

# Before Annas and Caiaphas by Alfred Edersheim

THE CROSS AND THE CROWN  
THURSDAY NIGHT, BEFORE ANNAS AND CAIAPHAS, PETER AND JESUS.

By Alfred Edersheim

(St. John xviii. 12-14; St. Matt. xxvi. 57, 58; St. Mark xiv. 53, 54; St. Luke xxii. 54, 55; St. John xviii. 24, 15-18; St. John xviii. 19-23; St. Matt. xxvi. 69, 70; St. Mark xiv. 66-68; St. Luke xxii. 56, 57; St. John xviii. 17, 18; St. Matt. xxvi. 71, 72; St. Mark xiv. 69, 70; St. Luke xxii. 58; St. John xviii. 25; St. Matt. xxvi. 59-68; St. Mark xiv. 55-65; St. Luke xxii. 67-71, 63-65; St. Matt. xxvi. 73-75; St. Mark xiv. 70-72; St. Luke xxii. 59-62; St. John xviii. 26, 27.)

IT was not a long way that they led the bound Christ. Probably through the same gate by which He had gone forth with His disciples after the Paschal Supper, up to where, on the slope between the Upper City and the Tyropoeon, stood the well-known Palace of Annas. There were no idle saunterers in the streets of Jerusalem at that late hour, and the tramp of the Roman guard must have been too often heard to startle sleepers, or to lead to the inquiry why that glare of lamps and torches. and Who was the Prisoner, guarded on that holy night by both Roman soldiers and servants of the High-Priest.

If every incident in that night were not of such supreme interest, we might dismiss the question as almost idle, why they brought Jesus to the house of Annas, since he was not at that time the actual High-Priest. That office now devolved on Caiaphas, his son-in-law, who, as the Evangelist significantly reminds us, [a St. John xviii. 14.] had been the first to enunciate in plain words what seemed to him the political necessity for the judicial murder of Christ. [b xi. 50.] There had been no pretence on his part of religious motives or zeal for God; he had cynically put it in a way to override the scruples of those old Sanhedrists by raising their fears. What was the use of discussing about forms of Law or about that Man? it must in any case be done; even the friends of Jesus in the Council, as well as the punctilious observers of Law, must regard His Death as the less of two evils. He spoke as the bold, unscrupulous, determined man that he was; Sadducee in heart rather than by conviction; a worthy son-in-law of Annas.

No figure is better known in contemporary Jewish history than that of Annas; no person deemed more fortunate or successful, but none also more generally execrated than the late High-Priest. He had held the Pontificate for only six or seven years; but it was filled by not fewer than five of his sons, by his son-in-law Caiaphas, and by a grandson. And in those days it was, at least for one of Annas' disposition, much better to have been than to be High-Priest. He enjoyed all the dignity of the office, and all its influence also, since he was able to promote to it those most closely connected with him. And, while they acted publicly, he really directed affairs, without either the responsibility or the restraints which the office imposed. His influence with the Romans he owed to the religious views which he professed. to his open partisanship of the foreigner, and to his enormous wealth. The Sadducean Annas was an eminently safe Churchman, not

troubled with any special convictions nor with Jewish fanaticism, a pleasant and a useful man also who was able to furnish his friends in the Praetorium with large sums of money. We have seen what immense revenues the family of Annas must have derived from the Temple-booths, and how nefarious and unpopular was the traffic. The names of those bold, licentious, unscrupulous, degenerate sons of Aaron were spoken with whispered curses. [a Pes. 57 a.] Without referring to Christ's interference with that Temple-traffic, which, if His authority had prevailed, would, of course, have been fatal to it, we can understand how antithetic in every respect a Messiah, and such a Messiah as Jesus, must have been to Annas. He was as resolutely bent on His Death as his son-in-law, though with his characteristic cunning and coolness, not in the hasty, bluff manner of Caiaphas. It was probably from a desire that Annas might have the conduct of the business, or from the active, leading part which Annas took in the matter; perhaps for even more prosaic and practical reasons, such as that the Palace of Annas was nearer to the place of Jesus' capture, and that it was desirable to dismiss the Roman soldiery as quickly as possible, that Christ was first brought to Annas, and not to the actual High-Priest.

In any case, the arrangement was most congruous, whether as regards the character of Annas, or the official position of Caiaphas. The Roman soldiers had evidently orders to bring Jesus to the late High-Priest. This appears from their proceeding directly to him, and from this, that apparently they returned to quarters immediately on delivering up their prisoner. [1 No further reference whatever is made to the Roman guard.] And we cannot ascribe this to any official position of Annas in the Sanhedrin, first, because the text implies that it had not been due to this cause, [1 We read (St. John xviii. 13): 'For he was father-in-law to Caiaphas.'] and, secondly, because, as will presently appear, the proceedings against Christ were not those of the ordinary and regular meetings of the Sanhedrin.

No account is given of what passed before Annas. Even the fact of Christ's being first brought to him is only mentioned in the Fourth Gospel. As the disciples had all forsaken Him and fled, we can understand that they were in ignorance of what actually passed, till they had again rallied, at least so far, that Peter and 'another disciple,' evidently John, 'followed Him into the Palace of the High-priest', that is, into the Palace of Caiaphas, not of Annas. For as, according to the three Synoptic Gospels, the Palace of the High-Priest Caiaphas was the scene of Peter's denial, the account of it in the Fourth Gospel [a St. John xviii. 15-18.] [2 And hence also that of the two disciples following Christ.] must refer to the same locality, and not to the Palace of Annas, while the suggestion that Annas and Caiaphas occupied the same dwelling is not only very unlikely in itself, but seems incompatible with the obvious meaning of the notice, [b ver. 24.] 'Now Annas sent Him bound unto Caiaphas the High-Priest.' But if Peter's denial, as recorded by St. John, is the same as that described by the Synoptists, and took place in the house of Caiaphas, then the account of the examination by the High-Priest, [c St. John xviii. 19-23.] which follows the notice about Peter, must also refer to that by Caiaphas, not Annas. [3 In this argument we lay little stress on the designation, 'High-Priest,' which St. John (ver. 19) gives to the examiner of Christ, although it is noteworthy that he carefully distinguishes between Annas and Caiaphas, marking the latter as 'the High-Priest' (vv. 13, 24). We thus know absolutely nothing of

what passed in the house of Annas, if, indeed, anything passed, except that Annas sent Jesus bound to Caiaphas. [4 According to our argument, St. John xviii. 24 is an intercalated notice, referring to what had previously been recorded in vv. 15-23. To this two critical objections have been raised. It is argued, that as is in the aorist, not pluperfect, the rendering must be, 'Annas sent,' not 'had sent Him.' But then it is admitted, that the aorist is occasionally used for the pluperfect. Secondly, it is insisted that, according to the better reading, should be inserted after which Canon Westcott renders: 'Annas therefore sent Him.' But notwithstanding Canon Westcott's high authority, we must repeat the critical remark of Meyer, that there are 'important witnesses' against as well as for the insertion of , while the insertion of other particles in other Codd. seems to imply that the insertion here of any particle was a later addition.

On the other hand, what seem to me two irrefragable arguments are in favour of the retrospective application of ver. 24. First, the preceding reference to Peter's denial must be located in the house of Caiaphas. Secondly, if vv. 19-23 refer to an examination by Annas, then St. John has left us absolutely no account of anything that had passed before Caiaphas, which, in view of the narrative of the Synoptists, would seem incredible.

Of what occurred in the Palace of Caiaphas we have two accounts. That of St. John [a St. John xviii. 19-23.] seems to refer to a more private interview between the High-Priest and Christ, at which, apparently, only some personal attendants of Caiaphas were present, from one of whom the Apostle may have derived his information. [1 Canon Westcott supposes that the Apostle himself was present in the audience chamber. But, although we readily admit that John went into the house, and was as near as possible to Christ, many reasons suggest themselves why we can scarcely imagine John to have been present, when Caiaphas inquired about the disciples and teaching of Jesus.] The second account is that of the Synoptists, and refers to the examination of Jesus at dawn of day [b St. Luke xxii. 66.] by the leading Sanhedrists, who had been hastily summoned for the purpose.

It sounds almost like presumption to say, that in His first interview with Caiaphas Jesus bore Himself with the majesty of the Son of God, Who knew all that was before Him, and passed through it as on the way to the accomplishment of His Mission. The questions of Caiaphas bore on two points: the disciples of Jesus, and His teaching the former to incriminate Christ's followers, the latter to incriminate the Master. To the first inquiry it was only natural that He should not have condescended to return an answer. The reply to the second was characterised by that 'openness' which He claimed for all that He had said. [c St. John xviii. 20.] [2 I cannot think that the expression 'to the world,' in ver. 20 can have any implied reference to the great world in opposition to the Jews (as so many interpreters hold). The expression 'the world' in the sense of 'everybody' is common in every language. And its Rabbinic use has been shown on p. 368, Note 3. Christ proves that He had had no 'secret' doctrine, about which He might be questioned, by three facts: 1. He had spoken 'without reserve'; 2. He had spoken to everybody, without confining Himself to a select audience; 3. He had taught in the most public places, in Synagogue and in the Temple, whither all Jews resorted.] If

there was to be not unprejudiced, but even fair inquiry, let Caiaphas not try to extort confessions to which he had no legal right, nor to ensnare Him when the purpose was evidently murderous. If he really wanted information, there could be no difficulty in procuring witnesses to speak to His doctrine: all Jewry knew it. His was no secret doctrine ('in secret I spake nothing'). He always spoke 'in Synagogue and in the Temple, whither all the Jews gather together.' [3 So according to the better reading and literally.] If the inquiry were a fair one, let the judge act judicially, and ask not Him, but those who had heard Him.

It must be admitted, that the answer sounds not like that of one accused, who seeks either to make apology, or even greatly cares to defend himself. And there was in it that tone of superiority which even injured human innocence would have a right to assume before a nefarious judge, who sought to ensnare a victim, not to elicit the truth. It was this which emboldened one of those servile attendants, with the brutality of an Eastern in such circumstances, to inflict on the Lord that terrible blow. Let us hope that it was a heathen, not a Jew, who so lifted his hand. We are almost thankful that the text leaves it in doubt, whether it was with the palm of the hand, or the lesser indignity, with a rod. Humanity itself seems to reel and stagger under this blow. In pursuance of His Human submission, the Divine Sufferer, without murmuring or complaining, or without asserting His Divine Power, only answered in such tone of patient expostulation as must have convicted the man of his wrong, or at least have left him speechless. May it have been that these words and the look of Christ had gone to his heart, and that the now strangely-silenced malefactor became the confessing narrator of this scene to the Apostle John?

2. That Apostle was, at any rate, no stranger in the Palace of Caiaphas. We have already seen that, after the first panic of Christ's sudden capture and their own flight, two of them at least, Peter and John, seem speedily to have rallied. Combining the notices of the Synoptists [a St. Matt. xxvi. 58; St. Mark xiv. 54; St. Luke xxii, 54, 55.] with the fuller details, in this respect, of the Fourth Gospel, [b St. John xviii. 15-18.] we derive the impression that Peter, so far true to his word, had been the first to stop in his flight and to follow 'afar off.' If he reached the Palace of Annas in time, he certainly did not enter it, but probably waited outside during the brief space which preceded the transference of Jesus to Caiaphas. He had now been joined by John, and the two followed the melancholy procession which escorted Jesus to the High-Priest. John seems to have entered 'the court' along with the guard, [c St. John xviii. 15.] while Peter remained outside till his fellow-Apostle, who apparently was well known in the High-Priest's house, had spoken to the maid who kept the door, the male servants being probably all gathered in the court [1 The circumstance that Josephus (Ant. vii. 2. 1) on the ground of 2 Sam. iv 6 (LXX.) speaks of a female 'porter,' and that Rhoda opened the door in the house of the widowed mother of John Mark (Acts xii. 13), does not convince me, that in the Palace of the High-Priest a female servant regularly discharged that office.], and so procured his admission.

Remembering that the High-Priest's Palace was built on the slope of the hill, and that there was an outer court, from which a door led into the inner court, we can, in some measure, realise the scene. As previously stated, Peter had followed as far as that

inner door, while John had entered with the guard. When he missed his fellow-disciple, who was left outside this inner door, John 'went out,' and, having probably told the waiting-maid that this was a friend of his, procured his admission. While John now hurried up to be in the Palace, and as near Christ as he might, Peter advanced into the middle of the court, where, in the chill spring night, a coal fire had been lighted. The glow of the charcoal, around which occasionally a blue flame played, threw a peculiar sheen on the bearded faces of the men as they crowded around it, and talked of the events of that night, describing, with Eastern volubility, to those who had not been there what had passed in the Garden, and exchanging, as is the manner of such serving-men and officials, opinions and exaggerated denunciations concerning Him Who had been captured with such unexpected ease, and was now their master's safe Prisoner. As the red light glowed and flickered, it threw the long shadows of these men across the inner court, up the walls towards the gallery that ran round, up there, where the lamps and lights within, or as they moved along apartments and corridors, revealed other faces: there, where, in an inner audience-chamber, the Prisoner was confronted by His enemy, accuser, and judge.

What a contrast it all seemed between the Purification of the Temple only a few days before, when the same Jesus had overturned the trafficking tables of the High-Priest, and as He now stood, a bound Prisoner before him, at the mercy of every menial who might carry favour by wantonly insulting Him? It was a chill night when Peter, down 'beneath,' [a St. Mark xiv. 66.] looked up to the lighted windows. There, among the serving-men in the court, he was in every sense 'without.' [b St. Matt. xxvi. 69.] He approached the group around the fire. He would hear what they had to say; besides, it was not safe to stand apart; he might be recognised as one of those who had only escaped capture in the Garden by hasty flight. And then it was chill, and not only to the body, the chill had struck to his soul. Was he right in having come there at all? Commentators have discussed it as involving neglect of Christ's warning. As if the love of any one who was, and felt, as Peter, could have credited the possibility of what he had been warned of; and, if he had credited it, would, in the first moments of returning flood after the panic of his flight, have remembered that warning, or with cool calculation acted up to the full measure of it! To have fled to his home and shut the door behind him, by way of rendering it impossible to deny that he knew Christ, would not have been Peter nor any true disciple. Nay, it would itself have been a worse and more cowardly denial than that of which he was actually guilty. Peter followed afar off, thinking of nothing else but his imprisoned Master, and that he would see the end, whatever it might be. But now it was chill, very chill, to body and soul, and Peter remembered it all; not, indeed, the warning, but that of which he had been warned. What good could his confession do? perhaps much possible harm; and why was he there?

Peter was very restless, and yet he must seem very quiet. He 'sat down' among the servants, [a The Synoptists.] then he stood up among them. [b St. John.] It was this restlessness of attempted indifference which attracted the attention of the maid who had at the first admitted him. As in the uncertain light she scanned the features of the mysterious stranger, she boldly charged him, [c St. John.] though still in a questioning tone, with being one of the disciples of the Man Who stood incriminated up there before

the High-Priest. And in the chattering of his soul's fever, into which the chill had struck, Peter vehemently denied all knowledge of Him to Whom the woman referred, nay, of the very meaning of what she said. He had said too much not to bring soon another charge upon himself. We need not inquire which of the slightly varying reports in the Gospels represents the actual words of the woman or the actual answer of Peter. Perhaps neither; perhaps all, certainly, she said all this, and, certainly, he answered all that, though neither of them would confine their words to the short sentences reported by each of the Evangelists.

What had he to do there? And why should he incriminate himself, or perhaps Christ, by a needless confession to those who had neither the moral nor the legal right to exact it? That was all he now remembered and thought; nothing about any denial of Christ. And so, as they were still chatting together, perhaps bandying words, Peter withdrew. We cannot judge how long time had passed, but this we gather, that the words of the woman had either not made any impression on those around the fire, or that the bold denial of Peter had satisfied them. Presently, we find Peter walking away down 'the porch,' [d St. Matthew.] which ran round and opened into 'the outer court.' [e St. Mark.] He was not thinking of anything else now than how chilly it felt, and how right he had been in not being entrapped by that woman. And so he heeded it not, while his footfall sounded along the marble-paved porch, that just at this moment 'a cock crew.' But there was no sleep that night in the High-Priest's Palace. As he walked down the porch towards the outer court, first one maid met him; and then, as he returned from the outer court, he once more encountered his old accuser, the door-portress; and as he crossed the inner court to mingle again with the group around the fire, where he had formerly found safety, he was first accosted by one man, and then they all around the fire turned upon him, and each and all had the same thing to say, the same charge, that he was also one of the disciples of Jesus of Nazareth. But Peter's resolve was taken; he was quite sure it was right; and to each separately, and to all together, he gave the same denial, more brief now, for he was collected and determined, but more emphatic, even with an oath. [a St. Matthew.] And once more he silenced suspicion for a time. Or, perhaps, attention was now otherwise directed.

3. For, already, hasty footsteps were heard along the porches and corridors, and the maid who that night opened the gate at the High-Priest's Palace was busy at her post. They were the leading Priests, Elders, and Sanhedrists, [1 The expression 'all the council' must evidently be taken in a general, not literal sense. No one would believe, for example, that either Nicodemus or Gamaliel was present. I would not, however, attach any great importance to this. The reference to the 'Elders' (in St. Matt.) is spurious.] who had been hastily summoned to the High-Priest's Palace, and who were hurrying up just as the first faint streaks of gray light were lying on the sky. The private examination by Caiaphas we place (as in the Gospel of St. John) between the first and second denial of Peter; the first arrival of Sanhedrists immediately after his second denial. The private inquiry of Caiaphas had elicited nothing; and, indeed, it was only preliminary. The leading Sanhedrists must have been warned that the capture of Jesus would be attempted that night, and to hold themselves in readiness when summoned to the High-Priest. This is not only quite in accordance with all the previous and after circumstances in the narrative, but nothing short of a procedure of such

supreme importance would have warranted the presence for such a purpose of these religious leaders on that holy Passover-night.

But whatever view be taken, thus much at least is certain, that it was no formal, regular meeting of the Sanhedrin. We put aside, as a priori reasoning, such considerations as that protesting voices would have been raised, not only from among the friends of Jesus, but from others whom (with all their Jewish hatred of Christ) we cannot but regard as incapable of such gross violation of justice and law. But all Jewish order and law would have been grossly infringed in almost every particular, if this had been a formal meeting of the Sanhedrin. [2 This is also the conclusion of the calmest and most impartial Jewish historian, my lamented friend, the late Dr. Jost (Gesch. d. Judenth. i. pp. 402-409). He designates it 'a private murder (Privat-Mord), committed by burning enemies, not the sentence of a regularly constituted Sanhedrin. The most prominent men who represented the Law, such as Gamaliel, Jochanan b. Zakkai, and others, were not present.' The defence of the proceedings as a right and legal procedure by the Sanhedrin, as made by Salvador (Gesch. d. Mos. Instit. [German Transl.] vol. ii. pp. 67-79) is, from the critical point of view, so unsatisfactory, that I can only wonder the learned Saalschutz should, even under the influence of Jewish prejudice, have extended to it his protection (Mos. Recht, pp. 623-626). At the same time, the refutation of Salvador by M. Dupin (reproduced as App. to vol. iii. of the German translation of Salvador) is as superficial as the original attack. Cohen's 'Les Deicides' is a mere party-book which deserves not serious consideration. Gratz (Gesch. d. Juden, iii. p. 244) evades the question.] We know what their forms were, although many of them (as so much in Rabbinic accounts) may represent rather the ideal than the real, what the Rabbis imagined should be, rather than what was; or else what may date from later times. According to Rabbinic testimony, there were three tribunals. In towns numbering less than 120 (or, according to one authority, 230 [1 In Sanh. i. 6, the reasons for the various numbers are given; but we can scarcely regard them as historical.]) male inhabitants, there was only the lowest tribunal, that consisting of three Judges. [2 Various modern writers have of late denied the existence of tribunals of three. But the whole weight of evidence is against them. A number of passages might here be quoted, but the reader may be generally referred to the treatment of the subject in Selden, de Synedriis, ii. c. 5, and especially to Maimonides, Hilkh. Sanh.] Their jurisdiction was limited, and notably did not extend to capital causes. [3 In the case of a Mumcheh or admitted authority, even one Judge could in certain civil cases pronounce sentence (Sanh. 2 b; 3 a).] The authority of the tribunal of next instance, that of twenty-three [4 In Jerusalem there were said to have been two such tribunals; one whose locale was at the entrance to the Temple-Court, the other at that to the inner or Priest-Court.] was also limited, although capital causes lay within its competence. The highest tribunal was that of seventy-one, or the Great Sanhedrin, which met first in one of the Temple-Chambers, the so-called Lishkath haGazith, or Chamber of Hewn Stones, and at the time of which we write in 'the booths of the sons of Annas.' [5 It is a mistake to identify these with the four shops on the Mount of Olives. They were the Temple-shops previously described.] The Judges of all these Courts were equally set apart by ordination (Semikhah), originally that of the laying on of hands. Ordination was conferred by three, of whom one at least must have been himself ordained, and able to trace up his ordination through Joshua to Moses. [a Sanh.

2 a; Maim. Sanh. iv. 1-3.] This, of course, on the theory that there had been a regular succession of ordained Teachers, not only up to Ezra, but beyond him to Joshua and Moses. The members of the tribunals of twenty-three were appointed by the Great Sanhedrin. [b Sanh. 2 a; 15 b.] The members of the tribunals of three were likewise appointed by the Great Sanhedrin, which entrusted to men, specially accredited and worthy, the duty of travelling through the towns of Palestine and appointing and ordaining in them the men best fitted for the office. [c Sanh. 88 b; Maim. u. s. ch. ii. 7, 8.] The qualifications mentioned for the office remind us of those which St. Paul indicates as requisite for the Christian eldership. [d 1 Tim. iii.; Tit. I.]

Some inferences seem here of importance, as throwing light on early Apostolic arrangements, believing, as we do, that the outward form of the Church was in great measure derived from the Synagogue. First, we notice that there was regular ordination, and, at first at least, by the laying on of hands. Further, this ordination was not requisite either for delivering addresses or conducting the liturgy in the Synagogue, but for authoritative teaching, and especially for judicial functions, to which would correspond in the Christian Church the power of the Keys, the administration of discipline and of the Sacraments as admitting into, and continuing in the fellowship of the Church. Next, ordination could only be conferred by those who had themselves been rightly ordained, and who could, therefore, through those previously ordained, trace their ordination upwards. Again, each of these 'Colleges of Presbyters' had its Chief or President. Lastly, men entrusted with supreme (Apostolic) authority were sent to the various towns 'to appoint elders in every city.' [a Tit. i. 5]

The appointment to the highest tribunal, or Great Sanhedrin, was made by that tribunal itself, either by promoting a member of the inferior tribunal itself, either by promoting a member of which 'the disciples' or students sat facing the Judges. The latter sat in a semicircle, under the presidency of the Nasi ('prince') and the vice-presidency of the Ab-beth-din ('father of the Court of Law'). [1 Kuene, and after him Schurer (Neutest. Zeitgesch.) have denied the existence of this arrangement, but, as I think, on quite insufficient grounds. They have been answered by D. Hoffmann (see the very able ed. of the Pirke Abhoth, by that learned and accurate scholar, Prof. Strack of Berlin, p. 9, notes). Comp. also Levy, Neuhebr. Worterb., s. v. Schurer has to account for other passages besides those which he quotes (p. 413), notably for the very clear statement in Chag. ii. 2.] At least twenty-three members were required to form a quorum. [b Bemidb. R. 1.] We have such minute details of the whole arrangements and proceedings of this Court as greatly confirms our impression of the chiefly ideal character of some of the Rabbinic notices. Facing the semicircle of Judges, we are told, there were two shorthand writers, to note down, respectively, the speeches in favour and against the accused. Each of the students knew, and sat in his own place. In capital causes the arguments in defence of and afterwards those incriminating the accused, were stated. If one had spoken in favour, he might not again speak against the panel. Students might speak for, not against him. He might be pronounced 'not guilty' on the same day on which the case was tried; but a sentence of 'guilty' might only be pronounced on the day following that of the trial. It seems, however, at least doubtful, whether in case of profanation of the Divine Name (Chillul haShem), judgment was not immediately executed. [c Kidd, 40 a.] Lastly, the voting began with

the youngest, so that juniors might not be influenced by the seniors; and a bare majority was not sufficient for condemnation.

These are only some of the regulations laid down in Rabbinic writings. It is of greater importance to enquire, how far they were carried out under the iron rule of Herod and that of the Roman Procurators. Here we are in great measure left to conjecture. We can well believe that neither Herod nor the Procurators would wish to abolish the Sanhedrin, but would leave to them the administration of justice, especially in all that might in any way be connected with purely religious questions. Equally we can understand, that both would deprive them of the power of the sword and of decision on all matters of political or supreme importance. Herod would reserve to himself the final disposal in all cases, if he saw fit to interfere, and so would the Procurators, who especially would not have tolerated any attempt at jurisdiction over a Roman citizen. In short, the Sanhedrin would be accorded full jurisdiction in inferior and in religious matters, with the greatest show, but with the least amount, of real rule or of supreme authority. Lastly, as both Herod and the Procurators treated the High-Priest, who was their own creature, as the real head and representative of the Jews; and as it would be their policy to curtail the power of the independent and fanatical Rabbis, we can understand how, in great criminal causes or in important investigations, the High-Priest would always preside, the presidency of the Nasi being reserved for legal and ritual questions and discussions. And with this the notices alike in the New Testament and in Josephus accord.

Even this brief summary about the Sanhedrin would be needless, if it were a question of applying its rules of procedure to the arraignment of Jesus. For, alike Jewish and Christian evidence establish the fact, that Jesus was not formally tried and condemned by the Sanhedrin. It is admitted on all hands, that forty years before the destruction of the Temple the Sanhedrin ceased to pronounce capital sentences. This alone would be sufficient. But, besides, the trial and sentence of Jesus in the Palace of Caiaphas would (as already stated) have outraged every principle of Jewish criminal law and procedure. Such causes could only be tried, and capital sentence pronounced, in the regular meeting-place of the Sanhedrin, [a Ab Zar. 8 b] [1 There is truly not a tittle of evidence for the assumption of commentators, that Christ was led from the Palace of Caiaphas into the Council-Chamber. The whole proceedings took place in the former, and from it Christ was brought to Pilate (St. John xviii. 28).] not, as here, in the High-Priest's Palace; no process, least of all such an one, might be begun in the night, not even in the afternoon, [a Shabb, 9 b] [1 The ordinary Court-hours were from after morning-service till the time of the meal (Sabb. 10 a).] although if the discussion had gone on all day, sentence might be pronounced at night. [b Sanh. 32 a] Again, no process could take place on Sabbaths or Feastdays, [c Bets. 36] or even on the eves of them, [d Baba K. 113 a] [2 In civil cases at least no process was carried on in the months of Nisan and Tishri (comp. Bloch, Civil Process-Ordnung).] although this would not have nullified proceedings, and it might be argued on the other side, that a process against one who had seduced the people should preferably be carried on, and sentence executed, at the great public Feasts, [e Sanh. xi. 4; Tos. Sanhxi. 6] for the warning of all. Lastly, in capital causes there was a very elaborate system of warning and cautioning witnesses, [3 The details on these points are given in most commentaries.

(Comp. the Tractate Sanhedrin and the Gemara on it.) In a capital cause not only would the formal and very solemn warning charge against false testimony have been addressed to the witnesses, but the latter would be tested by the threefold process known as Chaqiroth, Derishoth, and Bediqoth; the former two referring to questions on the main points, the third or secondary points in the evidence.] while it may safely be affirmed, that at a regular trial Jewish Judges, however prejudiced, would not have acted as the Sanhedrists and Caiaphas did on this occasion.

But as we examine it more closely, we perceive that the Gospel-narratives do not speak of a formal trial and sentence by the Sanhedrin. Such references as to 'the Sanhedrin' ('council'), or to 'all the Sanhedrin,' must be taken in the wider sense, which will presently be explained. On the other hand, the four Gospels equally indicate that the whole proceedings of that night were carried on in the Palace of Caiaphas, and that during that night no formal sentence of death was pronounced. St. John, indeed, does not report the proceedings at all; St. Matthew [f St. Matt. xxvi. 66] only records the question of Caiaphas and the answer of the Sanhedrists; and even the language of St. Mark does not convey the idea of a formal sentence. [g St. Mark xiv. 64: 'condemned Him to be worthy of death] And when in the morning, in consequence of a fresh consultation, also in the Palace of Caiaphas, they led Jesus to the Praetorium, it was not as a prisoner condemned to death of whom they asked the execution, [h St. John xviii. 29, 30] but as one against whom they laid certain accusations worthy of death, while, when Pilate bade them judge Jesus according to Jewish Law, they replied, not: that they had done so already, but, that they had no competence to try capital causes. [k St. John xviii. 31.]

4. But although Christ was not tried and sentenced in a formal meeting of the Sanhedrin, there can, alas! be no question that His Condemnation and Death were the work, if not of the Sanhedrin, yet of the Sanhedrists, of the whole body of them ('all the council'), in the sense of expressing what was the judgment and purpose of all the Supreme Council and Leaders of Israel, with only very few exceptions. We bear in mind, that the resolution to sacrifice Christ had for some time been taken. Terrible as the proceedings of that night were, they even seem a sort of concession, as if the Sanhedrists would fain have found some legal and moral justification for what they had determined to do. They first sought 'witness,' or as St. Matthew rightly designates it, 'false witness' against Christ. [1 The Pharisaic Law of witness was very peculiar. Witnesses who contradicted each other were not considered in Rabbinic Law as false witnesses, in the sense of being punishable. Nor would they be so, even if an alibi of the accused were proved, only if the alibi of the witnesses themselves were proved (comp. Bahr, Gesetz u. Falsche Zeug., pp. 29, &c.). Thus the 'Story of Susanna' is bad in Jewish Law, unless, as Geiger supposes, it embodies an earlier mode of procedure in Jewish criminal jurisprudence.] Since this was throughout a private investigation, this witness could only have been sought from their own creatures. Hatred, fanaticism, and unscrupulous Eastern exaggeration would readily misrepresent and distort certain sayings of Christ, or falsely impute others to Him. But it was altogether too hasty and excited an assemblage, and the witnesses contradicted themselves so grossly, or their testimony so notoriously broke down, that for very shame such trumped-up charges had to be abandoned. And to this result the majestic calm of Christ's silence must have

greatly contributed. On directly false and contradictory testimony it must be best not to cross-examine at all, not to interpose, but to leave the false witness to destroy itself. Abandoning this line of testimony, the Priests next brought forward probably some of their own order, who on the first Purgation of the Temple had been present when Jesus, in answer to the challenge for 'a sign' in evidence of His authority, had given them that mysterious 'sign' of the destruction and upraising of the Temple of His Body. [a St. John ii. 18, 19] [2 Critically also this is of interest. The first Purgation of the Temple is not related by the Synoptists, but they here confirm St. John's account of it. On the other hand, St. John's account of the Temple purgation confirms that of the Temple-purgation which St. John does not relate. And the evidence is the stronger, that the two sets of accounts are manifestly independent of each other, and that of the Fourth Gospel younger than that of the Synoptists.] They had quite misunderstood it at the time, and its reproduction now as the ground of a criminal charge against Jesus must have been directly due to Caiaphas and Annas. We remember, that this had been the first time that Jesus had come into collision, not only with the Temple authorities, but with the avarice of 'the family of Annas.' We can imagine how the incensed High-Priest would have challenged the conduct of the Temple-officials, and how, in reply, he would have been told what they had attempted, and how Jesus had met them. Perhaps it was the only real inquiry which a man like Caiaphas would care to institute about what Jesus said And here, in its grossly distorted form, and with more than Eastern exaggeration of partisanship it was actually brought forward as a criminal charge!

Dexterously manipulated, the testimony of these witnesses might lead up to two charges. It would show that Christ was a dangerous seducer of the people, whose claims might have led those who believed them to lay violent hands on the Temple, while the supposed assertion, that He would [a St. Mark.] or was able [b St. Matt.] to build the Temple again within three days, might be made to imply Divine or magical pretensions. [1 At the same time neither this, nor even the later charge of 'blasphemy,' would have made Jesus what was technically called either a *Massith*, or a *Maddiach*. The former is described as an individual who privately seduces private individuals into idolatry (Sanh. vii. 10; Jer. Yeb. 15 d), it being added that he speaks with a loud voice (in praise of some false god) and uses the Holy (Hebr.) language (Jer. Sanh. 25 d). On the other hand, the *Maddiach* is one who publicly seduces the people to idolatry, using, as it is added, the language spoken commonly by the people. The two Talmudic stories, that witnesses had lain in wait to hear and report the utterances of Christ (Sanh. 67 a), and that forty days before His execution heralds had summoned any exculpatory evidence in His favour (Sanh. 43 a), may be dismissed without comment.] A certain class of writers have ridiculed this part of the Sanhedrist plot against Jesus. It is, indeed, true, that, viewed as a Jewish charge, it might have been difficult, if not impossible, to construe a capital crime out of such charges, although, to say the least, a strong popular prejudice might thus have been raised against Jesus, and this, no doubt, was one of the objects which Caiaphas had in view. But it has been strangely forgotten that the purpose of the High-Priest was not to formulate a capital charge in Jewish Law, since the assembled Sanhedrists had no intention so to try Jesus, but to formulate a charge which would tell before the Roman Procurator. And here none other could be so effective as that of being a fanatical seducer of the ignorant populace, who might lead them on to wild tumultuous acts. Two similar instances, in which the

Romans quenched Jewish fanaticism in the blood of the pretenders and their deluded followers, will readily recur to the mind. [2 Besides other movements, we refer here specially to that under Theudas, who led out some 400 persons under promise of dividing Jordan, when both he and his adherents were cut down by the Romans (Jos. Ant. xx. 5. 1). At a later time an Egyptian Jew gathered 3,000 or 4,000 on the Mount of Olives, promising to cast down the walls of Jerusalem by the breath of his mouth (u. s. xx. 8, 6). Another impostor of that kind was Simon of Cyprus (u. s. xx. 7. 2), and, of course, Bar Kokhabh.] In any case, Caiaphas would naturally seek to ground his accusation of Jesus before Pilate on anything rather than His claims to Messiahship and the inheritance of David. It would be a cruel irony if a Jewish High-Priest had to expose the loftiest and holiest hope of Israel to the mockery of a Pilate; and it might prove a dangerous proceeding, whether as regarded the Roman Governor or the feelings of the Jewish people.

But this charge of being a seducer of the people also broke down, through the disagreement of the two witnesses whom the Mosaic Law required, [a Deut. xvii. 6.] and who, according to Rabbinic ordinance, had to be separately questioned. [b Rosh haSh. ii. 6.] But the divergence of their testimony does not exactly appear in the differences in the accounts of St. Matthew and of St. Mark. If it be deemed necessary to harmonise these two narratives, it would be better to regard both as relating the testimony of these two witnesses. What St. Mark reported may have been followed by what St. Matthew records, or vice versa, the one being, so to speak, the basis of the other. But all this time Jesus preserved the same majestic silence as before, nor could the impatience of Caiaphas, who sprang from his seat to confront, and, if possible, browbeat his Prisoner, extract from Him any reply.

Only one thing now remained. Jesus knew it well, and so did Caiaphas. It was to put the question, which Jesus could not refuse to answer, and which, once answered, must lead either to His acknowledgement or to His condemnation. In the brief historical summary which St. Luke furnishes, there is an inversion of the sequence of events, by which it might seem as if what he records had taken place at the meeting of the Sanhedrists [1 It seems, to say the least, strange to explain the expression 'led Him into their as referring to the regular Council-chamber (St. Luke xxii. 66).] on the next morning. But a careful consideration of what passed there obliges us to regard the report of St. Luke as referring to the night-meeting described by St. Matthew and St. Mark. The motive for St. Luke's inversion of the sequence of events may have been, [2 At the same time I confess myself in no way anxious about an accord of details and circumstances. When, admittedly the facts entirely agree, nay, in such case, the accord of facts would be only the more striking.] that he wished to group in a continuous narrative Peter's threefold denial, the third of which occurred after the night-sitting of the Sanhedrin, at which the final adjuration of Caiaphas elicited the reply which St. Luke records, as well as the other two Evangelists. Be this as it may, we owe to St. Luke another trait in the drama of that night. As we suppose, the simple question was first addressed to Jesus, whether He was the Messiah? to which He replied by referring to the needlessness of such an enquiry, since they had predetermined not to credit His claims, nay, had only a few days before in the Temple refused [c St. Matt. xxii. 41-46.] to discuss them. [dSt. Luke xxii. 67, 68; the clause 'nor let Me go' is spurious.] It was

upon this that the High-Priest, in the most solemn manner, adjured the True One by the Living God, Whose Son He was, to say it, whether He were the Messiah and Divine, the two being so joined together, not in Jewish belief, but to express the claims of Jesus. No doubt or hesitation could here exist. Solemn, emphatic, calm, majestic, as before had been His silence, was now His speech. And His assertion of what He was, was conjoined with that of what God would show Him to be, in His Resurrection and Sitting at the Right Hand of the Father, and of what they also would see, when He would come in those clouds of heaven that would break over their city and polity in the final storm of judgment.

They all heard it, and, as the Law directed when blasphemy was spoken, the High Priest rent both his outer and inner garment, with a rent that might never be repaired. [a Sanh. vii. 5 Moed K. 26 a.] But the object was attained. Christ would neither explain, modify, nor retract His claims. They had all heard it; what use was there of witnesses, He had spoken Giddupha, [1 Other designations for it are Chillul haShem, and, euphemistically, Birkhath haShem.] 'blaspheming.' Then, turning to those assembled, he put to them the usual question which preceded [2 But this does not seem to me to have been the actual sentence. In regard to the latter, see the formalities detailed in Sanh. iii. 7.] the formal sentence of death. As given in the Rabbinical original, it is: 'What think ye gentlemen? And they answered, if for life, "For life!" and if for death, "For death."' [b Tanchuma Piqudey, ed. Warsh. i. p. 132 b.] But the formal sentence of death, which, if it had been a regular meeting of the Sanhedrin, must now have been spoken by the President, [c Sanch. iii. 7.] was not pronounced. [4 'The President of the Judges said: 'Such an one, thou ... art guilty' (Sanh. iii. 7).]

There is a curious Jewish conceit, that on the Day of Atonement the golden band on the High Priest's mitre, with the graven words, 'Holiness unto Jehovah,' atoned for those who had blasphemed. [d Jer. Yoma 44 c.] It stands out in terrible contrast to the figure of Caiaphas on that awful night. Or did the unseen mitre on the True and Eternal High-Priest's Brow, marking the consecration of His Humiliation to Jehovah, plead for them who in that night were gathered there, the blind leaders of the blind? Yet amidst so many most solemn thoughts, some press prominently forward. On that night of terror, when all the enmity of man and the power of hell were unchained, even the falsehood of malevolence could not lay any crime to His charge, nor yet any accusation be brought against him other than the misrepresentation of His symbolic Words. What testimony to Him this solitary false and ill-according witness! Again: 'They all condemned Him to be worthy of death.' Judaism itself would not now re-echo this sentence of the Sanhedrists. And yet is it not after all true, that He was either the Christ, the Son of God, or a blasphemer? This Man, alone so calm and majestic among those impassioned false judges and false witnesses; majestic in His silence, majestic in His speech; unmoved by threats to speak, undaunted by threats when He spoke; Who saw it all, the end from the beginning; the Judge among His judges, the Witness before His witnesses: which was He, the Christ or a blaspheming impostor? Let history decide; let the heart and conscience of mankind give answer. If He had been what Israel said, He deserved the death of the Cross; if He is what the Christmas-bells of the Church, and the chimes of the Resurrection-morning ring out, then do we rightly worship Him as the Son of the Living God, the Christ, the Saviour of men.

5. It was after this meeting of the Sanhedrists had broken up, that, as we learn from the Gospel of St. Luke, the revolting insults and injuries were perpetrated on Him by the guards and servants of Caiaphas. All now rose in combined rebellion against the Perfect Man: the abject servility of the East, which delighted in insults on One Whom it could never have vanquished, and had not even dared to attack; that innate vulgarity, which loves to trample on fallen greatness, and to deck out in its own manner a triumph where no victory has been won; the brutality of the worse than animal in man (since in him it is not under the guidance of Divine instinct), and which, when unchained, seems to intensify in coarseness and ferocity; [1 Have we advanced much beyond this, when the Parisian democracy can inscribe on its banners such words as 'Ecrasez l'Infame,' and, horrible to relate it, teach its little children to bring to this its floral offerings?] and the profanity and devilry which are wont to apply the wretched witticisms of what is misnomered common sense and the blows of tyrannical usurpation of power to all that is higher and better, to what these men cannot grasp and dare not look up to, and before the shadows of which, when cast by superstition, they cower and tremble in abject fear! And yet these insults, taunts, and blows which fell upon that lonely Sufferer, not defenceless, but undefending, not vanquished, but uncontending, not helpless, but majestic in voluntary self-submission for the highest purpose of love, have not only exhibited the curse of humanity, but also removed it by letting it descend on Him, the Perfect Man, the Christ, the Son of God. And ever since has every noble-hearted sufferer been able on the strangely clouded day to look up, and follow what, as it touches earth, is the black misty shadow, to where, illumined by light from behind, it passes into the golden light, a mantle of darkness as it enwraps us, merging in light up there where its folds seem held together by the Hand from heaven.

This is our Sufferer, the Christ or a blasphemer; and in that alternative which of us would not choose the part of the Accused rather than of His judges? So far as recorded, not a word escaped His Lips; not a complaint, nor murmur; nor utterance of indignant rebuke, nor sharp cry of deeply sensitive, pained nature. He was drinking, slowly, with the consciousness of willing self-surrender, the Cup which His Father had given Him. And still His Father, and this also specially in His Messianic relationship to man.

We have seen that, when Caiaphas and the Sanhedrists quitted the audience-chamber, Jesus was left to the unrestrained licence of the attendants. Even the Jewish Law had it, that no 'prolonged death' (Mithah Arikhta) might be inflicted, and that he who was condemned to death was not to be previously scourged. [a Keth 37 b, top] At last they were weary of insult and smiting, and the Sufferer was left alone, perhaps in the covered gallery, or at one of the windows that overlooked the court below. About one hour had passed [b St. Luke] since Peter's second denial had, so to speak, been interrupted by the arrival of the Sanhedrists. Since then the excitement of the mock-trial, with witnesses coming and going, and, no doubt, in Eastern fashion repeating what had passed to those gathered in the court around the fire; then the departure of the Sanhedrists, and again the insults and blows inflicted on the Sufferer, had diverted attention from Peter. Now it turned once more upon him; and, in the circumstances, naturally more intensely than before. The chattering of Peter, whom conscience and

consciousness made nervously garrulous, betrayed him. This one also was with Jesus the Nazarene; truly, he was of them, for he was also a Galilean! So spake the bystanders; while, according to St. John, a fellow-servant and kinsman of that Malchus, whose ear Peter, in his zeal, had cut off in Gethsemane, asserted that he actually recognised him. To one and all these declarations Peter returned only a more vehement denial, accompanying it this time with oaths to God and imprecations on himself.

The echo of his words had scarcely died out, their diastole had scarcely returned them with gurgling noise upon his conscience, when loud and shrill the second cock-crowing was heard. There was that in its harsh persistence of sound that also wakened his memory. He now remembered the words of warning prediction which the Lord had spoken. He looked up; and as he looked, he saw, how up there, just at that moment; the Lord turned round [1 There is not any indication in the text that, as Commentators suppose, Christ was at that moment led bound across the Court; nor, indeed, that till the morning He was at all removed from near the place where He had been examined.] and looked upon him, yes, in all that assembly, upon Peter! His eyes spake His Words; nay, much more; they searched down to the innermost depths of Peter's heart, and broke them open. They had pierced through all self-delusion, false shame, and fear: they had reached the man, the disciple, the lover of Jesus. Forth they burst, the waters of conviction, of true shame, of heart-sorrow, of the agonies of self-condemnation; and, bitterly weeping, he rushed from under those suns that had melted the ice of death and burnt into his heart, out from that cursed place of betrayal by Israel, by its High Priest, and even by the representative Disciple.

Out he rushed into the night. Yet a night lit up by the stars of promise, chiefest among them this, that the Christ up there, the conquering Sufferer, had prayed for him. God grant us in the night of our conscious self-condemnation the same star-light of His Promises, the same assurance of the intercession of the Christ, that so, as Luther puts it, the particularness of the account of Peter's denial, as compared with the briefness of that of Christ's Passion, may carry to our hearts this lesson: 'The fruit and use of the sufferings of Christ is this, that in them we have the forgiveness of our sins.' THE CROSS AND THE CROWN