosecution of Jesus.

The next character in our story is Pontius Pilate, who was born in what today is Barcelona, Spain. He probably would have remained an unknown, had he not managed to marry Claudia, granddaughter of Caesar. For this conquest, Pilate was elevated to the rank of Roman General, and was given as his first major assignment the governorship of Judea. He seems not to have been qualified either morally or intellectually for this responsibility. Soon after his arrival in Judea he imposed certain rules and regulations and denied certain religious rights which precipitated riots and insurrections, requiring that the Romans call in troops from other areas.

Another actor in our story, who presided over one of Jesus' trials, was Herod, probably the grandson of the Herod who slew the infants when Jesus was a young child. Herod was the Vice-Tetrarch of Galilee, and the one who ordered the beheading of John the Baptist, who had indeed prepared the way of the Lord. Evidently Herod had heard much about Jesus, and hoped that he would provide entertainment of some kind for his court. Jesus referred to Herod as "That fox", the only personal derogatory remark he ever made.

And finally, there was Barabbas. Being a conquered people was as unpleasant and distasteful to the Judeans in A.D. 33 as it would be to people of today. The burning ambition in the hearts and minds of many in that day was to drive the hated Romans from their soil, and to restore their government and political independence as a nation. Barabbas was the insurrectionist, revolutionist hero of his day. He was the popular hero who sought to organize sufficient arms and forces to reestablish the kingdom. Even Jesus' own disciples had thought that this was what Jesus would do!

Today we are able to analyze and study the Mosaic Code and the Roman law, Justinian's Code of Procedure, as they existed in Jesus' time. By applying the facts as reported in these trials, all of which took place within six hours, we are able to arrive at certain conclusions concerning the legality of these events. We know that numerous errors at law occurred during these trials, and had Jesus had the right of appeal, almost any one of these would have been sufficient to release him. Sometimes we in America believe that we were the first to become deeply concerned with the rights and liberties of the individual, and the need for adequate safeguards for the protection of those rights. But that is not true. The Judeans (Jews) were more deeply concerned about protecting those rights and liberties, and they established greater safeguards and more elaborate procedures to insure those safeguards than we possess today. We must remember that a son of Abraham must under no circumstances be put to death unjustly or wrongly.

Mark 14:43-45 recounts the betrayal and arrest of Jesus. Here was the first of the errors of the law. Jesus was arrested upon the information furnished by an accomplice; a co-criminal or conspirator, was not considered a credible witness; therefore his word was insufficient legally to justify the arrest of another. Nevertheless, Jesus was arrested upon the information of an accomplice his disciple, Judas Iscariot.

He was arrested at about the hour of midnight, in the garden, as the soldiers and the multitude sent by the high priest, came bearing swords, staves and torches. The Mosaic Code prohibited the arrest of one accused of a capital crime in which his life might be in forfeit, after the hour of sunset and before the hour of sunrise. Their belief was that one who was taken away from his family, friends and neighbors during the hours of darkness, might in some manner be denied his legal rights, that adequate safeguards might not be undertaken to insure that he was justly arrested. Yet Jesus, was arrested during the hours of darkness--the middle of the night.

John 18:12, 13 is the account of the second error of Jesus' trial. Annas, father-in-law to the high priest of that year, Caiaphas, had no authority nor legal right or standing whatsoever to try, or even interrogate Jesus. He was not then an officer of the court, and the Mosaic Code did not provide for a one-man court anyway, the smallest number being 3, and then 23, and finally 73. They believed that a one-man court was insufficient to try a man for a crime, for one judge might be partial and might not adequately protect the rights of the accused.

It appears from the proceedings before Annas that Jesus, this son of a carpenter, this uneducated person, knew his legal rights. How he acquired this knowledge is a mystery to those who do not know the Truth. (John 7:15: "And the Jews marveled, saying, How knoweth this man letters, having never learned?") Jesus knew that he did not have to testify against himself, and that they must bring forth two or three witnesses to prove their case (Deut. 19:15). He knew that as long as he taught openly in the temple, the synagogues, and in the fields, he had done nothing wrong, for he never taught secretly. He knew that they must prove their case against him according to the law, but they failed to do so. John 18:19-24 relates how Jesus was sent to Caiaphas and interrogated regarding his disciples and his doctrine.

Jesus had refused to answer Annas, and was then sent bound, to Caiaphas, who was the high priest that year, and evidently the chairman of the Greater Sanhedrin, which he had convened shortly following the hour of midnight. Under the Mosaic Code, the Greater Sanhedrin could not be convened during the hours between sunset and sunrise, for the Judeans believed that the judges could not intelligently, alertly and accurately hear the testimony against a man accused of a capital crime during the hours of darkness, but only during daylight. Yet they tried Jesus shortly after midnight.

Matt. 26:57-61 gives the account of Jesus' questioning before Caiaphas and the Sanhedrin; the effort to find false witnesses, resulting in only two charging him with the claim that he would destroy and rebuild in three days the temple; and then the adjuring by Caiaphas as to whether he was the Christ.

In the proceedings before the Sanhedrin there was no prosecutor or district attorney as we know him today. The charge was made and proved by the complaining witnesses themselves, and the members of the court were denied the right to actively interrogate or prosecute the accused. Jesus was first accused of the crime of sedition, in seeking some manner in which to tear down or destroy the Hebrew religion. The two witnesses accused Jesus of saying that he would tear down the Temple of God and rebuild it in 3 days. We know from John 2:21--"But he spake of the temple of his body." However, they believed that he intended to destroy the Temple of Jerusalem and rebuild it again in three days. It had taken them more than 40 years to build the temple.

Upon hearing the accusation of the Jews, Pilate took Jesus into the palace and followed the second step, that of interrogation, and examination. (John 18:28-38 records this part of the trial.) He asks Jesus, "Are you the king of the Jews?" Jesus then entered a defense, the third step, being one of justification. He said, "My kingdom is not of this world: if my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews: but now is my kingdom not from hence." Being satisfied with that defense, and the obvious fallacy of the charges, Pilate returned his verdict to the Jews--"I find no fault in him at all!"

In the meantime, the Chief Priest, the scribes, the Pharisees, and the soldiers were stirring up the multitude, to demand the crucifixion of Jesus. Pilate sought in some way to avoid this responsibility, and when they said, ". . . He stirreth up the people, teaching throughout all Jewry, beginning from Galilee to this place," (Luke 23:5) Pilate seized upon this information as a possible solution. If he were a Galilean, he belonged to Herod's jurisdiction, so Pilate had Jesus sent to Herod. This would be called today, a change of venue, on the judge's own motion. Jesus would not answer Herod's questions, so they mocked him, arrayed him in a gorgeous robe, and sent him back to Pilate. Luke 23:11.

For the second time, Pilate took Jesus into the palace and said, "Whence art thou?" but Jesus did not answer (John 19:9-11). Pilate asked why Jesus did not answer, knowing that he had the power to release Jesus, or to crucify him. To this Jesus replied that Pilate only had power from God, and that those who had delivered him had the greater sin. Then Pilate again went to the crowd and said, "I find no fault with this man." The crowd cried out "Crucify him, crucify him", and Pilate replied, "But why, why, what crime has he done?"

Pilate knowing the innocence of Jesus, made one more effort to release him, as he recalled that it was the custom at the beginning of the feast of the Passover for the Governor to release for the crowd any one prisoner then held captive. (Matt. 27:20-22) When Pilate asked them whether he should release Jesus or Barabbas, the chief priests and elders persuaded the people to demand Barabbas, and to crucify Jesus. Since Pilate could find no guilt in Jesus, he demanded (V. 23) of the priests, a reason for their charges. When Caiaphas saw that there might be a release of Jesus, he played his master stroke--he changed the alleged crime from a Jewish crime to a Roman crime!--one that Pilate would find almost impossible to resist, that of treason--treason against Caesar; for any man who makes himself a king, sets himself against Caesar. Probably Pilate reasoned that if he were to do nothing about someone who claimed to be a king, and Caesar heard of this, it would go hard for him. And Jesus HAD acknowledged that he was a king. Nevertheless, Pilate tried once more to release Jesus by saying to them, (John 19:15) " . Shall I crucify your King? The chief priests answered, We have no king but Caesar."

And so, realizing the innocence of Jesus, but the impossibility of resisting the priests, Pilate washed his hands of the matter, and delivered Jesus to be crucified. But in this case, as in no other, there on that crude cross, pierced with nails, Jesus' death was not the end, but the beginning, for his death as the Ransom for all, to be testified in due time, was the fulfillment of the Law, far beyond the concept of any at that time, in that by sacrificing His life as the Corresponding Price for Adam, all may have life. "FOR AS IN ADAM ALL DIE, EVEN SO IN CHRIST SHALL ALL BE MADE ALIVE." Heb. 2:14.