

Jesus Before the Sanhedrim

Translated from the French of MM. Lémann
By Julius Magath

Title Page

Acknowledgements

Author's Preface |

Part First, The Study of the Personal Character of the Members of the Sanhedrim that Sat at the Trial of Christ:

Chapter First The Several Bodies Composing the Sanhedrim in the Time of Christ

Chapter Second The Legal Power of the Sanhedrim is Restricted Twenty-three Years Before the Trial of Christ

Chapter Third The Moral Character of the Personages who Sat at the Trial of Christ

Part Second, The Legality of the Trial Brought into Question:

Chapter First *Facts which Prove that the Sanhedrim had Resolved Beforehand to Condemn Christ to Death, However Clearly His Innocence Might be Proved*

Chapter Second *The Rules of Justice and the Legal Forms which the Sanhedrim was Under Obligation to Observe in the Trial of Criminal Cases*

Chapter Third *Details of the Trial (Night Session)*

Chapter Fourth *Details of the Trial (Morning Session)*

Conclusion

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Translated from the French of MM. Lémann

**By
Julius Magath**

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Author's Preface

Among the ancient assemblies that the public still holds responsible for the conduct of their affairs, there is one upon which rests a responsibility of a highly exceptional character. It is that one which held its sway during the latter days of Jewish national history, and by which Jesus was condemned to death. This assembly is known in history under the name of Sanhedrim.

To pronounce this name before Israelites is to recall to their minds the most learned, the most equitable, and the most honorable assembly that ever existed. Woe unto that Jew who would dare, in the presence of his brethren, to attach the least blame to the men or the acts of that high tribunal. He would indeed be esteemed less guilty if he spoke against the Ark of the Covenant itself.

Do the Israelites really know what this assembly was? We dare affirm that they do not. Every Jewish child is taught to respect the memory of every individual composing that body, but who they were and what they did, they ignore. This culpable ignorance is designedly imposed upon the people by the rabbins, who, according to St. Paul, "hold the truth in unrighteousness," **Romans 1:18**.

We shall endeavor, by the help of God, to tear the veil asunder, that our Hebrew brethren may at last know the truth. We have consulted Jewish documents of the highest importance and the most unquestionable authenticity, and we shall make use of them to show how the dignity of this high tribunal was abused by the immoral and unjust character of the men composing it.

In order to form a correct estimate of an assembly, we must know, in the first place, who and what are the persons composing it; and in the next place, it is necessary to examine its purposes and methods.

In forming an opinion of the supreme Jewish court contemporary with Jesus, we shall first try to find out the personal character of the individuals belonging to it. Second, we shall examine, in the face of the legislative enactments of the Jews, its proceedings against Christ. This work, then, naturally divides itself into two parts, the former of which has never yet been undertaken. The difficulty of obtaining Jewish documents and laborious research involved in deciphering them, have always stood in the way of the historian's efforts in this direction, and so our estimate of the whole assembly has been based, for the most part, on the knowledge obtained from the Bible of its two principle members — Ananias and Caiaphas.

The second part of this work was attempted about thirty years ago in a pamphlet entitled "*Jesus devant Caiaphé et Pilate*." This work is from the pen of the Hon. M. Dupin, late Attorney general of the Supreme Court of France, and was undertaken for the purpose of refuting the arguments of Salvador, the Israelite, in his defense of the Sanhedrim in the judgment and condemnation of Christ. This essay, although scientific and clear, has not exhausted the subject. M. Dupin has not only not investigated the individual character of the members of the Sanhedrim, but he has reviewed the trial in such a hasty manner as to touch only upon its principal points, to the utter neglect of those of secondary importance. In

this work one recognizes the Attorney General of a supreme court in whose eyes the least irregularity committed in a trial would be sufficient to invalidate the verdict. We, however, as sons of Israel, shall examine it step by step. Having studied the subject of Jewish legislation from its own sources, we shall inquire minutely into the legality of the proceedings against Christ, as conducted by the Sanhedrim Council. M. Dupin confounds the responsibilities of the chiefs of the synagogue with those of the whole nation. These were by no means equal. In this work we shall especially single out the members of the Sanhedrim, and say: "*Behold the guilty! These are the men who have led the whole Jewish nation astray.*"

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Part First

The Study of the Personal Character of the Members of the Sanhedrim that Sat at the Trial of Christ

Chapter First

The Several Bodies Composing the Sanhedrim in the Time of Christ

The Sanhedrim, or Grand Council, was the high court of justice and the supreme tribunal of the Jews. It was established at Jerusalem after the Babylonian captivity, and it is said that the famous council of seventy elders instituted by Moses in the wilderness ([Deuteronomy 17:8](#); [Numbers 11:16, 24, 25](#); [Exodus 24:1, 9](#)) served as a model for this assembly.

In consequence of this resemblance, the rabbis, who are always inclined to exaggeration whenever there is a question of glorifying the Jewish institutions, have maintained that the assembly of the Sanhedrim was no other than the one Moses himself had established. It is their opinion that the council of seventy established by Moses was maintained and perpetuated through the centuries of the dispensation of the law, side by side with the royal power. They further assert that its name was changed in the latter times to *Sanhedrim* instead of *Council of Ancients*.

This assertion is doubtless an exaggeration; for the council of seventy ordained by Moses remained in office for a limited time only. Having been created in order to assist the great Hebrew legislator in the administration of justice, it disappeared on the entrance of the children of Israel into the Promised Land. For if, as the rabbis maintain, it was perpetuated side by side with the royal power, surely the Bible, Josephus, or Philo, would have mentioned the fact.

The truth is, the Sanhedrim appears for the first time during the Maccabean era. Some place the date of its foundation under the government of Judas Maccabeus, others under that of Jonathan, others again under the reign of John Hyrcanus. Whichever opinion we may adopt, the date of the establishment of the first Sanhedrim Council is between 170 and 106 B. C.

The reader may also learn with interest the etymology of the word *Sanhedrim*. This supreme tribunal is also designated in history by other names. In the second book of Maccabees it is called *yepovoia*, or senate, Chap. 1.10; 10.1, 2. In the Vulgate, it is known under the name of *Concilium*, or grand council ([Matthew 26:59](#); [Luke 22:66](#)). The Talmud names it sometimes the tribunal of the Maccabees, but more frequently Sanhedrim. All these names are synonymous, although that of Sanhedrim has generally prevailed in history. It is used in the Greek text of the Gospels, by the historian Josephus, and in the rabbinical writings (Jos. *Ant.*, 14, Chap. 5.4; *Wars of the Jews*, 1.8.5; Talmud, *Sanhedrim*.) Borrowed from the Greek, it signifies the assembly of a council in a sitting posture. It is well-known with what calmness and gravity the Orientals are in the habit of deliberating on important matters.

Such are, so to speak, the external facts concerning this famous assembly. Let us now consider its composition. We shall endeavor, to some extent, to introduce the reader to the interior of the Sanhedrim.

It was composed of seventy-one members, including the presidents. This is the number given by Josephus and all Jewish historians, (Jos., *Wars of the Jews*, 2.10.5; Maimonides, *Yadchazaka* (mighty hand), or Abridgment of the Talmud, Book 14; *Constitution of the Sanhedrim*, Chap. 1). At the time of Christ these seventy-one members were divided into three chambers, as follows:

1. The chamber of the priests;
2. The chamber of the scribes, or doctors;
3. The chamber of the elders.

Each chamber was ordinarily composed of twenty-three members, which together with the presidents, of whom we shall presently speak, gave the number of seventy-one.

1. The chamber of priests, as the name indicates, was composed exclusively of those who held the rank of priest.
2. The chamber of scribes included the Levites and such of the laymen as were particularly versed in the knowledge of the law.
3. The chamber of ancients was formed of the most venerable men of the nation.

Such was the constitution of the assembly represented by the three principal estates of the Hebrew nation, as recorded by all the Hebrew and Christian contemporary writers. The New Testament declares that the priests, the scribes, and the ancients assembled to judge Christ, ([Mark 14:53, 16:1](#); [Matthew 15:21](#); [John 11:47](#); [Acts 4:5](#)), and Maimonides, who is so well informed as to the traditions and usages of the Israelites, says: “Only such priests, Levites, and Israelites were made judges as by the nobility of their origin were worthy to be placed beside those who held the sacred office of the priesthood” (Maimonides’s *Constitution of the Sanhedrim*, Chap. 2).

Although constitutionally the “seventy-one” were to be divided in equal numbers in each of the three chambers — viz.:

Twenty-three in the chamber of the priests,

Twenty-three in the chamber of the scribes,

Twenty-three in the chamber of the elders.

Nevertheless this equal division was not always rigorously maintained; and it occurred more than once, especially toward the close of the Jewish history of that period, that the chamber of the priests contained a majority of the members of the Sanhedrim. The reason for the preponderance of the priestly element has been given by Abarbanel, one of the most renowned rabbis of the synagogue. “The priests and the scribes,” says he, “naturally predominated in the Sanhedrim because, not having like the other Israelites received lands to cultivate and improve, they had abundant time to consecrate to the study of law and justice, and thus became better qualified to act as judges,” (Abarbanel, *Comm. on the Law*, fol. 366, recto).

The remark of this learned rabbi is also supported by the evangelists, who in many places ([Matthew 26:59](#); [John 11:47, 56, 12:10](#); [Acts 5:21, 24, 27, 22:30](#)) leave us to suppose that the chamber of the priests far surpassed in numbers and influence those of the scribes and the ancients.

Having thus defined the constitution of the assembly, (This constitution of the high assembly of priests, scribes, and elders, had a precedent in Jewish history: “Moreover in Jerusalem did Jehoshaphat set of the Levites, and of the priests, and of the chief of the fathers of Israel, for the judgment of the Lord, and for controversies, when they returned to Jerusalem” [II Chronicles 19:8](#).) let us now see who presided over the debates.

There were two presidents. One was styled *prince* (*nassi*) of the assembly, and was its real president; the other was called the *father of the tribunal* (*av-beth-din*), and was the vice-president. Both had their places of honor, and were seated on thrones at the extremity of the hall, having their colleagues at their sides on seats placed in the form of a semi-circle. At each end of the semi-circle was placed a secretary.

But out of which of the three chambers was the president chosen? Some authors, Basnage (*History of the Jews*, 6.23; la Haye edition, 1716) among them, have maintained that the presidency belonged by right to the high priest. This is an error; for as in the primitive assembly established in the wilderness, it was Moses, and not the high priest Aaron, who was president, so the presidency of the Sanhedrim was reserved, as a rule, for the most worthy man of the nation. And, in fact, in the catalogue of presidents preserved by the Talmud, we find many who did not belong to the priesthood. Besides, Maimonides, who has studied the subject thoroughly, says expressly: “Whosoever surpassed his colleagues in wisdom

was made by them chief of the Sanhedrim” (Maimonides, *Const. of the Sanhedrim*, Chap. 1).

It is, however, necessary to add that when the influence of the high priesthood became preponderant — and such was the case when Judea became a Roman province — the officiating high priest usually assumed the presidency of the Sanhedrim also. Cases are on record even where the presidency was taken possession of by violence. Need we, then, be surprised at their mercenary spirit and lack of justice? The mode of the election being corrupt, their administration became corrupt also. Thus they did not scruple, on many occasions, to decide the most important questions when only a half or even a third of the members were present. We said important questions, for it was to the superior light of the Sanhedrim that the most intricate questions of justice, doctrines, and administrations were referred.

“The judgment of the seventy-one is besought when the affair concerns a whole tribe or is regarding a false prophet or the high priest; when it is a question whether war shall be declared or not; when it has for its object the enlargement of Jerusalem or its suburbs; whether tribunals of twenty-three shall be instituted in the provinces, or to declare that a town had become defiled, and to place it under ban of excommunication” (Mishnah, *Sanhedrim*, Chap. 1.5). From this extract from the Mishnah, we see how great the judiciary powers of the Sanhedrim were. That this assembly possessed indeed a supreme authority, may be seen from the fact that Herod the Great, during his prefectorate, was obliged to appear before it as a criminal for having caused a band of robbers to be killed by its own chief (Josephus, *Ant.*, Book 14, Chap. 9.4); not even the royal prerogatives of King Hyrcanus himself being able to exempt him from the mandates of the Sanhedrim Council. The extent of the power of the Sanhedrim was therefore equal to that of royalty itself, and sometimes even exceeded it.

Here, however, we must notice a very important restriction, which the Sanhedrim imposed upon itself with regard to the power it possessed over life and death. We shall also very soon find to what extent the Sanhedrim enjoyed this power under the Roman constitution. What we particularly desire to point out here is the limitation as to *the place itself*, where the sentence of death could be pronounced.

There was but one hall in Jerusalem where a capital sentence could be pronounced. This hall was called “Gazith,” or the *Hall of Hewn Stones*. It was situated in one of the courts of the Temple, (Talmud, *Sanhedrim*, Chap. 14. We should not be surprised that the Sanhedrim held its sessions in the buildings of the Temple. A council of elders had already assembled there in the times of the kings. See **Second Book of Chronicles**), and owed its name to the fact that it was built of square and highly polished stones, which were considered very elegant at that time in Jerusalem. (The scriptures remark that Solomon ordered in the building of the Temple that only large stones were to be used, and that they were to be cut with great precision, **I Kings 5:17**. On the polishing of the hewn stones, see **Amos 5:2, 11**.)

That it was there, and there only, that a capital sentence could be pronounced, the Jewish traditions are unanimous in declaring. “*After leaving the hall of Gazith,*” says the Talmud, “*no sentence of death can be passed against any one soever*” (Talmud, Bab., *Aboda Zarah*, or of *Idolatry*, Chap. 1, fol. 8, recto). “*Capital sentences are not pronounced in all places,*” adds the commentary of R. Solomon, “*but only when the Sanhedrim is assembled in the Hall of Hewn Stones.*” Here is also the testimony of Maimonides: “*There can be no sentence of death unless the Sanhedrim is assembled in its place,*” (See *Pugio fidei* of Raymond Martin, p. 872, Leipsic edition).

This custom of confining the pronouncing of capital sentences exclusively to the hall *Gazith* was only adopted in the latter times of Jewish national history, about a century before Christ. We do not see the slightest trace of so singular a custom either in the time of the judges or the kings. When justice required it, the sentence of death was pronounced in any place. One has only to open the Bible to be convinced of this fact. This resolution, which includes, so to speak, the right over life and death in the *hall of hewn stones*, was introduced, as we have said, in the last period of Hebrew history. How was this introduced? No author gives any information on the subject. The motive only, which prompted the passage of such a resolution is known, (Talmud, Bab., *Sanhedrim*, Chap. 14).

In the book of Deuteronomy it is written: “If there arise a matter too hard for thee in judgment . . . then shalt thou arise, and get thee up into *the place* which the Lord thy God shall choose . . . and thou shalt observe to do according to all that they inform thee,” **Deuteronomy 17:8-10**. Exaggerating the import of this commandment, the chiefs of the synagogue who lived a century before Christ persuaded themselves that, in order to obey punctually this commandment, “they had to go to the place which the Lord had chosen” every time that “a matter too hard in judgment” presented itself; and, according to their opinion, could there be a harder matter in judgment than that of pronouncing the sentence of death, and what other place could the Lord have chosen if not the Temple? Starting thus from this narrow and forced interpretation of Scripture, the judges in Israel would no more exercise the right over life and death unless they were assembled in a special hall in the Temple — hence the custom which restricted the trial of capital offenses to the hall *Gazith*.

We see, then, that the exaggerated and literal interpretation of the Word of God, which the Talmudists afterwards carried to such an enormous extent, had already commenced.

It is thus established beyond doubt that the custom of pronouncing the sentence of death in the *Hall of Hewn Stones* only, had in the time of Christ acquired the force of law, and that any sentence pronounced outside of that place was void. This fact is of importance, and the reader will understand it more fully as he advances.

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Part First

The Study of the Personal Character of the Members of the Sanhedrim that Sat at the Trial of Christ

Chapter Second

The Legal Power of the Sanhedrim is Restricted Twenty-three Years Before the Trial of Christ

We have sketched the organization of the Sanhedrim, which, in the time of Christ, was composed of three chambers. Afterwards we determined the extent of the judiciary power. This was very great, as the reader has, doubtless, been able to judge. A great event has, however, shaken and reduced its authority. To describe this important event we have especially reserved this chapter.

Twenty-three years before the trial of Christ the Sanhedrim lost the power of passing the death sentence.

This took place after the deposition of Archelaus, son and successor of Herod, 11 A.D., or 7 V.E. (Josephus, *Ant.*, Book 17, Chapter 13.1-5). Judea had become a Roman province, and the procurators who administered justice in the name of Augustus deprived the Sanhedrim of its supreme power in order that they themselves might exercise the *jus gladii*; that is to say, the sovereign right over life and death. Every province annexed to the Roman Empire had to submit to this; and, as Tacitus says, *the Romans reserved to themselves the right of the sword, and neglected all else.*

The Sanhedrim still, however, retained the right to excommunicate, John 9:22, to put in prison, Acts 5:17, 18, and to inflict corporeal punishment, Acts 16:22, but the principal right of its sovereignty — namely, the right over life and death — it possessed no longer. The Talmud itself, jealous as it is of the independence of the Jewish nation, is constrained to admit this fact: *A little more than forty years before the destruction of the Temple, the power of pronouncing capital sentences was taken away from the Jews*, (Talmud, Jerusalem, *Sanhedrim*, fol. 24, recto). These forty years, says the learned Israelite, M. Dérembourg, form a round number, and it designates the epoch of the procuratorship of Pontius Pilate (18-37). It is hardly possible, however, that the *jus gladii* had remained in the Jewish power until that period. It must have ceased since Coponius, 7 A.D. (*Essai sur l'histoire et la géographie de la Palestine, d'après les Talmuds et les autres sources Rabbinique*, p. 90: Paris, 1867.) This was a terrible blow to Judea, from which neither the Jews contemporary with Christ nor their descendants have ever recovered. Rabbi Rachmon says: “When the members of the Sanhedrim found themselves deprived of their right over life and death, a general consternation took possession of them; they covered their heads with ashes and their bodies with sackcloth, exclaiming: ‘Woe unto us, for the scepter has departed from Judah, and the Messiah has not come!’” (Raymond Martin, *Pugio fidei*, 872; Leipsic edition). They even tried on several occasions to free themselves from the royal decree; and they have always endeavored to persuade themselves that although they had lost the power of carrying a capital sentence into *execution*, they still preserved the power to *pronounce* judgment in matters pertaining to religion. What an illusion! Every time they pronounced a sentence of death, as in the case of Christ, of Stephen, (Acts 6:12-15, 7:56-57) and of James the son of Alphaeus, they did it in manifest violation of the Roman laws.

Josephus, the most eminent of Jewish historians, an eyewitness of this decadence, says expressly: “*After the death of the procurator Festus, when Albinus was about to succeed him, the high priest Ananus considered it a favorable opportunity to assemble the Sanhedrim. He therefore caused James the brother of Jesus, who was called Christ, and several others, to appear before this hastily assembled council, and pronounced upon them the sentence of death by stoning. All the wise men and strict observers of the law who were at Jerusalem expressed their disapprobation of this act. . . . Some even went*

to Albinus himself, who had departed to Alexandria, to bring this breach of the law under his observation, and to inform him that Ananus had acted illegally in assembling the Sanhedrim without the Roman authority," (Josephus, *Ant.*, 20, Chapter 9.1). This incident and the testimony of Josephus prove indisputably that in his eyes, and in those of the wisest and strictest observers of the law in the nation, the power of the Sanhedrin over life and death was gone.

But it was not the Sanhedrim alone that manifested so much concern at the loss of this power; we may say that the whole nation shared in this grief. In order, however, to palliate the blow which the national independence had sustained, and to make believe that the Sanhedrim still possessed the supreme power over life and death, the rabbis invented the following fiction:

It was not, say they, the Romans who first deprived that assembly of its supreme power. It was the assembly itself, which judged it necessary, for a time, to impose upon itself this restriction. The reason for such an act is given as follows: *The members of the Sanhedrim, having noticed that the number of murderers had increased to such an extent in Israel that it became impossible to condemn them all to death, they concluded among themselves [and said], It will be advantageous for us to change our ordinary place of meeting for another, so that we may avoid the passing of capital sentences* (Talmud, Bab., *Aboda Zarah*, or of *Idolatry*, fol. 8, recto). The frequency of homicide was so great that, in order to avoid condemnations, the Sanhedrim banished itself from its place of session (Abraham Jackuth, *Liber Juchasin*). See also the *Great Book of Precepts*, by Rabbi Michael Kotsensis, p. 102. This eminent rabbi lived at Toledo in 1230. His book on precepts is a résumé on both Talmuds, and was edited for the first time in Venice in 1522. A second edition appeared in Bamberg in 1547.) Thus *forty years before the destruction of the second Temple criminal sentences ceased in Israel, although the Temple was still standing. This was due to the fact that the members of the Sanhedrim quitted the Hall of Hewn Stones and held their sessions there no longer*, (Maimonides, *Const. Sanhedrim*, Chapter 14. See also Talmud, Bab., *Aboda Zarah*, fol. 8).

Such is the first motive alleged by the rabbis as a reason why the right over life and death ceased to be exercised by the Sanhedrim. Thus the abstaining from pronouncing capital sentences is attributed to the unfortunate times when the number of victims would be too numerous.

But to this explanation, which is nowhere justified in history, the rabbins thought it best to add another of a more plausible character: "The members of the Sanhedrim," they add, "had taken the resolution not to pass capital sentences as long as the land of Israel remained under the government of the Romans, and the lives of the children of Israel were menaced by them." This motive appears very plausible indeed. "To condemn to death a son of Abraham at a time when Judea is invaded on all sides, and is trembling under the march of the Roman legions, would it not be to insult the ancient blood of the patriarchs? Is not the least of the Israelites, by the very fact that he is a descendant of Abraham, a superior being to the Gentiles? Let us, therefore, quit the *Hall of Hewn Stones*, outside of which no one can be condemned to death, and in protestation of which let us show by our voluntary exile and by the silence of justice that Rome, although ruling the world, is nevertheless mistress over neither the lives nor the laws of Judea," (See Lightfoot, in *Evangelium Matthaei, horae hebraicae*, p. 275, 276: Cambridge, 1658).

Every one will agree that to speak and act thus is to manifest a lofty spirit. Unhappily, however, all this is fiction; the members of the Sanhedrim have never voluntarily banished themselves from the Hall of Hewn Stones.

In the seventh year of the Roman era, after the deposition of Archelaus, and when Judea had been converted into a Roman province, the Sanhedrim was *deprived* of the sovereign power it possessed over life and death.

But let us inquire into the cause of this stubborn reluctance on the part of the members of the Sanhedrim, as well as that of the Jewish posterity, to acknowledge this unhappy state of things. We will admit that the Hebrews possess some pardonable national pride; but after all, Judea was no exception to the rule. All the nations subdued by the Romans were deprived of their right to pronounce capital sentences, and yet none of them ever refused to acknowledge the humiliation. Why is it, then, that the Jewish people alone have never consented to do so?

Here is the explanation: At the disappearance of the sovereign power, the time appointed by Jacob's prophecy for the coming of the Messiah seemed definitely and indisputably to have arrived. But as the synagogue refused to recognize the Messiah in the person of Jesus of Nazareth, it endeavored to arrest its fulfillment. To accomplish this it hesitated not to cling tenaciously, in the face of Roman authority and before their posterity, to that power over life and death, the suppression of which was the divinely appointed mark that the Messiah had come.

What, then, is the import of this prophecy? It is time, O Israelites, that it be explained to you in all its clearness.

Jacob was on his deathbed; his twelve children, grouped around him, received each, in order of his age, the prophetic blessing according to the inspiration of God. But when Judah's turn came, the old man's accents grew more sublime. "Judah," he exclaimed, "thou art he whom thy brethren shall praise: Thy hand shall be in the neck of thine enemies; thy father's children shall bow down before thee. Judah is a lion's whelp: from the prey, my son, thou art gone up: he stooped down, he couched as a lion, and as an old lion; who shall rouse him up? The Scepter shall not depart from Judah, nor a Lawgiver from between his feet, until Shiloh come; and unto Him shall the gathering of the people be," Genesis 49:8-10. Regarding this prophecy of Jacob, the rabbins of Jewish antiquity unanimously declare that it refers to the Messiah.

According to them, two signs were to precede the coming of the Messiah, so as to keep the minds of the people on the watch: first the *removal of the scepter*; then, *the suppression of the judicial power*. Commenting on the above passage, the Talmud says: "*The Son of David shall not come unless the royal power has been taken from Judah,*" and again: "*The Son of David shall not come unless the judges have ceased in Israel,*" (*Sanhedrim*, folio 97, verso). But at the time of the Roman conquest, the *scepter*, or the royal power, had long ago disappeared from Judah; for since the return from captivity — that is to say, more than four hundred years before that epoch — none of the descendants of David wielded the royal scepter. The Maccabean princes, (See *Maccabees*, Book 2) who were the last Jewish kings to reign in Jerusalem, belonged to the tribe of Levi; but Herod the Great, who succeeded them, had not even Jewish blood in him, being of Idumean descent.

The first sign, or the *removal of the scepter* from Judah, was then visibly accomplished. There remained yet the second sign, or *the suppression of the judicial power*; and behold its accomplishment! For it is a noteworthy fact that as soon as the authority for passing capital sentence was taken away by the Romans, there was no longer a true legislator between the feet of Judah. Our Hebrew brethren are too well acquainted with the figurative language of the East to require much explanation regarding the expression, "the feet of Judah." They have certainly not forgotten that when a legislator or doctor in ancient Palestine was in the act of teaching, all his disciples were seated before him in the form of a semicircle. The teacher was thus literally placed among the feet, which were extended toward him as unto the center of a semicircle. (See Jacobi Altling, *Schilo seu Laticinio patriarchae Jacobi*, p. 168.)

Between the feet of Judah there was then no longer a true legislator, nor was there in his hand a scepter visible. "The judicial power once suppressed," says the Talmud, "the Sanhedrim ceased to be." And now, since the members of the Sanhedrim had refused to recognize in Jesus of Nazareth the promised Messiah, we can understand how that on the day when the sovereign right over life and death was taken from them, they should have exclaimed in despair: "*Woe unto us, for the scepter has been taken from Judah, and the Messiah has not appeared!*" (Talmud, Bab., *Sanhedrim*, Chapter 4, fol. 37, recto). Yes, the scepter has been removed. Judah possesses no longer either royal or legal power. The council of the Sanhedrim is nothing more than a mutilated body, and when Jesus shall appear in its presence, it can, if it wishes, censure his doctrines; it may even hurl at him its excommunication. All this it still has power to do. But should it condemn him to death, it will do it in manifest violation of the laws of Rome.

Jesus Before the Sanhedrim

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Part First

The Study of the Personal Character of the Members of the Sanhedrim that Sat at the Trial of Christ

Chapter Third

The Moral Character of the Personages Who Sat at the Trial of Christ

As we have already noticed, the members of the Sanhedrim that judged Christ were seventy-one in number, and were divided into three chambers; but we must know the names, acts, and moral character of these judges. That such knowledge would throw a great light on this celebrated trial can be easily understood. The characters of Caiaphas, Ananias, and Pilate are already well-known to us. These stand out as the three leading figures in the drama of the Passion. But others have appeared in it; would it not be possible to produce them also before history? This task, we believe, has never yet been undertaken. It was thought that documents were wanting. But this is an error; such documents exist. We have consulted them; and in this century of historical study and research, we shall draw forth from the places where they have been hidden for centuries, the majority of the judges of Christ.

Three kinds of documents have, in a particular manner, enabled us to discover the character of these men: the books of the evangelists, the valuable writings of Josephus the historian, and the hitherto unexplored pages of the Talmud. We shall bring to light forty of the judges, so that more than half of the Sanhedrim will appear before us; and this large majority will be sufficient to enable us to form an opinion of the moral tone of the whole assembly.

To proceed with due order, we will begin with the most important chamber — viz., the chamber of the priests.

I. The Chamber of the Priests

We use the expression “chamber of the *priests*.” In the Gospel narrative, however, this division of the Sanhedrim bears a more imposing title. Matthew, Mark, and other evangelists, designate it by the following names: the council of the *high priests*, and the council of the *princes of the priests*, [Matthew 2:4, 21:15, 26:3, 47, 59](#); [Mark 11:18, 15:11](#); [Luke 19:47, 20:1](#); [John 11:47, 12:10](#).

But we may ask, why is this pompous name given to this chamber by the evangelists? Is this not an error on their part? An assembly of priests seems natural, but how can there be an assembly of high priests, since according to the Mosaic institution there could be only one high priest, whose office was tenable for life. There is, however, neither an error nor an undue amplification on the part of the Gospel narrators; and we may also add here that both Talmuds positively speak of an assembly of high priests, (Dérembourg, *Essai sur l'histoire et la géographie de la Palestine*, p. 231, note 1). But how, then, can we account for the presence of several high priests at the same time in the Sanhedrim? Here is the explanation, to the shame of the Jewish assembly:

For nearly a century a detestable abuse prevailed, which consisted in the arbitrary nomination and deposition of the high priest. The high priesthood, which for fifteen centuries had been preserved in the same family, being hereditary according to the divine command, (Josephus, *Ant.*, Book 20, Chap. 10.1; 15, 3.1) had at the time of Christ's advent become an object of commercial speculation. Herod commenced these arbitrary changes (Josephus, *Ant.*, Book 15, Chap. 3.1) and after Judea became one of the Roman conquests the election of the high priest took place almost every year at Jerusalem, the procurators appointing and deposing them in the same manner as the praetorians later on made and unmade emperors,

(Josephus, *Ant.*, Book 18, Chap. 2.3; Book 20, Chap. 9.1, 4). The Talmud speaks sorrowfully of this venality and the yearly changes of the high priest.

This sacred office was given to the one that offered the most money for it, and the mothers were particularly anxious that their sons should be nominated to this dignity. (See Talmud, *Yoma*, or *the Day of Atonement*, fol. 35, recto; also Dérenbourg, work above quoted, p. 230, note 2.)

The expression, “the *council of the high priests*,” used by the evangelists to designate this section of the Sanhedrim, is therefore rigorously correct; for at the time of the trial of Christ there were about twelve former high priests, who still retained the honorable title of their charge, and were, by the right of that title, members of the high tribunal. Several ordinary priests were also included in this chamber, but they were in most cases related to the high priests; for in the midst of the intrigues by which the sovereign pontificate was surrounded in those days, it was customary for the more influential of the chief priests to bring in their sons and allies as members of their chamber. The spirit of caste was very powerful, and as M. Dérenbourg, a modern Jewish savant, has remarked: “A few priestly, aristocratic, powerful, and vain families, who cared for neither the dignity nor the interests of the altar, quarreled with each other respecting appointments, influence, and wealth,” (*Essai sur l’histoire et la géographie de la Palestine*, p. 232).

To sum up, we have, then, in this first chamber a double element — high priests and ordinary priests. We shall now make them known by their names and character, and indicate the sources whence the information has been obtained.

Caiaphas, high priest then in office. He was the son-in-law of Ananos, and exercised his office for eleven years — during the whole term of Pilate’s administration, 25-36 A.D. It is he who presided over the Sanhedrim during this trial, and the history of the Passion as given by the evangelists is sufficient to make him known to us. (See **Matthew 26:3; Luke 3:2**, etc.; *Jos., Ant.*, Book 18, Chap. 2.2.)

Ananos held the office of high priest for seven years under Coponius, Ambivius, and Rufus (7-11 A.D.). This personage was the father-in-law of Caiaphas, and although out of office, was nevertheless consulted on matters of importance. It may be said, indeed, that in the midst of the instability of the sacerdotal office, he alone preserved in reality its authority. For fifty years this high office remained without interruption in his family. Five of his sons successively assumed its dignity. This family was even known as the “sacerdotal family,” as if this office had become hereditary in it. Ananos had charge also of the more important duties of the Temple, and Josephus says that he was considered the most fortunate man of his time. He adds, however, that the spirit of this family was haughty, audacious, and cruel, (**Luke 3:2; John 18:13, 24; Acts 4:6**; *Jos., Ant.*, Book 15, Chap. 3.1; 20, 9.1, 3; *Jewish Wars*, Book 4, Chap. 5. 2, 6, 7).

Eleazar was high priest during one year, under Valerius Grattus, 23-24 A.D. He was the eldest son of Ananos, (*Jos., Ant.*, Book 18, 2.2).

Jonathan, son of Ananos, simple priest at that time, but afterward made high priest for one year in the place of Caiaphas when the latter was deposed, after the disgrace of Pilate, by Vitellius, Governor-general of Syria, 37 A.D., (*Jos., Ant.*, B. 18, 4.3).

Theophilus, son of Ananos, simple priest at that time, but afterward made high priest in the place of his brother Jonathan, who was deposed by Vitellius. Theophilus was in office five years, 38-42 A.D., (*Jos., Ant.*, B. 19, 6.2; Munk, *Hist. de la Palestine*, p. 568).

Matthias, son of Ananos, simple priest; afterward high priest for two years (42-44 A.D.). He succeeded Simon Cantharus, who was deposed by King Herod Agrippa, (*Jos., Ant.*, 19, 6.4).

Ananus, son of Ananos, simple priest at the time; afterwards made high priest by Herod Agrippa after the death of the Roman governor, Portius Festus (63 A.D.). Being a Sadducee of extravagant zeal, he was deposed at the end of three months by Albanus, successor of Portius Festus, for having illegally condemned the apostle James to be stoned, (**Acts 23:2, 24:1**; *Jos., Ant.*, B. 20, 9.1).

Joazar, high priest for six years during the latter days of Herod the Great and the first years of Archelaus (4 B.C.-2 A.D.). He was the son of Simon Boethus, who owed his dignity and fortune to the following dishonorable circumstance, as related by Josephus the historian: “There was one Simon, a citizen of Jerusalem, the son of Boethus, a citizen of Alexandria and a priest of great note there. This man had a daughter, who was esteemed the most beautiful woman of that

time. And when the people of Jerusalem began to speak much in her commendation, it happened that Herod was much affected by what was said of her; and when he saw the damsel he was smitten with her beauty. Yet did he entirely reject the thought of using his authority to abuse her . . . so he thought it best to take the damsel to wife. And while Simon was of a dignity too inferior to be allied to him, but still too considerable to be despised, he governed his inclinations after the most prudent manner by augmenting the dignity of the family and making them more honorable. Accordingly, he forthwith deprived Jesus, the son of Phabet, of the high priesthood, and conferred that dignity on Simon.” Such, according to Josephus, is the origin — not at all of a supernatural nature — of the call to the high priesthood of Simon Boethus and his whole family. Simon, at the time of this trial, was already dead; but Joazar figured in it with two of his brothers, one of whom was, like himself, a former high priest, (Jos., *Ant.*, B. 15, 9.3; 17, 6.4; 18, 1; 19, 6.2).

Eleazar, second son of Simon Boethus. He succeeded his brother Joazar when the latter was deprived of that function by King Archelaus (2 A.D.) Eleazar was high priest for a short time only, the same king deposing him three months after his installation, (Jos., *Ant.*, B. 17, 13.1; 19.6.2).

Simon Cantharus, third son of Simon Boethus, simple priest at the time; was afterwards made high priest by King Herod Agrippa (42 A.D.), who, however, deposed him after a few months, (Jos., *Ant.*, B. 19, 2, 4).

Jesus ben Sie succeeded Eleazar to the high priesthood, and held the office for five or six years (1-6 A.D.) under the reign of Archelaus, (Jos., *Ant.*, 17, 13.1).

Ismael ben Phabi, high priest for nine years under procurator Valerius Grattus, predecessor of Pontius Pilate. He was considered, according to the rabbins, the handsomest man of his time. The effeminate love of luxury of this chief priest was carried to such an extent that his mother, having made him a tunic of great price, he deigned to wear it once, and then consigned it to the public wardrobe, as a grand lady might dispose of a robe which no longer pleased her caprices, (Talmud, *Pesachim*, or *of the Passover*, fol. 57, verso; *Yoma*, or *the Day of Atonement*, fol. 9, verso; 35, recto; Jos., *Ant.*, 18, 2.2; 20, 8.11; Bartolucci, *Grand Bibliotheque Rabbinique*, T. 3, p. 297; Munk, *Palestine*, pp. 563, 575).

Simon ben Camithus, high priest during one year under procurator Valerius Grattus (24-25 A.D.). This personage was celebrated for the enormous size of his hand, and the Talmud relates of him the following incident: On the eve of the Day of Atonement it happened, in the course of a conversation which he had with Arathus, King of Arabia — whose daughter Herod Antipas had just married — that some saliva, coming out of the mouth of the king, fell on the robe of Simon. As soon as the king left him, he hastened to divest himself of it, considering it desecrated by the circumstance, and hence unworthy to be worn during the services of the following day. What a remarkable instance of Pharisaical purity and charity! (Talmud, *Yoma*, or *the Day of Atonement*, fol. 47, verso; Jos., *Ant.*, 18, 2.2; Dérembourg, *Essai sur l’histoire*, p. 197, n. 2.)

John, simple priest. He is made known to us through the Acts of the Apostles. “And Annas the high priest, and Caiaphas, and John, and Alexander, and as many as were of the kindred of the high priest, were gathered together in Jerusalem,” [Acts 4:6](#).

Alexander, simple priest; also mentioned in the Acts of the Apostles in the passage above quoted. Josephus also makes mention of him, and says that he afterwards became an *Alabarch* — that is to say, first magistrate of the Jews in Alexandria. That he was very rich is to be learned from the fact that King Herod Agrippa asked and obtained from him the loan of two hundred thousand pieces of silver, ([Acts 4:6](#); Jos., *Ant.*, 18, 6.3; 20, 5.2; Petri Wesselingii, *Diatribes de Judaeorum Archontibus*, Trajecti ad Rhenum, p. 69-71).

Ananias ben Nebedeus, simple priest at that time; was elected to the high priesthood under procurators Ventideus, Cumanus, and Felix (48-54 A.D.). He is mentioned in the Acts of the Apostles and by Josephus. It was this high priest who delivered the apostle Paul to procurator Felix. “Ananias the high priest descended with the elders, and with a certain orator named Tertullus, who informed the governor against Paul,” [Acts 24:1](#). According to Jewish tradition, this high priest is chiefly known for his excessive gluttony. What the Talmud says of his voracity is quite phenomenal. It mentions three hundred calves, as many casks of wine, and forty pairs of young pigeons as having been brought together for his repast, (Talmud, Bab., *Pesachim*, or *the Passover*, fol. 57, verso; *Kerithoth*, or *Sins Which Close the Entrance to Eternal Life*, fol. 28, verso; Jos., *Ant.*, 20, 5.2; Dérembourg, work quoted above, p. 230, 234; Munk, *Palestine*, p. 573, n. 1).

Helcias, simple priest, and keeper of the treasury of the Temple. It is probably from him that Judas Iscariot received the thirty pieces of silver, the price of his treason (Jos., *Ant.*, 20, 8.11).

Sceva, one of the principal priests. He is spoken of in the Acts apropos of his seven sons, who gave themselves up to witchcraft, [Acts 19:13, 14](#).

Such are the chief priests that constituted the first chamber of the Sanhedrim at the time of the trial of Christ.

From the documents which we have consulted and the résumé which we have just given, we gather:

1. That several of the high priests were personally dishonorable.
2. That all these high priests, who succeeded each other annually in the Aaronic office in utter disregard of the order established by God, were but miserable intruders. We trust that these expressions will not offend our dear Israelitish readers, for they are based on the statements of eminent and zealous Jewish writers.

To begin with, Josephus the historian. Although endeavoring to conceal as much as possible the shameful acts committed by the priests composing this council, yet he was unable, in a moment of distrust, to refrain from stigmatizing them. "About this time," he says, "there arose a sedition between the high priests and the principal men of the multitude of Jerusalem, each of which assembled a company of the boldest sort of men, and of those that loved innovations, and became leaders to them. And when they struggled together, they did it by casting reproachful words against one another, and by throwing stones also. And there was nobody to reprove them; but these disorders were done after a licentious manner in the city, as if it had no government over it. And such was the impudence and boldness that had seized on the high priests that they had the hardness to send their servants into the threshing floors, to take away those tithes that were due the [simple] priests. Insomuch that the poorest priests died of want," (Jos., *Ant.*, 20, 8.8). Such are the acts, the spirit of equity and kindness that characterized the chief judges of Christ! But the Talmud goes farther still. This book, which ordinarily is not sparing of eulogies on the people of our nation, yet, considering separately and by name, as we have done, the high priests of that time, it exclaims: "What a plague is the family of Simon Boethus; cursed be their lances! What a plague is the family of Ananos; cursed be their hissing of vipers! What a plague is the family of Cantharus; cursed be their pens! What a plague is the family of Ismael ben Phabi; cursed be their fists! They are high priests themselves, their sons are treasurers, their sons-in-law are commanders, and their servants strike the people with staves." (Talmud, *Pesachim*, or *of the Passover*, fol. 57, verso.) The Talmud continues: "The porch of the sanctuary cried out four times. The first time, Depart from here, descendants of Eli; (The high priests designated under the name of the descendants of Eli are those who, as sons of the high priest Eli, polluted the Temple by their immorality.) (See [I Kings 3:22-25](#); [I Samuel 2:12-17, 22-25](#).) ye pollute the Temple of the Eternal! The second time, Let Issachar ben Keifar Barchi depart from here, who polluteth himself and profaneth the victims consecrated to God! (This Issachar was a priest of such a dainty nature that in order to touch the sacrifices he covered his hands with silk.) The third time, Widen yourselves, ye gates of the sanctuary, and let Israel ben Phabi the willful enter, that he may discharge the functions of the priesthood! Yet another cry was heard, Widen yourselves, ye gates, and let Ananias ben Nebedeus the gourmand enter, that he may glut himself on the victims!" In face of such low morality, avowed by the least to be suspected of our own nation, is it possible to restrain one's indignation against those who sat at the trial of Christ as members of the chambers of priests? This indignation becomes yet more intense when one remembers that an ambitious hypocrisy, having for its aim the domineering over the people, had perverted the law of Moses in these men. The majority of the priests belonged, in fact, to the Pharisaic order, the members of which sect made religion subservient to their personal ambition; and in order to rule over the people with more ease, they used religion as a tool to effect this purpose, encumbering the law of Moses with exaggerated precepts and insupportable burdens which they strenuously imposed upon others, but failed to observe themselves. Can we, then, be astonished at the murderous hatred which these false and ambitious men conceived for Christ? When His words, sharper than a sword, exposed their hypocrisy and displayed the corrupt interior of these whitened sepulchers wearing the semblance of justice, the hatred they already cherished for Him grew to a frenzied intensity. They never forgave Him for having publicly unmasked them. Hypocrisy never forgives that.

Such were the men composing the council of priests, when the Sanhedrim assembled to judge Christ. Were we not justified in forming of them an unfavorable opinion? But let us pass on to the second chamber, viz., the chamber of the scribes.

II. Chamber of the Scribes

Let us recall in a few words who the scribes were. Chosen indiscriminately among the Levites and laity, they formed the *corps savant* of the nation; they were doctors in Israel, and were held in high esteem and veneration. It is well-known what respect the Jews, and the Eastern nations generally, have always had for their *wise men*.

Next to the chamber of the priests, that of the scribes was the most important. But from information gathered from documents to which we have already referred, we are constrained to affirm that, with a few individual exceptions, this chamber was no better than that of the priests.

The following is a list of the names and histories of the *wise men* who composed the chamber of the scribes at the trial of Christ:

Gamaliel, surnamed the ancient. He was a very worthy Israelite, and his name is spoken of with honor in the Talmud as well as in the Acts of the Apostles. He belonged to a noble family, being a grandson of the famous Hillel, who, coming from Babylon forty years before Christ, taught with such brilliant success in Jerusalem. Gamaliel acquired so great a reputation among his people for his scientific acquirements, that the Talmud could say of him: “*With the death of Rabbi Gamaliel the glory of the law has departed.*” It was at the feet of this doctor that Saul, afterwards Paul the Apostle, studied the law and Jewish traditions, and we know how he gloried in this fact ([Acts 22:3](#)). Gamaliel had also among his disciples Barnabas and Stephen, the first martyr for the cause of Christ. When the members of the Sanhedrim discussed the expediency of putting the apostles to death, this worthy Israelite prevented the passing of the sentence by pronouncing these celebrated words: “Ye men of Israel, take heed to yourselves what ye intend to do as touching these men. . . . And now I say unto you, refrain from these men, and let them alone; for if this counsel or this work be of men, it will come to nought; but if it be of God, ye cannot overthrow it; lest haply ye be found even to fight against God” [Acts 5:34-39](#). Gamaliel died nineteen years after Christ (52 A.D.). ([Acts 5:34-39; 22:3](#). Mishnah, *Sotah*, or *the Woman Suspected of Adultery*, C.9 *Sepher Juchasin*, or *the Book of the Ancestors*, p. 53; David Ganz, *Germe de David ou Chronologie* to 4768; Bartolucci *Bibliotheca magna Rabbinica*, T. 1, pp. 727-732.)

Simon, son of Gamaliel, like his father, had a seat in the assembly. The rabbinical books speak of him in the highest terms of eulogy. The Mishnah, for instance, attributes to him this sentence: “Brought up from my infancy among learned men, I have found nothing that is of greater value to man than silence. Doctrines are not the chief things, but work. He who is in the habit of much talking falls easily into error.” This Simon became afterwards the intimate friend of the too-celebrated bandit, John of Goscola, whose excesses and cruelty toward the Romans, and even the Jews, caused Titus to order the pillaging of Jerusalem. Simon was killed in the last assault in 70 A.D., (David Ganz, *Chronologie* to 4810; Mishnah, *Aboth*, or *of the Fathers*, C.1; Talmud, Jerusalem, *Berachoth*, or *of Blessings*, fol. 6, verso; *Historia Doctorum Misnicorum*, J. H. Otthonis, pp. 110-113; De Champagny, *Rome et la Judée*, T. 2, 86-171).

Onkelos was born of heathen parents, but embraced Judaism, and became one of the most eminent disciples of Gamaliel. He is the author of the famous Chaldaic paraphrase of the Pentateuch. Although the rabbinical books do not mention him as a member of the Sanhedrim, yet it is highly probable that he belonged to that body, his writings and memory having always been held in great esteem by the Jews; even at the present day every Jew is enjoined to read weekly a portion of his version of the books of Moses. Onkelos carried the Pharisaical intolerance to the last degree. Converted from idolatry to Judaism, he hated the Gentiles to such an extent that he cast into the Dead Sea, as an object of impurity, the sum of money that he had inherited from his parents. We can easily understand how that, with such a disposition, he would not be favorably inclined toward Jesus, who received Gentiles and Jews alike, (Talmud, *Megilla*, or *The Festival of Esther*, fol. 3, verso; *Baba-bathra*, or *the Last Gate*, fol. 134, verso; *Succa*, or *the Festival of Tabernacles*, fol. 28, verso; *Thosephthoth*, or *Supplements to the Mishnah*, C. 5; Rabbi Gedalia, *Tzaltzeleth Hakkabalah*, or *the Chain of the Kabbalah*, p. 28; *Histor. Doct. Misnic.*, p. 110; De Rossi, *Dizionario degli Autori Ebrei*, p. 81).

Jonathan ben Uziel, author of a very remarkable paraphrase of the Pentateuch and the Prophets. There is a difference of opinion regarding the precise time at which he lived. Some place it several years before Christ; others at the time of Christ. We believe, however, that not only was he contemporary with Christ, but that he was also one of his judges. In support of our assertion we give the two following proofs, which we think indisputable: 1. Jonathan, the translator of the Prophets, has purposely omitted Daniel, which omission the Talmud explains as due to the special intervention of an angel who informed him that the manner in which the prophet speaks of the death of the Messiah coincided too exactly with that of Jesus of Nazareth. Now, since Jonathan has intentionally left out the prophecies of Daniel on account of their coincidence with the death of Christ, it proves that he could not have lived before Christ, but must have been contemporary with him. 2. In comparing the paraphrase of Onkelos with that of Jonathan, we find that the latter had made use of the work of the former, who lived in the time of Christ. Examples may be found in [Deuteronomy 22:5; Judges 5:26; Numbers 21:28-29](#). If, then, Jonathan utilized the work of Onkelos, who lived in the time of Christ, the fact proves beyond question that he could not have lived before Christ. The Talmudists, in order to reward this person for having, through his hatred of Christ, erased the name of Daniel from the roll of prophets, eulogize him in the most absurd manner. They relate that while engaged in the study of the law of God, the atmosphere which surrounded him, and came in contact with the light of his understanding, so caught fire from his fervor that the birds, silly enough to be attracted toward it, were

consumed immediately, (Talmud, *Succa*, or *the Festival of Tabernacles*, fol. 28, verso; David Ganz, *Chronol.* 4728; Gesenius, *Comm. on Isaiah*, part I, p. 65; Zunz, *Culte divin des Jnifs*, Berlin, 1832, p. 61; Dérembourg, work quoted above, p. 276; Hanneburg, *Revelat Bibliq.*, 2. 163, 432).

Samuel Hakaton, or *the Less*. Surnamed to distinguish him from Samuel the prophet. It was he who, some time after the resurrection of Christ, composed the famous imprecation against the Christians, called “Birchath Hamminim,” (Benedictions of Infidels). The “Birchath Hamminim,” says the Talmud, and the commentary of R. Jarchi, “was composed by R. Samuel Hakaton at Jabneh, where the Sanhedrim had removed after the misconduct of the Nazarene, who taught a doctrine contrary to the words of the living God.” The following is the singular benediction: “*Let there be no hope for the apostates of religion, and let all heretics, whosoever they may be, perish suddenly. May the kingdom of pride be rooted out; let it be annihilated quickly, even in our days! Be blessed, O Lord, who destroyest the impious, and humblest the proud!*” As soon as Samuel Hekaton had composed this malediction, it was inserted as an additional blessing in the celebrated prayer of the synagogue, the “Shemonah-Essara,” (the eighteen blessings). These blessings belonged to the time of Ezra — that is to say, five centuries before the Christian era; and every Jew has to recite it daily. St. Jerome was not ignorant of this strange prayer. He says: “*The Jews anathematize three times daily in their synagogue the name of the Christian, disguising it under the name of Nazarene.*” According to R. Gedalia, Samuel died before the destruction of Jerusalem, about fifteen or twenty years after Christ, (Talmud, *Berachoth*, or *of Prayers*, fol. 28, verso; *Megilla*, or *the Festival of Esther*, fol. 28, verso; St. Jerome, *Comment. on Isaiam*, B. 2, C.5.18,19; Tom. 4, p. 81 of the *Valarsius*, quarto edition; Vitringa, *de Synagoga vetr.*, T. 2, p. 1036, 1047, 1051; Castellus, *Lexicon heptaglotton*, art. *Min*).

Chanania ben Chiskia. He was a great conciliator in the midst of the doctrinal quarrels so common at that time; and it happened that the rival schools of Shammai and Hillel, which were not abolished with the death of their founders, often employed him as their arbitrator. This skillful umpire did not always succeed, however, in calming the disputants; for we read in the ancient books that in the transition from force of argument to argument of force, the members of the schools of Shammai and Hillel frequently came to blows. Hence the French expression *se chamailler*. It happened, however, according to the Talmud, that Chanania once departed from his usual system of equilibrium in favor of the prophet Ezekiel. It appears that on one occasion the most influential members of the Sanhedrim proposed to censure, and even reject, the book of this prophet, because, according to their opinion, it contained several passages in contradiction of the law of Moses; but Chanania defended it with so much eloquence that they were obliged to desist from their project. This fact alone, reported fully as it is in the Talmud, would be sufficient to show the laxity of the study of the prophecies at that time. Although the exact date of his death is uncertain, it is, nevertheless, sure that it took place before the destruction of the Temple, (Talmud, *Chagiga*, or *the obligations of the males to present themselves three times a year at Jerusalem*, 2, 13; *Shabbath*, or *of the Sabbath*, C.1; *Sepher Juchasin*, or *the Book of Ancestors*, p. 57).

Ismael ben Eliza, renowned for the depth of his mind and beauty of his face. The rabbins record that he was learned in the most mysterious things; for example, he could command the angels to descend from heaven and ascend thither. We have it also from the same authority that his mother held him in such high admiration that one day on his return from school she washed his feet, and, through respect for him, drank the water, which she had used for that purpose. His death was of a no less romantic nature. It appears that after the capture of Jerusalem, the daughter of Titus was so struck with his beauty that she obtained permission of her father to have the skin of his face taken off after his death, which skin she had embalmed, and having perfumed it, she sent it to Rome to figure among the spoils as a trophy, (Talmud, *Aboda Zarah*, or *of Idolatry*, C.1; Rabbi Gadalia, *Tzaltzeleth Hakkabalah*, or *the Chain of the Kabbalah*, p. 29; *Sepher Juchasin*, or *the Book of Ancestors*, p. 25; *Tosephoth Kiddushin*, C.4).

Rabbi Zadok. He was about forty years old at the trial of Christ, and died after the burning of the Temple, aged over seventy. The Talmud relates that for forty years he ceased not from fasting, that God might so order it that the Temple should not be destroyed by fire. Upon this the question is propounded in the same book, but no answer given, as to how this rabbin could have known that the Temple was threatened with so great a calamity. We believe that Rabbi Zadok could have obtained information of this terrible event in one of two ways — either from the prophetic voice of Daniel which proclaimed more than forty years previous to the occurrence that abomination and desolation should crush the Temple of Jerusalem when the Messiah should have been put to death; or by the voice of Jesus Himself, who said forty years before the destruction of the Temple: “See ye not all these things?” (*i.e.*, the buildings of the Temple) “verily, verily I say unto you, There shall not be left here one stone upon another that shall not be thrown down,” (Mishnah, *Shabbath*, or *of the Sabbath*, C.24.5 to end; *Eduth*, or *the Testimony*, C.7.1; *Aboth*, or *of the Fathers of Tradition*, 4.5; David Ganz, *Chronol.* 4785; *Seph. Juchasin*, fol. 21, 26; Schikardi, *Jus Regium Hebraeorum*, p. 468; **Daniel 9:25-27; Luke 21:6; Matthew 24:2**).

Jochanan ben Zakai. The rabbinical books accord to this rabbi an extraordinary longevity. From their writings it would

appear that, like Moses, he lived a hundred and twenty years, forty years of which he consecrated to manual labor; another forty to the study of the law; and the last forty years of his life he devoted to imparting his knowledge to others. His reputation as a savant was so well-established that he was surnamed the *Splendor of Wisdom*. After the destruction of the Temple, he rallied together the remaining members of the Sanhedrim to Jabneh, where he presided over this remnant for the last four or five years of his life. He died in the year 73 A.D. When he breathed his last, says the Mishnah, a cry of anguish was heard, saying: "With the death of Jochanan ben Zakai the splendor of wisdom has been quenched!" We have, however, other information regarding this rabbi, which is, so to speak, like the reverse side of a medal. The Bereshith Rabba says that Rabbi Jochanan was in the habit of eulogizing himself in the most extravagant manner, and gives the following as a specimen of the praises he bestowed upon himself: "If the skies were parchment, all the inhabitants of the world writers, and all the trees of the forest pens, all these would not suffice to transcribe the doctrines which he had learned from the masters." What humility of language! One day his disciples asked him to what he attributed his long life. "To my wisdom and piety," was his reply in his tone of habitual modesty. Besides, if we were to judge of his moral character by an ordinance of which he is author, his morality might be equal to the standard of his humility. He abolished the Mosaic command of the order of bitter waters, immorally isolating a passage in Isaiah from its context. Finally, to fill up the measure of his honesty, he became one of the lowliest courtiers of Titus, and the destroyer of his country. But while obsequious to human grandeur, he was obdurate to the warnings of God, and died proud and impenitent, (Talmud, *Rosh Hashanah*, or of *the New Year*, fol. 20, recto; 31, recto; *Sotah*, or of *the Woman Suspected*, etc., 9.9; *Yoma*, or the Day of Atonement, fol. 39, recto, and 43; *Gittin*, or of *Divorce*, fol. 56, verso and recto; *Succa*, or of *the Festival of Tabernacles*, fol. 28, verso; Mishnah, Chapter, *Egla arupha*; *Sepher Juchasin*, or *the Book of Ancestors*, fol. 20, recto; *Seph. Hakkabalah*; Otthonis, *Hist. Doct. Misn.*, pp. 93-103; **Hosea 4:14**; Jos., Wars, 6,5.3; De Champagny, *Rome et la Judee*, T.1, p. 158).

Abba Saul. He was of prodigious height, and had the charge of superintending the burials of the dead, that everything might be done according to the law. The rabbins, who delight in the marvelous, affirm that in the exercise of his duties he found the thighbone of Og, the King of Bashan, and the right eye of Absalom. By virtue of the marrow extracted from the thigh of Og, he was enabled to chase a young buck for three leagues; as for the eye of Absalom, it was so deep that he could have hidden himself in it as if in a cavern. These stories, no doubt, appear very puerile; and yet according to a Talmudical book (Menorath-Hammoer, *the lighted candlestick*), which is considered of great authority even in the modern [orthodox] synagogue, we must judge of these matters in the following manner: "Everything which our doctors have taught in the Medrashim (allegoric or historical commentaries) we are bound to consider and believe in as the law of Moses our master; and if we find anything in it which appears exaggerated and incredible, we must attribute it to the weakness of our understandings, rather than to their teachings; and whoever turns into ridicule whatever they have said will be punished." According to Maimonides, Abba Saul died before the destruction of the Temple, (Mishnah, *Middoth*, or of *the Dimensions of the Temple*, Chapter, *Har habbaith*; Talmud, *Nidda*, or *the Purification of Women*, C.3, fol. 24, recto; Maimonides, *Proef ad zeraim*; Drach, *Harmonies entre l' Eglise et la Synagogue*, T. 2, p. 375).

R. Chanania, surnamed the Vicar of the Priests. The Mishnah attributes to him a saying which brings clearly before us the social position of the Jewish people in the last days of Jerusalem. "Pray," said he, "for the Roman Empire; for should the terror of its power disappear in Palestine, neighbor will devour neighbor alive." This avowal shows the deplorable state of Judea, and the divisions to which she had become a prey. The Romans seem, however, to have cared very little for the sympathy of R. Chanania, for, having possessed themselves of the city, they put him to death (Mishnah, *Aboth*, or of *the Fathers of Tradition*, C.3.2; *Zevachim*, or of *Sacrifices*, C.9.3; *Eduth*, or of *Testimony*, C.2.1; David Ganz, *Chronologie*, 4826; *Sepher Juchasin*, or *the Book of Ancestors*, p. 57).

Rabbi Eleazar ben Partah, one of the most esteemed scribes of the Sanhedrim, on account of his scientific knowledge. Already very aged at the destruction of the Temple, he yet lived several years after that national calamity, (Talmud, *Gittin*, or of *Divorces*, C.3.4; *Sepher Juchasin*, p. 31).

Rabbi Nachum Halbalar. He is mentioned in the rabbinical books as belonging to the Sanhedrim in the year 28 A.D., but nothing particular is mentioned of his history, (Talmud, *Peah*, or of *the Angle*, C.2.6, *Sanhedrim*).

Rabbi Simon Hamizpah. He also is said to have belonged to the Sanhedrim in the year 28 A.D. Beyond this but little is known, (Talmud, *Peah*, C.2.6).

These are, according to Jewish tradition, the principal scribes, or doctors that composed the second chamber of the Sanhedrim at the time of the trial of Christ. The ancient books, which speak of them are, of course, filled with their praises. Nevertheless, blended with these praises are some remarks which point to the predominant vice of these men — namely, pride. We read in Rabbi Nathan's book, *Aruch* (a Talmudical dictionary of great authority), (Rabbi Nathan, son

of Rabbi Yechiel, was the disciple of the celebrated Moses, the preacher and first rabbi of the synagogue at Rome in the ninth century. His work forms a large folio volume, and contains some minute explanations of the most difficult passages in the Talmud: “*In the past and more honorable times the titles of rabbin, rabbi, or rav, (i.e., lord) to designate the learned men of Babylon and Palestine were unknown; thus when Hillel came from Babylon the title of rabbi was not added to his name. It was the same with the prophets who were styled simply Isaiah, Haggai, etc., and not Rabbi Isaiah, Rabbi Haggai, etc. Neither did Ezra bring the title of rabbi with him from Babylon. It was not until the time of Gamaliel, Simon, and Jochanan ben Zackai that this imposing title was first introduced among the worthies of the Sanhedrim.*”

This pompous appellation appears, indeed, for the first time among the Jews contemporary with Christ. “They love the uppermost rooms at feasts, and the chief seats in the synagogues, and greetings in the marketplaces, and to be called of men, Rabbi, Rabbi.” Proud of their titles and learning, they laid claim to the foremost rank in society. *A wise man, say they, should be preferred to a king; the king takes the precedence of the high priest; the priest of the Levite; the Levite of the ordinary Israelite. The wise man should be preferred to the king, for if the wise man should die he could not easily be replaced; while the king could be succeeded by an Israelite of any order,* (Talmud, Jerus., *Horayoth*, or *Regulations of Justice*, fol. 84, recto). Basing the social status on this maxim we are not astonished to find in the Talmud, (Talmud, Jerus., *Shevuoth*, or *of Oaths*, fol.19, verso) that at a certain time twenty-four persons were excommunicated for having failed to render to the rabbi the reverence due his position. Indeed, a very small offense was often sufficient to call forth maledictions from this haughty and intolerant dignitary. Punishment was mercilessly inflicted wherever there was open violation of any one of the following rules established by the rabbis themselves:

If any one opposes his rabbi, he is guilty in the same degree as if he opposed God himself, (*Tanchumah*, or *Book of Consolation*, fol. 68, recto).

If any one quarrels with his rabbi, it is as if he contended with the living God, (Ibid.).

If any one thinks evil of his rabbi, it is as if he thought evil of the Eternal, (Ibid., and *Sanhedrim*, fol. 110, verso).

This self-sufficiency was carried to such an enormous extent that when Jerusalem fell into the hands of Titus, who came against it armed with the sword of vengeance of Jehovah, Rabbi Jehudah wrote with an unflinching pen: “*If Jerusalem was destroyed, we need look for no other cause than the people’s want of respect for the rabbis,*” (Talmud, *Shabbath*, or *of the Sabbath*, fol. 119, recto).

We ask now of every sincere Israelite, What opinion can be formed of the members of the second chamber who are about to assist in pronouncing judgment upon Christ? Could impartiality be expected of those proud and selfish men, whose lips delighted in nothing so much as sounding their own praises? What apprehensions must one not have of an unjust and cruel verdict when he remembers it was of these very men that Christ had said: “Beware of the scribes, which desire to walk in long robes . . . they make broad their phylacteries and enlarge the borders of their garments, and greetings in the markets, and to be called of men, Rabbi, Rabbi . . . which devour widows’ houses; and for show make long prayers,” [Luke 20:46](#); [Matthew 23:5-7](#); [Mark 12:38, 39](#). The remembrance of this rebuke, so galling to their pride, continually rankled in their minds; and when the opportunity came, with what remorseless hate did they wreak upon him their vengeance! We may, then, conclude from the forgoing facts that the members of the chamber of the scribes were no better than those composing the chamber of the priests. To this assertion, however, there is one exception to be made; for, as we have already seen, there was among those arrogant and unscrupulous men, (some remarkable pages respecting the pride of the Jewish scribes and doctors may be found in Bossuet’s *Meditations on the Gospel*) one whose sense of justice was not surpassed by his great learning. That man was Gamaliel.

III. The Chamber of the Elders

This chamber was the least influential of the three; hence, but few names of the persons composing it at the period to which we refer have been preserved.

Joseph of Arimathea. The Gospel makes of him the following eulogy: Rich man; honorable counselor; good and just man; the same had not consented to the counsel and deed of the others. Joseph of Arimathea is called in the Vulgate, or the Latin version of the Bible, “noble centurion,” because he was one of the ten magistrates or senators who had the principal authority in Jerusalem under the Romans. His noble position is more clearly marked in the Greek version. That he was one of the seventy may be concluded. First, because it was common to admit senators who were considered the ancients of the people in this assembly; they were indeed the chiefs and the princes of the nation — *seniores populi*,

principes nostri. Second, because these words, “he had not consented to the counsel and deed of the others,” proves that he had a right to be in the grand assembly and take part in the discussions, ([Matthew 27:57-59](#); [Mark 15:43-46](#); [Luke 23:50](#); [John 19:38](#); Jacobi Alting, *Schilo seu de Vaticinio patriarchae Jacobi*, p. 310; Goschler, *Diction. Encyclopediq.*; word, “Arimathea”; Cornelius Lapidus, *Comment. in Script. Sac.*, edition Vives, T. 15, p. 638, second col.).

Nicodemus. St. John the Evangelist says that he was by profession a Pharisee, a prince of the Jews, a master in Israel, and a member of the Sanhedrim, where he one day attempted to oppose his colleagues by speaking in defense of Jesus. This act brought down upon him the disdainful retort from the others, “Art thou also a Galilean?” He was one, it is true, but in secret. We know from the Gospel account of him that he possessed great riches, and that he used nearly a hundred pounds of myrrh and spices for the burial of Christ. The name of Nicodemus is mentioned in the Talmud also; and, although it was known that his attachment to Christ was great, he is, nevertheless, spoken of with honor. But this fact may be due to his great wealth. There were, says the Hebrew book, three eminent men in Jerusalem — Nicodemus ben Gurien, ben Tzitzith Hacksab, ben Kalba Shevuah — each of whom could have supported the whole city for ten years, ([John 3:1-10](#), [7:50-52](#), [19:39](#); Talmud, *Gittin*, or of *Divorces*, C.5, fol. 56, verso; *Abodah Zarah*, or of *Idolatry*, C.2, fol. verso; *Taanith*, or of *the Fast days*, 3., fol. 25, verso; Midrash Rabbath on *Koheleth*, 7.11; David Ganz, *Chron.* 4757; Knappius, *Comment. in Colloquium Christi cum Nicodemo*; Cornelius Lapidus, *Comment. In Joan*, Cap. 3., et seq.).

Ben Kalba Shevuah. After stating that he was one of the three rich men of Jerusalem, the Talmud adds: “His name was given to him because whosoever entered his house as hungry as a dog came out filled.” There is no doubt that his high financial position secured for him one of the first places in the chamber of the ancients. His memory, according to Ritter, is still preserved among the Jews in Jerusalem, (Talmud, *Gittin*, or of *Divorces*, C. v., fol. 56, verso; David Ganz, *Chronol.* 4757; Ritter, *Erkunde*, xvi. 478).

Ben Tzitzith Hacksab. The effeminacy of this third rich man is made known to us by the Talmud, where it is stated that the border of his pallium trained itself always on the softest carpets. Like Nicodemus and Kalba Shevuah, he no doubt belonged to the Sanhedrim, (Talmud, *Gittin*, C. v., fol. 56, verso; David Ganz, *Chron.* 4757).

Simon. From Josephus the historian we learn that he was of Jewish parentage, and was highly esteemed in Jerusalem on account of the accurate knowledge of the law which he possessed. He had the boldness, one day, to convoke an assembly of the people and to bring an accusation against King Herod Agrippa, who, he said, deserved, on account of his bad conduct, that the entrance into the sacred portals should be forbidden him. This took place eight or nine years after Christ — that is to say, in the year 42 or 43 A.D. We may safely conclude that a man who had power enough to convoke an assembly and sufficient reputation and knowledge to dare accuse a king, must undoubtedly have belonged to the council of the Sanhedrim. Besides, his birth alone at a time when nobility of origin constituted, as we have already said, a right to honors, would have thrown wide open to him the doors of the assembly, (Jos. *Ant.*, 19. 7. 4; Dérembourg, *Essai sur l'histoire et la géographie de la Palestine*, p. 207, n. 1; Frankel, *Monatsschrift.*, 3. 440).

Doras was a very influential citizen of Jerusalem, and is thus spoken of by Josephus. He was, however, a man of cruel and immoral character, not hesitating, for the sake of ingratiating himself with Governor Felix, to cause the assassination of Jonathan, the high priest who had made himself obnoxious to that ruler by some just remonstrances respecting his administration. Doras effected the assassination in cold blood by means of murderers hired at the expense of Felix (52 or 53 A.D.). The prominence which this man for a long time maintained in Jerusalem warrants the presumption that he was a member of the Sanhedrim, (Jos. *Ant.*, 20. 8. 5).

John, son of John. Dorotheas, son of Nathanael. Tryphon, son Theudion. Cornelius, son of Ceron. These four personages were sent as ambassadors by the Jews of Jerusalem to Emperor Claudius in the year 44, when Cuspius Fadus was governor of Judea. Claudius mentions this fact in a letter sent by him to Cuspius Fadus, and which Josephus has preserved. It is very probable that either they themselves or their fathers were members of the chamber of the ancients; for the Jews appointed as their ambassadors only such members of the Sanhedrim as were distinguished for superior learning, (Jos. *Ant.*, 20., 1. 1, 2).

The rabbinical books limit their information concerning the members of this chamber to the names we have just mentioned. To be guided, then, by the documents quoted, one would suppose that although this chamber was the least important of the three, yet its members were perhaps more just than those composing the other two, and consequently manifested less vehemence against Christ during His trial. But a statement by Josephus the historian proves beyond doubt that this third chamber was made up of men no better than were to be found in the others. It was from among the wealthy element of Jewish society, says Josephus, that Sadduceeism received most of its disciples (Jos. *Ant.*, 18., 7. 4). Since then, the chamber of ancients was composed principally of the rich men of Jerusalem, we may safely conclude that the majority

of its members were infected with the errors of Sadduceeism — that is to say, with a creed that taught that the soul dies before the body (Ibid.). We are, then, in the presence of real materialists, who consider the destiny of man to consist in the enjoyment of material and worldly things (Munk, *Palestine*, p. 515), and who are so carnally-minded that it would seem as if the prophetic indignation of David had stigmatized them beforehand when he says: “They have so debased themselves as to become like the beasts that have no understanding,” **Psalms**. Let not our readers imagine that in thus speaking we at all mean to do injustice to the memory of these men. A fact of great importance proves indisputably that Sadducees or Epicureans were numerous among the Sanhedrim. When, several years after the trial of Christ, the apostle Paul had in his turn to appear before that body, he succeeded by the skill of his oratory in turning the doctrinal differences of that assembly to his benefit. “Men and brethren,” he exclaimed, “I am a Pharisee, the son of a Pharisee: of the hope and resurrection of the dead I am called in question,” **Acts 23:6**. Hardly had the apostle pronounced these words when a hot discussion arose between the Sadducees and the Pharisees, all of them rising and speaking in great confusion — some for the resurrection, others against it — and it was in the tumult of recrimination and general uproar that the apostle was able peacefully to withdraw. Such was the state of things in the supreme council of the Hebrews; and men of notorious heresy, and even impiety, were appointed as judges to decide on questions of doctrine. Among these materialists there were, however, two just men; and, like Lot among the wicked inhabitants of Sodom, there were in this assembly Nicodemus and Joseph of Arimathea.

We shall now briefly sum up the contents of the preceding chapter. We possess certain information respecting more than one-half of the seventy-one members of the Sanhedrim. We know almost all the high priests, who, as we have already said, formed the principal element of this council. This majority, as we have intimated, is sufficient for the forming of an estimate of the moral tone of all the judges; and before the debates begin, it is easy to foresee the issue of the trial of Christ.

What, indeed, could have been the issue of a trial before the first chamber, composed as it was of demoralized, ambitious, and scheming priests? Of priests who were mostly Pharisees — that is to say, men of narrow minds, careful only of the external, haughty, overbearing, and self-satisfied, believing themselves to be both infallible and impeccable? (**Matthew 6:2, 5, 16, 9:11, 14, 12:2, 23:5, 15, 23; Luke 5:30, 6:2, 7, 11:39, etc., 18:12; John 9:16; Perkeh Avoth, or Sentences of the Fathers, 1. 16; Jos. Ant., 17. 2. 4; 18. 1. 3; Vita, 38; Talmud, Bab., Sotah, fol. 22, recto**). It is true they expected a Messiah; but their Messiah was to subdue unto them all their enemies, impose for their benefit a tax on all the nations of the earth, and uphold them in all the absurdities with which they had loaded the law of Moses.

But this Man who was about to be brought before them has exposed their hypocritical semblance of piety, and justly stripped them of the undeserved esteem in which they were held by the people. He has absolutely denounced the precepts which they invented and placed above the law. He even desired to abolish the illegal taxes which they had imposed upon the people. Are not all these more than sufficient to condemn Him in their eyes and prove Him worthy of death?

Can a more favorable verdict be expected of the members of the second chamber, composed as it was of men so conceited and arrogant? These doctors expected a Messiah who would be another Solomon, under whose reign and with whose aid they would establish at Jerusalem an academy of learning that would attract all the kings, even as the Queen of Sheba was attracted to the court of the wisest king of Israel. But this Jesus, who claims to be the Messiah, has the boldness to declare blessed those who are humble in spirit. His disciples are but ignorant fishermen, chosen from the least of the tribes; His speech of a provoking simplicity, condemning before the multitude the haughty and pretentious language of the doctors. Are not these things sufficient to bring down upon Him their condemnation?

And what justice can we expect, in conclusion, from the third chamber, when we remember that most of its members were depraved Sadducees, caring only for the enjoyment of the things of the world, heedless of the welfare of the soul, almost denying the existence of God, and disbelieving in the resurrection of the dead? According to their views, the mission of the Messiah was not to consist in the regenerating of Israel as well as of the whole human race, but in the making of Jerusalem the center of riches and worldly goods, which would be brought hither by the conquered and humbled Gentiles, who were to become the slaves of the Israelites. But the Man upon whom they are called to pass judgment, far from attaching great importance to wealth and dignity, as did they, prescribes to His disciples the renunciation of riches and honors. He even despises those things which the Sadducees esteem most — viz., pedigree, silk attire, cups of gold, and sumptuous repast. What could have rendered His condemnation surer than such manifestations of contempt for the pride and voluptuousness of these men?

To limit our inquiry to the moral character of the judges alone, the issue of the trial can be but fatal to the accused; and so, when the three chambers constituting the Sanhedrim council had entered into session, we can well imagine that there was no hope for the acquittal of Jesus; for are not all the high priests, as well as the majority of the scribes and ancients, against Him? “From that time forth began Jesus to shew unto His disciples, how that He must go unto Jerusalem, and suffer many

things of the elders and chief priests and scribes,” [Matthew 16:21](#).

The further study of this trial will amply confirm such a supposition. We have done with the investigation of the moral characters of the judges, and will next take up the study of the legal estimate of their acts.

Jesus Before the Sanhedrim

Translated from the French of MM. Lémann
By Julius Magath

Part Second

The Legality of the Trial Brought Into Question

Chapter First

Facts Which Prove That the Sanhedrim had Resolved Beforehand to Condemn Christ to Death, However Clearly His Innocence Might be Proved

The facts to which we refer are three decisions rendered by the Sanhedrim at three different sessions previous to the one which took place on the day of execution. Even before Jesus had been brought to public trial at all, the Sanhedrim had already assembled three times in secret for the purpose of discussing His miracles, acts, and doctrines. At these sessions three different decisions had been rendered, which fact proves beyond a doubt that the death sentence of Christ was determined upon even before His public accusation.

I

The **first session** was held between the 28th and 30th of September (Tisri, 781 V.E.), 33 A.D. The motive which prompted this measure is thus stated by John the Evangelist; “In the last day, that great day of the feast [of Tabernacles], (The Feast of Tabernacles commenced in that year on the 22nd of September. The 28th was the last day. Jesus stood and cried, saying, If any man thirst, let him come unto Me, and drink . . . Many of the people therefore, when they heard this saying, said, Of a truth this is the Prophet. Others said, This is the Christ. . . . So there was a division among the people because of Him. And some of them would have taken Him; but no man laid hands on Him. Then came the officers to the chief priests and Pharisees; and they said unto them, Why have ye not brought Him? The officers answered, Never man spake like this Man. Then answered them the Pharisees, Are ye also deceived? Have any of the rulers, or of the Pharisees, believed on Him? But this people who knoweth not the law are cursed. Nicodemus saith unto them (he that came unto Jesus by night, being one of them), Doth our law judge any man before it hear him and know what he doeth? They answered and said unto him, Art thou also of Galilee?” ([John 7:37-53](#)).

It was, then, in consequence of the excitement of the people, the testimony of the officers, and the interference of Nicodemus, that the Pharisees, made anxious by the progress which the belief in Christ was making, first convoked the Sanhedrim for the purpose of taking summary measures to check the influence of a man so dangerous to their doctrines and interests. This fact is made still clearer by the same evangelist, who, after recording that officers were sent to seek Jesus, adds, apropos of the man who was born blind and was miraculously cured two days after the Feast of Tabernacles — that is to say, on the 30th of the same month — “These words spake his parents, because they feared the Jews; for the Jews HAD AGREED ALREADY that if any man did confess that he was Christ, he should be put out of the synagogue,” [John 9:22](#).

A decree of excommunication was, then, proclaimed about the 20th or the 30th of September, which circumstance proves two things: 1. That a solemn assembly of the Sanhedrim had taken place; for it alone had power to pronounce an excommunication major. 2. That at this session the question was discussed as to whether Christ should be put to death. The ancient synagogue established three different degrees of excommunication or anathema:

1. Separation (*Niddui*),
2. Execration (*Cherim*),

3. Death (*Shammata*), (See Eli the Levite in *Thesbite, Shammata*).

The first degree, or that of *Separation*, condemned the person upon whom it was pronounced to live isolated for thirty days. He was, however, permitted to attend the services of the Temple, occupying a place especially reserved for him. The power of issuing such a sentence did not belong exclusively to the Sanhedrim. The priests appointed as judges in any city could exercise that right.

The second degree or that of *Execration*, subjected its victim to a complete separation from Jewish society. He was shut out from the Temple, and given over to the evil one. This anathema could be pronounced by the grand Sanhedrim at Jerusalem alone, (T. Goodvini, *Moses et Aaron seu civiles et ecclesiastici Ritus antiq. Hebroeor.*, p. 403. See also Seldenus, *de Synedriis*; Carpzov, *Apparat. historic. crit.*, pp. 555-560; Vitringa, *de Synag. Vetr.*, p. 730, etc.; Reland, *Ant.*, p. 237) and it did not hesitate to issue a proclamation to that effect at the first session against whoever should dare acknowledge Jesus as the Messiah.

The third degree, or that of *Death*, was the most formidable of the three. This severe sentence was seldom inflicted upon a milder class of offenders than false prophets, upon whom it fell with terrible force, in many cases involving the death of both soul and body. Its awful effect was heightened, too, by the fact of its being pronounced as with one voice by the entire assembly, amidst the most horrible maledictions. And if, for some reason, the person under sentence escaped execution by stoning, his crime was not forgotten against him; for even after death the memory of it was perpetuated by a stone placed upon his grave, nor was any one allowed to follow his body to its last resting-place, or to wear the garb of mourning for him, (Otho, *Lex rabbi*, p. 21; Ugolini, *Thesaur.*, 26).

From the knowledge we have of the disposition of the Sanhedrim, toward Jesus, we are inclined to the opinion that at the same session that pronounced the "execration" against the followers of Jesus there was also discussed the expediency of inflicting "shammata," or the death sentence, on Jesus Himself. In this supposition we are sustained by an old Jewish tradition, which, after stating the fact that Jesus was declared a magician and a seducer of the people, (Talmud, Bab., *Sanhedrim*; Vitringa, *de Synag. Vetr.*, p. 781) adds that He was condemned to "shammata" to the sound of 400 trumpets. Without giving full credence to an account so exaggerated, we still have reason to believe that the expediency of putting Jesus to death was seriously discussed by the Sanhedrim. The postponement of the verdict was due only to their fear of the people, who manifested great enthusiasm in favor of Christ on account of the miracles which He had preformed and His sublime discourses. Whatever may have been their intentions toward Jesus in excommunicating His followers, they indirectly declared Jesus a false prophet, and hence worthy of the severest penalty that the law could inflict. Meantime, Jesus had never once appeared before that body, nor had He been interrogated in regard to His doctrines or His miracles. Is not this a proof, as Nicodemus has implied, that they had already condemned Him without having granted Him a hearing (John 8:59) or listened to a word in His defense?

II

The **second session** of the Sanhedrim took place in the month of February (Adar, 782 V.E.), 34 A.D., about four months and a half after the first session. The famous resurrection of Lazarus was the occasion that called the Sanhedrim into council at this time.

"But some of them went their ways to the Pharisees, and told them what things Jesus had done. Then gathered the chief priests and Pharisees a COUNCIL, and said, What do we? for this Man doeth many miracles. If we let Him thus alone, all men will believe on Him; and the Romans shall come and take away both our place and nation. And one of them, named Caiaphas, being the high priest that same year, said unto them, Ye know nothing at all, nor consider that it is expedient for us, that one man should die for the people, and that the whole nation perish not... Then from that day forth they took counsel together for to put Him to death... Now both the chief priests and the Pharisees had given a commandment, that, if any man knew where He were, he should shew it, that they might take Him," [John 11:46-57](#).

We see, then, that at this second council the death of Christ is decided upon. In the September session His death was proposed only indirectly, but this time the sentence is passed, the high priest having himself declared that it was better for one man to die! This sentence was pronounced without summoning the accused into council, without witnesses, and without making any investigation of His doctrines or His miracles. Neither was it pronounced because Jesus was found to be seditious or revolutionary, but because it was necessary to put a stop to His miracles, and thus destroy the people's belief in Him. The sentence having been pro-nounced by the high priest, it was ratified by the whole assembly: "Then from that day forth they took counsel together to put Him to death." Henceforward the expediency of putting Christ to death will be discussed no more. It is a settled question. There remains to be determined only the time and the manner of

executing the sentence. Meanwhile, the order of the high priest is given: "If any man know where Jesus is, they shall show it, that they might take him." Have we not here ample evidence that the condemnation of Jesus preceded His arrest and trial?

III

The third session was held about twenty or twenty-five days after the second — about the 12th of March (Nisan, 782), two days before the Passover.

"Now the feast of unleavened bread drew nigh, which is called the Passover. And the chief priests and scribes sought how they might kill Him; for they feared the people. . . . Then assembled together the chief priests, and the scribes, and the elders of the people, unto the palace of the high priest, who was called Caiaphas, and consulted that they might take Jesus by subtlety, and kill him. But they said, Not on the feast day, lest there be an uproar among the people," [Luke 22:1-2](#); [Matthew 26:3-5](#).

We notice that at this gathering the question of the sentence of Christ is no longer debated. His death had already been determined upon at the second session. The only things that now remain to be settled are the *manner* of His death and the proper *time* for its execution. After a long discussion, it is decided to delay the arrest to an indefinite day after the Feast of Passover. This precaution was taken to prevent interference on the part of the people. Having determined on this course, they are about to adjourn, when an unforeseen event causes them to reconsider their resolution.

"Then entered Satan into Judas, surnamed Iscariot, being of the number of the twelve. And he went his way, and communed with the chief priests and captains, how he might betray Him unto them. And they were glad, and covenanted to give him money," [Luke 22:3-5](#); [Mark 14:10, 11](#). Like another Ahithophel, Judas is received with as great joy by the Sanhedrim as was Ahithophel, the betrayer of David, by the rebel council convened by Absalom, [II Samuel 16, 17](#). The prophets to whom a revelation of Christ and His life had been divinely given, saw in a vision this third council of the Sanhedrim. They saw these men at first embarrassed by the difficulty of deciding upon the day for the execution of Christ; they saw also Judas appearing in their midst. "Mine enemies have spoken evil of Me: When will He die, and when will His name be exterminated? Those who have hated Me have taken secret counsel against Me; they have conspired to do Me evil. A fatal sentence had been passed upon Him. He is stricken down, and shall rise no more, even the man of My peace. He in whom I confided, and has eaten My bread, has raised his heel against Me," (Literal translation from the Hebrew of part of [Psalm 41](#)).

That infamous betrayal had the effect of bringing about a decision. The seizure of Jesus was no longer postponed, but measures were taken to capture Him at the earliest practicable moment. They promised Judas thirty pieces of silver, in consideration of which he engaged himself to take the first opportunity to deliver Jesus into their hands without exciting the people. With Judas, with his well-known cupidity and cunning, as their secret agent, they were confident that a favorable occasion would soon present itself. Meanwhile, the doom of Jesus was sealed, and through the treachery of Judas, He was to be sacrificed on that solemn day of Passover week on which for fifteen centuries had been slain the paschal lamb, the type and prophecy of which He was the fulfillment.

And now let us sum up the decisions of the three councils.

Bearing in mind the fact that Jesus would not make His first appearance before the Sanhedrim until the Thursday evening of the second week of Nisan (March), 782, we notice that three different sessions had already been held by that body, in which three adverse judgments were passed upon Him.

The first council, in excommunicating the partisans of Christ, denounced Him as a false prophet, and consequently guilty of death.

In the second council the question whether He should die or not was proposed, and unanimously decided in the affirmative.

In the third council His arrest and execution were appointed to take place at the first favorable opportunity.

We now ask of every sincere Israelite if the trial of Christ was not a fearful mockery and a lie.

Jesus Before the Sanhedrim

Translated from the French of MM. Lémann
By Julius Magath

Part Second

The Legality of the Trial Brought Into Question

Chapter Second

The Rules of Justice and the Legal Forms Which the Sanhedrim was Under Obligation to Observe in the Trial of Criminal Cases

With the knowledge we have of the moral character of the members of the Sanhedrim and their secret hatred for Christ, we might, without further delay, enter with the crowd into the Sanhedrim hall in order to be present at the trial; but to prepare ourselves to judge impartially of the proceeding there enacted, we must first make ourselves familiar with the criminal code of the Hebrews.

Besides the laws of natural justice, common to all people and all times, the Jewish nation, with their superior civilization, was governed by others still more binding, since they were either dictated by God Himself or transmitted through agents divinely appointed. A minute investigation of these laws is indispensable to an impartial estimate of the proceedings of the Sanhedrim in the case before us.

The Pentateuch and other portions of the Old Testament, though full and clear enough as to the ceremonial law, are less explicit with regard to the administration of justice. Hebrew jurisprudence, in its principles and manner of their interpretation, was chiefly transmitted by the living voice of tradition. Next to Scripture, then, we must consult these traditions for a complete knowledge of the criminal code of the Hebrews as administered by the Sanhedrim.

The traditions to which we refer were collected seventeen centuries ago by the learned Rabbi Judah in a voluminous work, *The Mishnah*. This rabbi, moved with pity for the sad condition of his people, who had just been driven from Judea by Adrian, resolved to perpetuate in writing for them a collection of their time-honored traditions. His work received the name of the *Second Law*, or *Mishnah*, to distinguish it from the Pentateuch, or *Written Law*, delivered by God to Moses. Among the religious, legal, and administrative treatises of the *Mishnah*, there is one entitled *The Sanhedrim*, especially devoted to jurisprudence, and which throws more light upon the subject than can be obtained from any other source. From this treatise we shall quote freely, as from some others bearing upon the same subject, and contained in this vast compilation, (*The Mishnah* is the work of Jehudah the Holy, who died about the end of the second century of our era. It comprises six orders (*Sedderim*), each devoted to a special class of subjects. These are divided into tractates (*Massichtoth*, textures, webs), of which there are sixty-three (or else sixty-two) in all. These tractates are again subdivided into chapters (*Perakim*), in all 525, which severally consist of a certain number of verses, or *mishnahs*, in all 4,187. The first order (*Zeraim*, seeds) begins with the ordinances concerning benedictions, or the time, mode, manner, and character of the prayers prescribed. It then goes on to detail what may be called the religio-agrarian laws (such as tithing, sabbatical years, firstfruits, etc.). The second order (*Moed*, festive time) discusses all connected with the Sabbath's observance and the other festivals. Third order (*Nashim*, women) treats of all that concerns betrothal, marriage, and divorce; it also includes a tractate on the Nasirate. The fourth order (*Nezikin*, damages) contains the civil and criminal law. Characteristically, it includes all the ordinances concerning idol-worship (in the tractate *Avodah Zurah*) and the sayings of the fathers (*avoth*). The fifth order (*Kodashim*, holy things) treats of the various classes of sacrifices, offerings, and things belonging (as the firstborn) or dedicated to God, and of all questions which can be grouped under "sacred things" (such as the redemption, exchange, or alienation of what had been dedicated to God). It also includes the laws concerning the daily morning and evening service (*Tamid*), and description of the structure and arrangements of the Temple (*Middoth*, the measurements). Finally, the sixth order (*Toharoth*, cleannesses) gives every ordinance connected with the questions of clean and unclean alike, as regards human beings, animals, and inanimate things, (Dr. Edersheim: *The Life and Times of Jesus the Messiah*,

American ed., vol. 1., p. 102). The tractate “Sanhedrim” is to be found in the fourth order of the *Mishnah*).

In cases of criminal procedure, the Sanhedrim was under obligation to adhere strictly to the following regulations:

I. Days and Hours on Which the Holding of Court was Forbidden Under the Penalty of a Nullification of the Judgments Pronounced

1. Court must not be held on the Sabbath, or any holy day.

“Court must not be held on the Sabbath, or any holy day,” (Mishnah, *Betza*, or *of the Egg*, Chap. 5, No. 2). The solemnity of the days would be a sufficient reason for this prohibition. Maimonides, however, in his commentary on *Sanhedrim*, Chapter 2, adds: “As it is required to execute the criminal immediately after the passing of the sentence, it would sometimes happen that the kindling of a fire would be necessary, as in the case of one condemned to be burned; and this act would be a violation of the law of the Sabbath, for it is written, Ye shall kindle no fire in your habitations on the Sabbath-day,” **Exodus 35:3**.

2. Court not to assemble even on the day preceding the Sabbath, or any feast-day.

“They shall not judge on the eve of the Sabbath-day, nor on that of any festival,” Mishnah, *Sanhedrim*, Chap. 4.1. This precaution was taken to avoid exposing the judges to the violation of the law of the Sabbath, in case the trial could not be concluded the same day on which it was begun, (Talmud, Jerus., *Kethuboth*, or *of Marriage Contracts*, fol. 24; *Moed-Katon*, or *of Secondary Festivals*, fol. 63).

3. The trial of an important case not to be continued during the night.

“Let it be tried during the day and suspended at night,” (Mishnah, *Sanhedrim*, Chap. 4.1). Maimonides, commenting on this ordinance, says: “The reason why the trial of a capital offense could not be held at night is because, as oral tradition says, the examination of such a charge is like the diagnosing of a wound — in either case a more thorough and searching examination can be made by daylight,” (Maimonides, *Sanhedrim*, chap. 3).

4. No session of the Court to take place before the offering of the morning sacrifice.

“The Sanhedrim sat from the close of the morning sacrifice to the time of the evening sacrifice,” (Talmud, Jerus., *Sanhedrim*, Chap. 1, fol. 19; Talmud, Bab., Chap. 10, fol. 88). “Since the morning sacrifice was offered at the dawn of day, it was hardly possible for the Sanhedrim to assemble until an hour after that time,” (Mishnah, *Tamid*, or *of the Perpetual Sacrifice*, C. 3).

II. The Hearing Of The Witnesses

1. The witnesses to be two in number.

“One witness shall not testify against any person. At the mouth of two witnesses, or three witnesses, shall he that is worthy of death be put to death,” **Deuteronomy 17:6; Num 35:30**.

2. The witnesses to give their testimony separately, and always in the presence of the accused.

Daniel said to the people (concerning the two old men who testified against Susanna): “Separate them, and I will examine them,” (Apocrypha).

3. Before testifying, the witnesses to promise conscientiously to tell the truth.

The judge shall address each witness as follows: “It is not conjecture, nor anything you may have gathered from public rumor, that we ask of you. Remember that a heavy responsibility rests on you; that it is not a question of money where restitution can be made. If you should cause the accused to be condemned unjustly, his blood — yea, even the blood of his posterity — shall cry for vengeance against you, and God will hold you accountable, even as He did Cain for the blood of his brother Abel,” (Mishnah, *Sanhedrim*, Chap. 4.5).

4. *The judges required to carefully weigh the testimony of each witness.*

“And the judges shall make *diligent inquisition*: and behold if the witness”...(Deuteronomy 19:18). “The following seven questions must be propounded to each witness: Was it during a year of jubilee? Was it in an ordinary year? In what month? On what day of the month? At what hour? In what place? Do you identify this person?” (Mishna, *Sanhedrim*, Chap. 5.1).

5. *No testimony valid unless the witnesses all agreed on the same fact in all its details.*

“If one witness contradicts another, the testimony is not accepted,” (Mishnah, *Sanhedrim*, C. 5.2). “For instance, if one witness were to testify to having seen an Israelite in the act of worshiping the sun, and another to having seen the same man worship the moon, yet, although each of the two facts proves clearly that the man had committed the horrible crime of idolatry, the discrepancy in the statements of the witnesses invalidates their testimony, and the accused is free,” (Maimonides, *Sanhedrim*, Chap. 20).

6. *False witnesses to suffer the penalty to which they sought to condemn the person whom they had calumniated.*

“And the judges shall make diligent inquisition: and, behold, if the witness be a false witness, and hath testified falsely against his brother; then shall ye do unto him as he had thought to have done unto his brother. . . . And thine eye shall not pity; but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot,” Deuteronomy 19:18-21. “And they arose against the two elders, for Daniel had convicted them of false witness by their own mouth; and according to the law of Moses, they did unto them in such a sort as they maliciously intended to do their neighbor; and they put them to death,” (Apocrypha).

III. The Examination Of The Accused

1. *The expressions used by the judge toward the accused person to be humane, and even kind.*

“Joshua said unto Achan . . . give, I pray thee, glory to the Lord God of Israel, and make confession unto Him; and tell me now what thou hast done; hide it not from me,” Joshua 7:19. “My very dear daughter, you who are suspected of adultery, could not your guilt be ascribed to the immoderate use of wine? Was it done in consequence of you frequenting the houses of bad neighbors? Perform the ceremonies prescribed for occasions like the present, in the name of the just God of Israel,” (Mishnah, *Sotah*, Chap. 1.4).

2. *The accused not to be condemned on his own confession.*

“We have it as a fundamental principle of our jurisprudence, that no one can bring an accusation against himself. Should a man make confession of guilt before a legally constituted tribunal, such confession is not to be used against him unless properly attested by two other witnesses. It is, however, well to remark that the death sentence issued against Achan was an exceptional case, brought about by the nature of the circumstances attending it, for our law never condemns on the simple confession of an accused party,” (Mishnah, *Sanhedrim*, Chap. 4.2; *Kidushin*, or *of Dowry and Matrimonial Settlements*, Chap. 3.9; Maimonides, *Sanhedrim*).

IV. The Defense

1. *The accused to plead his own cause, the law not mentioning any advocates. Permission given to any person present at the trial to speak in defense of the accused, such being considered a pious act.*

“When I went out to the gate through the city, when I prepared my seat in the street [it was at the gate of the city that justice was administered] . . . the cause which I knew not I searched out. And I brake the jaws of the wicked, and plucked the spoil out of their teeth,” Job 29:7, 16, 17. “Relieve the oppressed, judge the fatherless, plead for the widow,” Isaiah 1:17. “Daniel cried with a loud voice, I am clear from the blood of this woman. Then all the people turned them toward him, and said: What mean these words that thou hast spoken? So he, standing in the midst of them, said: Are ye such fools, ye sons of Israel, that without examination or knowledge of the truth ye have condemned a daughter of Israel?” (Apocrypha).

V. The Judgment

1. *When the trial of a criminal case is to terminate in a sentence of death, it cannot be concluded the same day on which it had begun; but the judges must defer till the next day the voting and the passing of the sentence.*

“A criminal case resulting in the acquittal of the accused may terminate the same day on which the trial began. But if a sentence of death is to be pronounced, it cannot be concluded before the following day,” (Mishnah, *Sanhedrim*, Chap. 4.1).

2. *On the night intervening, the judges having retired by twos to their houses, are to reconsider minutely of evidences of the crime, weighing with sincerity of conscience the proofs adduced against the accused, and the arguments made in his defense.*

“Having postponed the trial to the next day, the judges reassemble by twos and proceed to reexamine the whole case,” (Mishnah, *Sanhedrim*, Chap. 5.5).

3. *In order to secure a more careful deliberation, the judges are under obligation to abstain during the intervening night from heavy food, wine, and all intoxicating beverages, and from everything that would have a tendency to incapacitate them for correct thinking.*

“Having reduced the quantity of their food and abstained from wine, they examine the case,” (Mishnah, *Sanhedrim*, Chap. 5.5). This abstinence was founded also on the verse in **Leviticus**, where it is said: “*Non comedetis super sanguinem* — Ye shall not eat upon the blood” **19:26**. [One instance among many of the literal and forced interpretations of Scripture by the rabbis. The Latin version of this passage is a literal translation of the Hebrew. — Tr.]

4. *On their return next day to the hall of justice, each judge, in his turn, votes for or against the accused.*

“The next day they return to the hall of justice. Then he who absolves pronounces the words ‘I absolve;’ he who condemns, ‘I condemn,’” (Mishnah, *Sanhedrim*, Chap. 5.5).

5. *Two scribes to record the votes; one those that are favorable to the accused; the other those that are against him.*

“The members of the Sanhedrim were seated in the form of a semicircle, at each extremity of which a secretary was placed, whose business it was to record the votes. One of these secretaries recorded the votes in favor of the accused, the other those against him,” (Mishnah, *Sanhedrim*, Chap. 4.3).

6. *To condemn, the number of votes must exceed by two the number of those in favor of his acquittal.*

“In criminal trials, a majority of one vote is sufficient for an acquittal; but for a condemnation a majority of two is necessary,” (Mishnah, *Sanhedrim*, 4.1). “The members of the Sanhedrim being seventy-one in number, if thirty-five condemn, the accused is free; let him be discharged immediately. If thirty-six condemn, he is still free,” (*Ibid.*, C. 5.5).

7. *Any sentence of death pronounced outside of the hall Gazith, or of hewn stones, to be null and void.*

“After leaving the hall Gazith, no sentence of death can be passed upon any one soever,” (Talmud, Bab., *Abodah Zarah*, or *of Idolatry*, Chap. 1, fol. 8). “A sentence of death can be pronounced only so long as the Sanhedrim holds its sessions in the appointed place,” (Maimonides, *Sanhedrim*, Chap. 14).

Such are the principal rules and forms of justice which, after the written and oral law, the Bible, and the Mishnah, the Sanhedrim was bound by the strictest obligations to observe in the trial of all criminal cases.

But were these rules of procedure scrupulously adhered to in the trial of Jesus? This is the important question that remains to be considered.

We have already shown that the Sanhedrim council was made up of men devoid of moral integrity. We have also proved indisputably that the members of this body had resolved *beforehand* to pass upon Jesus the sentence of death, however

clearly a legal investigation of the charges against him might establish His innocence.

We shall now proceed to demonstrate the fact — we hope satisfactorily — that throughout the public trial of Jesus, which commenced on the night of the fourteenth of Nisan, and concluded on the morning of the same day (17th and 18th March, 782), (*In religious and civil affairs the Hebrews counted the day of twenty-four hours, from sunset to sunset. “From even until even shall you celebrate your Sabbath,” (Leviticus 23:32); “And God called the light day, and the darkness he called night; and the evening and the morning were the first day,” (Genesis 1:5, 8, 13, 19, 23, 31)*) all the forms and ordinances which we have mentioned were wantonly violated and trodden under foot; and that the action of the Sanhedrim in the condemnation of Jesus of Nazareth, devoid as it was of even the semblance of justice or legality, was nothing less than an assassination

Jesus Before the Sanhedrim

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Part Second

The Legality of the Trial Brought Into Question

Chapter Third

Details Of The Trial (Night Session)

Two distinct sessions were occupied in the trial. The first was held on the night of the fourteenth of Nisan (March). Accounts of it are given by **John, Matthew, and Mark**. The second took place on the morning of the same day. The latter session is mentioned by both **Matthew and Mark**, and its proceedings are related in detail by **Luke**.

The Sanhedrim is once more assembled, but this time it lays aside the mask of secrecy; for Jesus is to be judged publicly. We emphasize the word, “Sanhedrim,” for it is the veritable body that was composed of the three principal orders of the Hebrew people — the priests, the scribes, and the elders. “And they that had laid hold on Jesus led Him away to Caiaphas the high priest . . . and with Him WERE ASSEMBLED ALL THE CHIEF PRIESTS AND THE ELDERS AND THE SCRIBES,” (**Matthew 26:57; Mark 14:53**).

“It was night,” says John, “Judas having received a band of men and of officers from the chief priests and Pharisees, cometh thither with lanterns and torches and weapons. . . . Then the band and the captain and officers of the Jews took Jesus, and bound Him, and led Him away,” **John 13:30, 18:3, 12, 13**.

The FIRST IRREGULARITY that we shall notice in the proceedings of the trial is the violation of the Jewish law that prohibited the transaction of legal business at night: “*Let a capital offense be tried during the day, but suspend it at night,*” (Mishnah, *Sanhedrim*, Chap. 4. 1).

Its being held before the evening sacrifice is the SECOND IRREGULARITY. “*The Sanhedrim sat from the close of the morning sacrifice to the time of the evening sacrifice,*” (Talmud, *Jerus, Sanhedrim*, Chap. 1, fol. 19).

The THIRD IRREGULARITY is to be found in the fact of its being the first day of the feast of unleavened bread and the eve of the Passover. “*They shall not judge on the eve of the Sabbath-day nor on that of any festival,*” (Mishnah, *Sanhedrim*, C. 4.1).

First Interrogatory Put to Jesus by Caiaphas

“The high priest then asked Jesus . . .” **John 18:19**. It is Caiaphas, be it remembered, who interrogates — the same man who, a short time before, in a general assembly of the Sanhedrim held in his own palace on the occasion of the resurrection of Lazarus, had declared that the public welfare imperatively demanded that Jesus of Nazareth be put to death. What! An *accuser* act as *judge*? In this case he is even more than a judge, for he is *president* of an assembly of judges. Here we have a FOURTH IRREGULARITY — an irregularity too glaring to escape the notice of even a casual observer — for it is a well-known fact that no legislative body ever allowed an accuser to act as judge. “If a . . . witness rise up against any man . . . then both the men, between whom the controversy is, shall stand before the Lord, before the priests and the judges, which shall be in those days,” **Deuteronomy 19:16, 17**. From this passage we see that the accuser and the judge were to be two distinct persons; but here Caiaphas, who was accuser yesterday, is judge today! This unprecedented monstrosity is especially pointed out by John. He says: “Caiaphas was he, which gave counsel to the Jews, that it was expedient that one man should die for the people,” **John 18:14**.

“The high priest then asked Jesus of His disciples and of His doctrine,” **John 18:19**. Caiaphas, the judge and accuser, instead of opening the proceedings by reading the indictments and producing the witnesses, in accordance with the requirements of the Jewish law, proceeds as prosecuting attorney. “If there be found among you . . . a man or woman, that hath wrought wickedness in the sight of the Lord thy God . . . and thou hast heard of it, and inquired diligently, and, behold, it be true . . . at the mouth of two witnesses or three witnesses . . .” **Deuteronomy 17:2-6**. Caiaphas, as we have said, begins with a captious question, in order to criminate Jesus on His own confession. This mode of procedure constitutes a **FIFTH IRREGULARITY**; for what could be more inconsistent than to arraign a man against whom no formal accusation had been presented, or to interrogate him regarding his own affairs without confronting him with his legally constituted accusers?

“Jesus answered him, I spake openly to the world; I ever taught in the synagogue, and in the Temple, whither the Jews always resort; and in secret have I said nothing. Why askest thou Me? Ask them which heard Me, what I have said unto them: behold, they know what I said,” **John 18:20, 21**. This answer of Jesus brings out clearly the illegality committed by Caiaphas in opening the trial without previously preparing a bill of indictment and specifications against the accused — a preliminary necessary to legalize the decisions of every court of justice.

Why do you ask Me? That is to say, do you wish Me to become My own accuser? Have you any specific charge to bring against Me? If so, it is your duty formally to state it, that I may assert My innocence or plead My guilt; but if you know nothing against Me, and there are no witnesses to testify against Me or My doctrines, how can you expect Me to become My own accuser? Do you not see that by your endeavors to extort from Me a confession of guilt you legally declare My innocence? “*We have it as a fundamental principle of our jurisprudence that no one can bring an accusation against himself,*” (Mishnah, *Sanhedrim*, Chap. 4.2).

“And when He had thus spoken, one of the officers which stood by struck Jesus with the palm of his hand, saying, Answerest thou the high priest so?” **John 18:22**.

In this unprecedented act of brutality we find a **SIXTH IRREGULARITY**, reflecting as it does upon the humanity and sense of justice of the judges in permitting a deed so shameful in their presence. Every prisoner is entitled to the fullest protection of the law, and is to be considered innocent until his guilt be proved; but here the silence observed by the judges in allowing the dastardly act to go unpunished and unreproved shows clearly that the insult was sanctioned by the entire body. The chief blame, of course, rested upon the judges, especially upon him who presided over the assembly. For if both the Bible and the Mishnah enjoin upon the judges the use of terms expressive of humanity and kindness in addressing a prisoner — as, “My son, confess your sin” . . . “My very dear daughter, what is the cause of your sin?” (**Joshua 7:19**; Mishnah, *Sota*, Chap. 1.4) — much more do they prohibit the tolerance on the part of the judges of any act of violence or brutality perpetrated against the prisoner.

“Jesus answered him, If I have spoken evil, bear witness of the evil: but if well, why smitest thou Me?” **John 18:23**.

This answer might be paraphrased thus: “If I have spoken evil against the truth or against the high priest, testify to My guilt, or show wherein I have erred; but if you cannot prove that I have said anything against either, why do you insult Me thus? I only claim the right to which, as a prisoner, the law entitles Me.” The truth is, Jesus would have been justified in using even stronger language, not only to the insolent servant, but even to the high priest who tacitly authorized so manifest a violation of the law. “If He did it not, it was because He was unwilling to dishonor the high priesthood in the person holding that sacred office. His defense, however, was none the less forcible, nor His protestations of innocence less dignified on account of the mildness of His language,” (St. Cyprien, *Epist.*, 4. *Ad Corn.*, p. 114).

Deposition of the Witnesses

“Now the chief priests, and elders, and all the council, sought false witness against Jesus, to put Him to death; but found none: yea, though many false witnesses came, yet found they none,” **Matthew 26:59, 60; Mark 14:55**.

Jesus having demanded that the charges alleged against Him be adduced and supported by the testimony of witnesses, it was found impossible to effect His condemnation without producing some witnesses against Him. Now see the next step taken by the Sanhedrim. Messengers are actually sent out promiscuously among the crowd to summon men as witnesses, with orders to offer them bribes for bearing testimony against the accused. In this iniquitous proceeding, together with the miserable pretense of an examination given by the judges to the naturally conflicting reports of the fraudulent witnesses, we find the **SEVENTH IRREGULARITY**. “And the judges shall make diligent inquisition, and, behold, if the witness...”

Deuteronomy 19:18. But this is not all. They commit an EIGHTH IRREGULARITY in violating the fundamental law enjoining the judge, before hearing the testimony of a witness, to administer to him an oath binding him to absolute truthfulness in all his statements. “Remember that a heavy responsibility rests on you . . .” (Mishnah, *Sanhedrim*, Chap. 4.5). It is but natural that these humane and righteous judges, having themselves assented to the suborning of the witnesses, should have shrunk from the inconsistency of holding them responsible for their perjury, thus involving themselves in a new difficulty, which is nothing less than a breach of the law demanding the prompt punishment of false witnesses. “Behold, if the witness be a false witness . . . then shall ye do unto him as he had thought to do unto his brother . . . life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot,” **Deuteronomy 19:18-21.**

This constitutes the NINTH IRREGULARITY. In truth, these men are no longer judges, but a band of murderers clamoring for the blood of a guiltless man. To the strange scenes enacted in the Sanhedrim hall on this memorable occasion history furnishes no parallel, except one be found in that mockery of a trial which, by order of the wicked Jezebel, was to result in the condemnation of the innocent Naboth. “She wrote letters in Ahab’s name, and sealed them with his seal, and sent the letters unto the elders and to the nobles that were in his city, dwelling with Naboth. And she wrote in the letters, saying, proclaim a fast, and set Naboth on high among the people: and set two men, sons of Belial, before him, to bear witness against him, saying, Thou didst blaspheme God and the king. And then carry him out and stone him, that he may die. And the men of his city, even the elders and the nobles who were the inhabitants in his city, did as Jezebel had sent unto them . . . and the men of Belial witnessed against . . . Naboth in the presence of the people, saying, Naboth did blaspheme God and the king. Then they carried him forth out of the city, and stoned him with stones, that he died,” **I Kings 21:8-14.**

But let us continue with the deposition of the witnesses.

“For many bare false witness against Him, but their witness agreed not together. At the last came two false witnesses, and said, This fellow said, I am able to destroy the temple of God, and to build it in three days.”

“I will destroy this temple that is made with hands, and within three days I will build another made without hands.”

“But neither so did their witness agree together,” **Mark 14:56-59; Matthew 26:60.**

Before noticing the discrepancies in the testimony of these two witnesses, we observe a TENTH IRREGULARITY, consisting in the fact of their being examined simultaneously and in the presence of each other, when the law required that only one witness should be admitted for examination at a time. “Separate them, and I will examine them,” Apocrypha.

In the testimony quoted above, the enormity of the charges is obvious. For it is a well-known fact that the Jews were always very jealous of the glory of their Temple; so much so that Jeremiah narrowly escaped stoning by the priests and the people for having dared to prophesy that God would one day reduce the Temple to the condition of Shiloh, and convert it into a desert, **Jeremiah 26:6.** It was only through the intervention of the lords at court that his life was spared. We can understand, therefore, that the charges brought against Jesus by the two witnesses were of the gravest importance, and must have produced a profound impression upon the entire assembly, inspiring them with the hope of at last finding a legal pretext for the conviction and condemnation of their defenseless victim; and so it might have been but for the falseness and incongruity apparent in the testimony. But what about the law that so rigorously demanded an absolute agreement in the statements of witnesses, not only as regarded facts and events but even their minutest details?

We shall now proceed to show that the testimony was *false*.

1. The language imputed to Jesus was not the same that He actually used. He did not say, “I *can* destroy,” or “I *will* destroy,” but DESTROY! “Destroy this temple, and in three days I will raise it up,” **John 2:19.** This speech being merely hypothetical, since it signified *supposing you destroy this temple* . . . was not sufficient to constitute a serious charge; but the witnesses, well remunerated for their services, observing in the judges signs of increasing impatience and determination, were by no means loath to bring the business to a close by distorting the words of Jesus into a treasonable threat that would inevitably insure His condemnation.

2. The testimony given by these two witnesses was clearly a misinterpretation of the words of Jesus, who, in uttering them, had made no allusion to the material Temple at Jerusalem, but referred to the living temple of His body. This is affirmed by the apostle John, in whose presence the words had been spoken: “He spake of the temple of His body,” **John 2:21.** For further corroboration of our assertion, let us notice the terms actually used by Jesus. To make it obvious to His

hearers that He intended to speak of His own body, He made use of an expression corresponding to the Latin word “solvite,” which instead of “destroy” really signifies “break, or dissolve” — an expression very appropriate as applied to an animated body, a living temple, the members of which can be broken or dissolved by death; but not so in connection with a material edifice, an inanimate temple. But a final proof that such was the sense in which these remarkable words were uttered, we find in the latter clause of the sentence, “And in three days I will RAISE IT UP” — i.e., *revive* it — not “I will *rebuild* it.” If Jesus had referred to the Temple at Jerusalem, he would have used the words *destroy* and *rebuild*; but since He had in view none other than a mystical temple — His own body — He employed the terms *break* or *dissolve the members*, and *revive or resuscitate*. With regard, then, to the two witnesses who had so grossly perverted the words of Christ, we must conclude one of these two things:

Either they failed to understand the words, as did those other Jews who, present on the same occasion, exclaimed on hearing them, “Forty and six years was this Temple in building, and wilt thou rear it up in three days?” or, while perfectly apprehending the idea thus figuratively expressed, they designedly and maliciously put upon the language a false construction. In the latter case they were false witnesses in a twofold degree: not only imputing to Christ words that He had not used — i.e., I can destroy, I will destroy — but applying those words to the Temple at Jerusalem when they bore to it no reference whatever. Thus they falsified both the letter and the spirit of these utterances of Christ.

Be it further noticed, that if the witnesses had spoken the truth, and if Christ had really spoken the words which they imputed to Him, their evidence could not have been legally accepted for the following reason: According to the Hebraic law, it was necessary to the validity of the testimony that *all the witnesses should agree upon the same fact in all its parts*, (Mishnah, *Sanhedrim*, Chap. 5.2). “*For instance, if one witness were to testify to having seen an Israelite in the act of worshiping the sun, and another to have seen the same man worship the moon, yet, although each of the two facts proves clearly that the man had been guilty of the horrible crime of idolatry, the discrepancy in the statements of the witnesses invalidates their testimony, and the accused is free,*” (Maimonides, *Sanhedrim*, Chap. 20).

The first witness, in testifying that Jesus had said, *I will destroy this temple that is made with hands*, charged Him with the serious crime of uttering threats against a religious and national institution; while the second, in imputing to Him the words, *I am able to destroy the Temple of God*, only makes Him out a swaggerer and a braggart. Now, the acceptance by the council of these incongruous (**Mark 14:59**) statements constitutes the ELEVENTH IRREGULARITY; for by the law above quoted the testimony should have been declared null, and the prisoner released.

Second Interrogatory Put to Jesus by Caiaphas

Caiaphas, instead of refusing to receive the testimony of the false witnesses, as he was duty bound to do, made it the basis of a second interrogatory. “And the high priest stood up in the midst, and asked Jesus, saying, Answerest thou nothing? What is it which these witness against thee?” **Mark 14:60**. That is to say, Do you not hear the overwhelming charges which these witnesses bring against You? Why are You silent? Speak! Caiaphas, by drawing the attention of Jesus to the danger of His position, hoped to evoke from Him such replies in explanation of the statements imputed to Him as would implicate Him, and make Him appear guilty in the eyes of the people.

“But He held His speech, and answered nothing,” **Mark 14:61**.

The cause of Christ needed no defense nor palliation, nor did the statement constituting the principal charge against Him require any explication beyond a faithful rendering by the witnesses. Besides, His refusal to answer the questions put to Him by the crafty Caiaphas was doubtless meant to show not only His interrogator, but the whole assembly, that He perfectly understood the motives that had prompted them. His silence was indeed an eloquent rebuke, and at this period of the trial was fulfilled the prophecy of David: “They also that seek after My life lay snares for Me; and they that seek My hurt speak mischievous things, and imagine deceits all the day long. But I, as a deaf man, heard not; and I was as a dumb man that openeth not his mouth,” **Psalms 38:12, 13**.

It is indeed astonishing that this calm and majestic silence, so unnatural to men under impending death, should not have opened the eyes of His judges. True, a few hours later, Pilate, pagan as he was, was so impressed by the grand solemnity of the silent figure before him that, under the uneasiness of mind awakened by the sight, he would have released the defenseless victim. But Caiaphas and the Sanhedrim, far from recognizing in the silent attitude of Jesus the fulfillment of the prophecy by Isaiah — “He was afflicted, yet He opened not His mouth: He is brought as a lamb to the slaughter, and as a sheep before her shearers is dumb, so He openeth not His mouth,” **Isaiah 53:7** — were only exasperated by it the more; for they saw in that silence an accusation against themselves that confused and overwhelmed them. An issue! They must have an issue to dispatch the business at once! Caiaphas very soon found one.

Third Interrogatory Put to Jesus by Caiaphas

“Again the high priest asked Him, and said unto Him, I adjure Thee by the living God, that Thou tell us whether Thou be the Christ, the Son of God,” **Mark 14:61; Matthew 26:63.**

It is very important to notice the sudden change in the manner of the accusation. There is, in fact, no longer any question either as regards the witnesses or their testimony. Caiaphas, so to speak, now throws all the evidence into the wastebasket, and declares the testimony that had been so dishonorably obtained and shamelessly given, insufficient, of itself, to condemn the accused. Furthermore, the fact of Caiaphas being driven, as a last resource, to interrogating the prisoner in the hope of extorting from Him a confession of guilt, or in some way inducing Him to criminate Himself, is in itself an involuntary admission that nothing has been found in Him worthy of death. Why, then, is He still retained as a criminal?

The witnesses and their depositions having been put aside, the scene changes, and Caiaphas, judge and president of the tribunal, becomes a self-constituted witness and accuser. But in thus actively arraying himself against Jesus, he openly violates his official obligations, and in so doing, commits a **TWELFTH IRREGULARITY**. (See **Deuteronomy 19:16, 17.**)

A **THIRTEENTH IRREGULARITY** is found in the oath that he proffered to Jesus: “I adjure Thee by the living God, that Thou tell us whether Thou be the Christ, the Son of God.” The law required that this awful adjuration should be addressed to the witnesses: “Remember that a heavy responsibility rests upon you. . . . If you cause the accused to be unjustly condemned, God will require an account of you, even as He did of Cain for the blood of Abel,” Mishna, *Sanhedrim*, Chap iv. 5. But it was in all cases the witnesses alone who were required to take a preliminary oath of the character; for to administer it to the accused would be to place Him in the alternative of committing perjury or of criminating himself. “We have it as a principle of our jurisprudence that no one is to bring an accusation against himself,” (Mishnah, *Sanhedrim*, Chap. 6.2). But in this iniquitous trial an oath is required not of the witnesses but of the accused! This serious infraction of the moral and civil law had been predicted and stigmatized by a prophetic voice: “For they speak against Thee wickedly, and Thine enemies take thy name in vain,” **Psalms 139:20.**

As to the interrogatory itself, it was a snare set by Caiaphas. In adjuring Jesus, in the name of the living God, to declare whether He was the Son of God or not, He foresaw that whatever His answer might be, His doom was fixed. Should He answer any question in the negative — thus He must have reasoned with Himself — He will be condemned as an impostor, for such He has certainly claimed to be; if in the affirmative, He will be condemned as a blasphemer. Thus, a denial was to be treated as no less a crime than an avowal.

“And Jesus said, I am,” **Mark 14:61, 62.** Jesus respects on the lips of the high priest the majesty of the name of God. He replies to the question, despite the malice which prompted it, on account of the sacred language in which it was clothed. He is not deceived by the dissimulation of the high priest — far from it — but He is ready to do homage to the divine name, although knowing that in this instance it was basely employed to entrap Him.

Condemnation Pronounced by the Sanhedrim

“Then the high priest rent his clothes, saying, He hath spoken blasphemy; what further need have we of witnesses? . . . What think ye?” **Matthew 26:65, 66.**

The denouement is precipitated, and irregularities are heaped one upon another.

The high priest tears his clothes — that is to say, gives way to anger. In this act we have a **FOURTEENTH IRREGULARITY**, since it is not only a violation of the law enjoining the judge to comport himself toward the prisoner with gentleness and respect — using in addressing him such terms as these: “My son, confess your fault.” My very dear daughter, what is the cause of your sin?” (**Joshua 7:19; Mishnah, Sotah, 1.4**) — but it is also a breach of the religious law, which strictly prohibits the high priest’s tearing his garments even as a sign of mourning. Any ordinary Israelite could, as an emblem of bereavement, tear his garments, but to the high priest it was forbidden, because his vestments, being made after the express orders of God, were figurative of his office. “And he that is the high priest among his brethren, upon whose head the anointing oil was poured, and that is consecrated to put on the garments, shall not uncover his head, nor rend his clothes,” **Leviticus 21:10.** Tear thy garments, O Caiaphas! Before the day closes, the veil of the Temple shall also be torn in twain, to signify that the Aaronic priesthood and the sacrifices of the Mosaic Law have been abolished to make place for the eternal priesthood of the high priest of the new covenant.

“He hath spoken blasphemy!” In this exclamation of the chief priest we notice two irregularities:

The FIFTHTEENTH IRREGULARITY consists in the fact of his pronouncing against the accused the charge of blasphemy without having duly inquired into the reasonableness of the declaration contained in the response to the high priest’s question. Caiaphas had demanded that Jesus should say whether or not He was the Son of God. Jesus had answered, “I am.” Simple justice required that this bold avowal, presumptuous and even blasphemous though it may have appeared, should have been examined into with the utmost care. Order the holy books to be brought in, O Caiaphas! Open them on your tribunal. Read from their sacred pages the various names and attributes ascribed to the Messiah and Saviour of the world; and above all, find out from the same source whether He is to be the Son of God. This done, see if such names and attributes could be appropriately applied to the person before you claiming to be the Son of God. If, of all the characteristics and conditions ascribed by the prophets to the Messiah, a single one be wanting in Him, then proclaim loudly and fearlessly that He has blasphemed. But to pronounce Him a blasphemer without having given the statement contained in His answer so much as even a superficial investigation, what iniquity! Here we find a violation of the simplest obligations belonging to the office of the president of the Sanhedrim council. The law says, “The judges shall make diligent inquisition,” **Deuteronomy 19:8**; but in this case, there was not even a simple examination! The Mishnah adds: “The judges shall weigh [the matter] in the sincerity of their conscience,” (Mishnah *Sanhedrim*, Chap. 4.5); but here the conscience itself is stifled!

The next or SIXTEENTH IRREGULARITY committed by Caiaphas in the unwarrantable exclamation, “He has blasphemed!” is that he virtually forestalls the decision of the other judges. In declaring the answer of Jesus blasphemous, he deprives the subordinate judges of the freedom of suffrage. According to the Mishnah, the formula of his vote, as well as of each of the other judges, should have been expressed simply, *I absolve*, or *I condemn*, (*Sanhedrim*, Chap. 5.5). But in his vehement utterance of a decision prompted not by justice but by malice, he precludes the possibility of his colleagues differing from him in the character of their votes; for it is a well-known fact that the decision of the high priest was considered infallible authority among the Jews.

“What further need have we of witnesses?” Here we have a speech fully as iniquitous as the other. What! A judge dare deny the necessity for witnesses, when the law expressly and absolutely demanded them! For the impartial administration of justice, the judge was required to make a careful and minute examination of every witness, putting to them one at a time the following seven questions: “Was it in a year of jubilee? Was it in an ordinary year? In what month? On what day of the month? At what hour? In what place? Do you identify the accused?” (Mishnah, *Sanhedrim*, Chap. 5.1). But Caiaphas, thirsting for the blood of his victim, tramples under foot all prescribed forms in his eagerness to reach a speedy termination of the trial, even proposing to dispense with the calling and hearing of witnesses. Thus we find him guilty of a SEVENTEENTH IRREGULARITY.

“What think ye?” This question forms the EIGHTEENTH IRREGULARITY; for nothing could have been more irregular than the calling for a public and general vote. The Mishnah says expressly, “Let the judges, each in his turn, absolve or condemn,” (*Sanhedrim*, 15.5); but Caiaphas, to end the matter, would have them vote *en masse*. And through the whole proceeding, what bitter derision is manifest in the conduct of Caiaphas! He tears his garments as a mark of the profoundest horror, and in so doing impresses all present with a religious awe; he proclaims Jesus guilty of the most horrible blasphemy; he declares that there is no need of further proofs or witnesses; and after all this, he demands of the other judges an expression of their opinion!

The response of the Sanhedrim was exactly what Caiaphas had anticipated.

“They answered and said, He is guilty [worthy] of death,” **Matthew 26:66; Mark 14:64.**

In this one sentence we find several irregularities. The first, or the NINETEENTH in order, is seen in the precipitate assent of the other judges to Caiaphas’s accusation of blasphemy, instead of first deliberating among themselves, as the law directs. “Having deferred the trial to the next day, the judges reassemble by twos, and proceed to reexamine the whole case,” (Mishnah, *Sanhedrim*, Chapter 5.5).

The next or TWENTIETH IRREGULARITY is as follows: the sentence was pronounced on the same day the trial began; whereas, according to law, it should have been deferred to the next day at least. “A criminal case resulting in the acquittal of the accused may terminate the same day the trial began; *but if a sentence of death is to be pronounced, it cannot be concluded before the following day*,” (Mishnah, *Sanhedrim*, 4.1).

Again, as the judges did not vote one at a time and in order, it is obvious that the votes could not have been recorded by the two scribes appointed for that purpose — another irregularity (the TWENTY-FIRST); for says the Mishnah: “At each extremity [of the semicircle] a secretary was placed, whose business it was to record the votes. One of these secretaries recorded the votes in favor of the accused, the other those against him,” (*Sanhedrim*, Chapter 4.3).

Such was the night session, prophetically described by David: “The assembly of the wicked have enclosed Me,” **Psalm 22:16**. Twenty-one irregularities were then committed; and not one of the judges arose to enter a protest against them. The evangelist says, “They” — that is, all of them — “said, He is worthy of death!” In this sententious exclamation we perceive some expression of the shame and wonder that filled the minds of the gospel narrators in contemplating the fact that among the seventy-one members composing the council of the Sanhedrim there was not a single one conscientious and brave enough to protest against proceedings so vile and unprecedented. We must remember; however, that all who took part in this trial were creatures of Caiaphas, and no less corrupt than himself.

The Jewish law permitted any spectator at a public trial to speak a word in defense of the accused. To do so was even considered a pious and meritorious act; but on this memorable night, not a voice from all that crowd of lookers-on was raised in His behalf. The only two persons who would have been likely to offer a favorable word for Jesus were members of the Sanhedrim, but not present on that occasion. These were Joseph of Arimathea and Nicodemus, who refused to attend an irregular session held on the solemn night of the Passover. Remembering how at a former session of the trial the protestations of Nicodemus against the condemnation of Jesus were disdainfully set aside, **John 7:52**, they knew that nothing they could say on this occasion would carry any weight with the fierce and determined Caiaphas; and so they purposely absented themselves. Referring to Joseph of Arimathea, the evangelist says, “he had not consented to the counsel and deed of them,” **Luke 23:51**. And from the courage formerly displayed by Nicodemus in defense of Jesus, we may safely infer that he too was unwilling to take part in a trial so illegally conducted.

We then see Jesus before his accusers defenseless and alone. When the eleven sons of Jacob concerted to put Joseph to death, two of them, Reuben and Judah, struck with remorse, made some feeble protests against the murder of their innocent brother: “Come, and let us sell him to the Ishmaelites, and let not our hand be upon him; for he is our brother and our flesh,” **Genesis 37:27**. When the treacherous Ahithophel would have persuaded the council to pursue and put to death the lawful King David, a stranger (Hushai, the Archite) took up the defense of the unfortunate monarch, who was on the point of being betrayed by his subjects into the hands of his rebellious son, **II Samuel 15:32, 17:1-25**. But no compassionate voice is raised in defense of Him who is greater than Joseph, and who is a King and a Father in a higher sense than David.

The members of the Sanhedrim having unanimously ratified the death sentence passed by Caiaphas upon Jesus, a signal was given the soldiers in attendance to seize and guard him for the rest of the night.

A strange scene was then enacted: “Then did they spit in His face, and buffeted Him; and others smote Him with the palms of their hands, saying, Prophecy unto us, thou Christ, Who is he that smote Thee?” **Matthew 26:67, 68; Mark 14:65**.

Thus after His condemnation, Jesus was delivered to soldiers and menials, who were left free to perpetrate upon His person all possible outrages. Some authors have regarded that night of torture as the most cruel scene in the drama of the Passion. And, indeed, for barbarity and diabolism it stands without a parallel in history. Among all civilized nations a prisoner, whatever may be his guilt, is under the protection of the law until the arrival of the time for the execution of his sentence, and nowhere do we find judges tolerating the commission by their soldiers and servants of excessive cruelties upon a prisoner under their charge.

As these brutalities were committed after the adjournment of the night session, we shall not add them to the list of irregularities under enumeration; but we would emphasize the shamefully culpable weakness of Caiaphas, who, in permitting such atrocities under his own roof displayed a cowardice equal to that of the Philistines in their treatment of Samson. Like Samson, Jesus was surrounded by those who, basely taking advantage of His misfortunes, heaped upon Him the vilest raillery and insult. Such was the cruel fulfillment of prophecy.

Jesus Before the Sanhedrim

Translated from the French of MM. Lémann
By Julius Magath

Part Second

The Legality of the Trial Brought Into Question

Chapter Fourth

Details of the Trial (Morning Session)

Reason for Holding a Second Session

“And straightway in the morning the chief priests held a consultation with the elders and scribes and the whole council against Jesus to put Him to death,” [Mark 15:1](#); [Luke 22:66](#); [Matthew 27:1](#).

Caiaphas and the other members of the Sanhedrim were exceedingly anxious lest the sentence resulting from the manifestly illegal proceedings of the night before should be annulled. That their apprehensions were not without foundation is evident, if we bear in mind the number of revolting irregularities then committed. What would be more natural than for the people, under the excitement of the occasion, to open upon them a volley of embarrassing questionings and protests? What answer, for instance, could they give to the question of the necessity of holding a session of the council of the Sanhedrim at night, contrary to established custom? What about the non-agreement of the witnesses, and the precipitate pronouncing of the sentence? To avoid all these difficulties, the entire body of the Sanhedrim assembles early in the morning *to hold a council against Jesus to put Him to death*.

We here call attention to the fact that the present session of the Sanhedrim is by no means held for the purpose of revising the sentence pronounced on the previous night. The condemnation of Jesus remains the same. His doom is irrevocably sealed. The only point that concerns that body now is the necessity for giving to the irregular proceedings just enacted an appearance of legality in the eyes of the people. But in their efforts to that end we shall show that irregularities were committed quite as gross as those that marked the events of the preceding session.

“And as soon as it was day, the elders of the people and the chief priests and the scribes came together, and led Him into their council,” [Mark 15](#); [Luke 22:66](#).

The assembling before the time of day prescribed by law constitutes the **TWENTY-SECOND IRREGULARITY**. It was forbidden to convene the Sanhedrin before the celebration of the morning sacrifice. “They shall sit from after the morning sacrifice until the sacrifice of the evening,” (Talmud, Jerus. *Sanhedrim*, C. 1., fol. 19). But in assembling thus early (Respecting the hours for the offering of the daily sacrifice, the Bible says simply, “One lamb thou shalt offer in the morning, and the other lamb thou shalt offer at even,” [Exodus 29:38-39](#). But Josephus indicates the exact time for the offering of these sacrifices: “The law requires that at the public expense a lamb of the first year be killed every day, at the beginning and ending of the day,” (Jos. *Ant.*, 3.10.1) they could not have waited for the consummation of the morning sacrifice, for the preparation for the morning sacrifice began at break of day, and one hour at least was required in the slaying and offering up of the victim, which was consumed amid the usual prayers. We see, then, that the Sanhedrim must have convened just one hour in advance of the time prescribed by law.

Besides, it is now the great day of the Feast of the Passover, when to sit in judgment was strictly prohibited. “They shall not judge on the Sabbath day, nor on a feast day,” (Mishnah, *Betzah*, C. 5.2). The violation of this law forms the **TWENTY-THIRD IRREGULARITY**. Origen, one of the most eminent Bible commentators, commenting on the passage

in Isaiah, “Your new moons and your appointed feasts My soul hateth,” **Isaiah 1:14**, says, “It was prophetically that God declared His hatred for the feasts of the synagogue, for in delivering Jesus to be executed on the very day of Passover, the Jews committed a great crime,” (Origen, *Commentary on Isaiah*).

Renewal of the Cross-Examination of Jesus

“And [they] led Him into their council, saying, Art thou the Christ? Tell us,” **Luke 22:66-67**.

We would call attention to the fact that the original method of conducting the trial is entirely abandoned. Efforts are no longer made for the securing or the producing of false witnesses; neither are the declarations made by Jesus Himself used against Him. All these things had been tried without success on the previous evening, and the members of the Sanhedrim knew too well that a repetition of the selfsame order of procedure would be subject to the same difficulty that embarrassed their efforts before — the possibility of a protest on the part of the people. To secure themselves against such a frustration of their designs, they resolved to do away with witnesses and interrogate Jesus as to His claims to divinity, knowing full well that His reply would be received as blasphemy by the people, who would thereupon yield a ready assent to His condemnation.

“Jesus said unto them, If I tell you, ye will not believe: and if I also ask [i.e., question] you, ye will not answer me, nor let me go. Hereafter shall the Son of man sit on the right-hand of the power of God,” **Luke 22:67-69**. This answer shows that Jesus understood clearly enough the sinister designs underlying this renewal of His cross-examination. Nevertheless, He hesitated not in His reply. Hereafter — that is, when you shall have exercised all the power given to you, and shall have put Me to death — I shall go to sit on the throne of the Almighty, at the right hand of God. “Then said they all, Art thou then the Son of God?” **Luke 22:70**.

The conclusion implied in the above question was logically correct, for the expression, “to sit at the right-hand of God” could not be applied to a human being; and His judges knew perfectly well that in speaking thus of Himself, He attributed to His own person the same honor, the same power, the same majesty, and consequently the same nature as of God Himself.

“And He [Jesus] said unto them, Ye say that I am,” **Luke 22:70**.

Jesus repeats in the same terms, and with the same solemnity, the declaration which He made during the night session. Caiaphas had then asked Him, “Art thou the Christ, the Son of God?” His answer was, “I am.” And now, when the same question is put to Him by the entire body of the Sanhedrim, His reply is still the same.

Sentence Again Passed Upon Jesus by the Sanhedrim

“And they said, What need we any further witness? For we ourselves have heard of His own mouth,” **Luke 22:71**. Thus the second general assembly confirms the sentence pronounced by the first. The united voices of all the members pass sentence of death upon Jesus, and the judges, in their eagerness for the execution of the sentence, declare the proceedings at an end; and from their decision there is no appeal. But the trial has not reached its conclusion, without a further increase to the list of irregularities we have been enumerating.

The TWENTY-FOURTH IRREGULARITY is found in the fact that, as on the previous evening, the sentence, contrary to law, was pronounced *en masse*. The Mishnah says expressly, “Every one *in his* turn shall absolve or condemn,” (*Sanhedrim*, C. 5.5).

The answer of Jesus to the question, “Art thou the Son of God?” ought to have been minutely examined under the following heads: 1. Was the Messiah to have been the Son of God? 2. Was Jesus the Son of God? Their failure to scrutinize the question constitutes a TWENTY-FIFTH IRREGULARITY.

Again, the passing of the sentence should have been deferred to the next day. Without invalidating the trial, the sentence could not have been passed before Saturday morning. The proceedings began on Thursday night, which was really counted as Friday, for among the Hebrews the days were reckoned from one setting of the sun to another, **Leviticus 23:32**. The first day of the trial, then, was from Thursday evening to Friday evening; but, as we have seen, an interval of one night was required between the trial itself and the pronouncing of the sentence. (See Mishnah, *Sanhedrim*, C. 4.1.) It is clear, then, that the sentence could not have been legally pronounced earlier than Saturday morning. So, in the premature

passing of the sentence we find a TWENTY-SIXTH IRREGULARITY.

Finally, the sentence against Jesus was invalid because it was pronounced in a place prohibited by the law — the house of Caiaphas, instead of the Hall of Hewn Stones, which was the only place where a criminal sentence could be legally passed. “A sentence of death can be pronounced only so long as the Sanhedrim holds its sessions in the appointed place,” (Talmud, Bab., *Abodah Zarah*, or of *Idolatry* C. 1, fol. 8; Maimonides, *Sanhedrim*, C. 14). This is the TWENTY-SEVENTH and last IRREGULARITY.

The authors of the Talmud so well understood the seriousness of the last irregularity that they have endeavored, in spite of historical assertions to the contrary, to prove that Jesus was both judged and condemned in the Hall of Hewn Stones. Thus we read in the *Thosephthoth*, or *Additions to the Talmud*, Bab., *Sanhedrim*, C. iv. fol. 37, recto: “It is important to notice that every time the necessities of the case so required, the Sanhedrim returned to the Hall Gazith, or of Hewn Stones, as in the case of Jesus, and others.”

This, however, is a ridiculous statement, invented by some rabbi six centuries after the great event. For the truth, as recorded by the evangelists, and confirmed by eyewitnesses, is that Jesus was brought, judged, and condemned in the house of Caiaphas. In the terse language of St. John, “Then led they Jesus from Caiaphas unto the hall of judgment” [the praetorium of Pilate].

And now it is finished. Jesus is condemned! The priests, the scribes, and the elders, precipitately leaving their seats, bind the victim and hasten tumultuously to Pilate, clamoring for his ratification of their sentence, and his assent to its speedy execution, [Luke 23:1](#); [Mark 15:1](#); [Matthew 27:2](#); [John 18:28](#).

At this juncture, we might call attention to the part taken by the people at the instigation of the priests and scribes in this affair. But we will reserve that subject for a future treatise. Our object in the present work is to hold up to view the enormous outrages committed by the Sanhedrim itself, upon which body the responsibility of our Lord’s condemnation chiefly rests. The house of Caiaphas was the vile den from whence proceeded the full depth of the cruelty and injustice that subsequently marked the proceedings at the praetorium, and found their culmination on the hill of Calvary.

Jesus Before the Sanhedrim

Translated from the French of MM. Lémann
By Julius Magath

CONCLUSION

We have endeavored to study the members of the Sanhedrim that sat at the trial of Christ from two points of view — in their *individual character*, and in their *acts*. After a minute and conscientious study of the subject, we find first, as to its membership, that this court of justice consists of a body of men, the majority of whom are unworthy of their function, possessing neither piety, uprightness, nor moral integrity. Historians of their own nation have not hesitated to so describe them.

As to their *acts* — that is to say, their manner of conducting the trial — we have summed up *twenty-seven irregularities*, a single one of which would have sufficed to annul the sentence. The number of irregularities which we have noticed as direct violations of the laws then in force among the Hebrews would be largely increased were the trial of Christ to be analyzed and judged according to the more perfect system of jurisprudence of the present day. Can any one honestly and sincerely reflect upon these things without being convinced of the utter lack of moral character in the judges, and the shameful injustice of their proceedings against Christ? And now, we ask, is not every Israelite bound by the highest principles of honor and justice to withhold his ratification of the sentence pronounced against Christ by the Sanhedrim until he has thoroughly studied the question, “Who was Jesus Christ?”

Surely He could not have been an ordinary man. Not only do His character and works show it, but also the conduct of His enemies toward Him. The detection of some irregularity on the part of the judges conducting a trial does not necessarily imply the innocence of the accused, but what can we say of a trial abounding from beginning to end with the gravest infractions of law and decorum? The fact of such scandalous proceedings having been permitted by the body of men composing the highest tribunal of the land, proves beyond a doubt that they recognized in Jesus an extraordinary personage with an influence that threatened ruin to their ambitious prospects.

Who, then, was this wonderful person?

On the day when Jesus made His triumphant entry into Jerusalem (that was five days before His trial), the Jews from all quarters, far and near — “Parthians, and Medes, and Elamites, and the dwellers in Mesopotamia, and in Judea, and Cappadocia, in Pontus, and Asia, in Phrygia, and Pamphylia, in Egypt, and in the parts of Libya about Cyrene, and strangers of Rome” — all gathered together to celebrate the Feast of the Passover, on seeing the joyful enthusiasm with which the people greeted Him, wonderingly asked themselves, each in his own tongue, “Who is this?” **Matthew 21:10.**

And if, in the hour of His triumph, this question should have forced itself upon the astonished minds of the Jews of His own time, how much more should the story of His humiliation and unjust sufferings provoke the same question from His brethren after the flesh of the present day!

Who is this, to secure whose downfall all forms of law had been wantonly violated?

Who is this, who met the insolence of His accusers with meekness and serenity?

Who is this, who drank of the bitter waters of Kedron like David, and was sold like Joseph?

Nineteen hundred years have passed. The tumultuous passions of Christ’s enemies have subsided. Yet this question continues to resound with a resistless clamor in the ears of those of whom He once said, “Father, forgive them; they know not what they do.”

As for ourselves, your own brethren after the flesh, we solved the question twenty years ago; and it is never without profound emotion that we turn to a certain page of God’s Holy Word to which we desire to call your special attention. Meditate upon it. It will show you who the condemned one of the Sanhedrim was; it will also show you how the Jewish

people, by repentance and faith in Him, shall enter with their tribes and families into the promised land of Christ's Church on earth in glorious anticipation of the heavenly Canaan.

The passages to which we refer are found in the prophecies of Zechariah:

“In that day shall the Lord defend the inhabitants of Jerusalem; and he that is feeble among them at that day shall be as David, and the house of David shall be as God, as the angel of the Lord before them.

“And I will pour upon the house of David, and upon the inhabitants of Jerusalem, the spirit of grace and of supplications: and they shall look upon Me whom they have pierced, and they shall mourn for Him as one mourneth for his only son, and shall be in bitterness for Him as one is in bitterness for his firstborn.

“And the land shall mourn, every family apart;

“The family of the house of David apart, and their wives apart;

“The family of the house of Nathan apart, and their wives apart;

“The family of the house of Levi apart, and their wives apart;

“The family of Shimei apart, and their wives apart;

“All the families that remain, every family apart, and their wives apart.

“And one shall say unto Him, What are these wounds in Thine hands? And He shall answer, Those with which I was wounded in the house of My friends.

“They shall call on My name and I will hear them: I will say, It is My people: and they shall say, The Lord is my God,” [Zechariah 12, 13](#).

By this description, by this dialogue, by these wounds in the hands and feet, how can you fail, O Israelites, to recognize the God-man, the Lord, the promised Messiah? Our fathers, it is true, have not known Him, but their sons shall know Him, and every one shall say unto Him, “The Lord is my God.”

Acknowledging Him as their Saviour, they will, in contemplating the wounds in His hands and His feet, shed bitter tears of repentance. At such a sight the whole earth will be moved; and all the families that remain shall join in their lamentations, “every family apart, and their wives apart.”

We who have written these pages will not live to see the glorious day of Israel's redemption; but from heaven, where we trust God will have graciously received us, we shall contemplate with joy unspeakable the gathering in of our people to the fold of Christ.