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The Trial and Death of Jesus

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The Trial and Death of Jesus

Helen K. Bond

Along with the resurrection, the trial and death of Jesus forms the climax of the gospel accounts and stands at the heart of Christian preaching. After briefly surveying the relevant sources, the following article will highlight the apologetic and literary nature of the canonical Christian gospels, the earliest surviving 'lives' of Jesus. It will then sketch the religio-political circumstances of first-century Jerusalem, situate Jesus' last few hours against that broader backdrop, and examine a number of key gospel traditions. A final reflection will point to some of the theological ways in which Jesus' death was interpreted by his earliest followers.

Keywords: Crucifixion, Gospels, Passover, High Priest, Chief priests, Caiaphas, Pontius Pilate, Barabbas, Herod, Judas, Blasphemy, Antisemitism

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1 Introduction

Jesus' death was central to the proclamation of Christian believers from the very beginning. Along with his resurrection, Jesus' crucifixion formed the basis of Paul's gospel (1 Cor 1:17; 15:3; Gal 6:12, 14; Phil 3:18, etc.), and doubtless that of the rest of the earliest church. Despite the fundamental importance of the cross, however, Paul says very little about the historical details that surround it. He notes little more beyond the fact that Jesus was 'handed over' (or 'betrayed') the night before he died (1 Cor 11:23) and that Jewish authorities were involved (1 Thess 2:14–16). The apostle says nothing about Jesus' trial(s), the charges laid against him, or what caused the Jewish priestly aristocracy to hand over one of their own to a foreign power. Neither Jewish or Roman sources, nor non-canonical gospels, add much more to our knowledge. In the end, any reconstruction of Jesus' last hours is dependent on the canonical gospels, the earliest surviving 'lives' of Jesus. This entry will look beyond the theology and rhetoric of the gospels to provide a plausible account of Jesus' last few hours, informed by a knowledge of political and judicial conditions in first-century Judaea.

After a brief overview of non-canonical sources, this article will focus on how ancient biographers went about their craft, paying particular attention to the canonical gospels and their theological accounts of Jesus' execution. It then turns to the realia of first-century Judaea, to the roles of Pilate and the Jewish aristocracy, the existence of a fixed council known as 'the Sanhedrin', and to the sort of justice a provincial artisan such as Jesus might expect. This enables a focus on the details in the canonical gospels, and a piecing-together of what can be known about Jesus' trial(s) and execution. The final section reviews the emerging theological interpretations of Jesus' death amongst the earliest Christ-followers.

2 Sources

2.1 Jewish sources

Of particular interest here is the so-called *Testimonium Flavianum*, a short paragraph on Jesus in the work of the late first-century Jewish historian Flavius Josephus (*Antiquities of the Jews* 18.63–64). It is beyond question that the passage, as it now stands, has been heavily edited by Christian scribes: Josephus was a Pharisaic Jew and is highly unlikely to have said that Jesus was the Messiah, questioned his humanity, or proclaimed the resurrection. When these problematic passages are removed, however, the language of the passage sounds broadly Josephan and may be reasonably close to what the aristocratic priest actually wrote (given that the passage appears amidst a series of tumults in the time of Pontius Pilate, there is a good chance that something has also been omitted – perhaps an unflattering account of Jesus' actions in the temple). Josephus describes

Jesus' death only briefly, but in a manner which fits well with what exists in the gospels: '[w]hen Pilate, upon hearing him accused by men of the highest standing amongst us, had condemned him to death […]' (*Antiquities* 18.64; 1965: 51).

Although certainty about the original text is impossible, the above sentence does seem to confirm that both the Jewish aristocratic leaders and Pilate were involved in Jesus' execution (Carlton Paget 2001; Mason 2003: 225–236).

Jewish involvement is stressed in a curious passage from the Babylonian Talmud which omits any reference to the Roman governor:

> It was taught: On the day before Passover they hanged Jesus. A herald went before him for 40 days [proclaiming], 'He will be stoned, because he practiced magic and enticed Israel to go astray. Let anyone who knows anything in his favour come forward and plead for him'. But nothing was found in his favour, and they hanged him the day before the Passover. (*b. Sanh* 43a; Van Voorst 2000: 114)

The short note insists that there was a long and exhaustive search for witnesses to speak on Jesus' behalf. Only when none came forward was he 'hanged' (a common euphemism in Jewish texts for crucifixion). All of this is in marked contrast to the secretive night-time Jewish trial described by Mark and Matthew, where false witnesses were crucial to Jesus' conviction. Most likely, this passage in the Talmud is part of an inner-Jewish debate, maintaining that despite every effort no one stood up for Jesus (Van Voorst 2000: 104–122). As the passage is unlikely to be any earlier than the third century CE, it is no help historically, though the fact that the note simply assumes Jewish involvement is of interest.

2.2 Roman sources

> Roman writers (at least those whose works have survived) appear to take no notice of Jesus and the movement that grew around his memory until the early second century CE. There is nothing particularly surprising about this: elite writers only took an interest in what they regarded as a foreign superstition once its adherents began to impinge on their own world. Only Tacitus mentions Jesus' death, and then only briefly. Commenting on Nero's brutal persecution of Christians, the provincial governor and historian notes that '[t]he founder of this name, Christ, had been executed in the reign of Tiberius by the procurator Pontius Pilate' (*Annals* 15.44.3; Van Voorst 2000: 41).

Tacitus may have picked up this information from his friend Pliny, governor of Bithynia-Pontus, who himself had to deal with Christian activity (*Epistles* 10.96), or perhaps it was general knowledge by this time in Rome (Van Voorst 2000: 39–53; Williams 2023: 75–97).

While the brief note corroborates the gospels, it doesn't add anything new (Pliny's letter to Trajan mentions trials of Christ-followers, but says nothing about that of Jesus himself).

2.3 Non-canonical Christian works

The hypothetical sayings-source 'Q' famously has no account of the death of Jesus, though the emphasis that this document appears to give to the deaths of the prophets strongly suggests that Jesus' execution was understood in this way (see Luke 6:22–23; 11:47–51; 13:34–51). By their nature, sayings-sources do not lend themselves to narrative accounts of their subject's death, so it is no great surprise that the *Gospel of Thomas* similarly contains no information relating to Jesus' last hours. The *Gospel of Peter* gives an important role in the proceedings to Herod (1:1–2:4; cf. Luke 23:6–12), but as this fragmentary and strongly anti-Jewish second-century work seems to be heavily based on the canonical gospels, it would be unwise to place much historical weight on it (for the texts, see Elliott 1993: 123–147, 150–158).

A number of very early church fathers talk of Pilate sending letters or reports of Jesus' trial to the Emperor Tiberius (see Justin Martyr, *First Apology* 35, 48; Tertullian, *Apologeticus* 5, 21, 24). Even if the Roman administration in Judaea kept a note of executions, it seems highly unlikely that Pilate would forward any kind of report on the death of a provincial to Rome. The church fathers who mention these missives are simply trying to show that Pilate – and often the emperor – could not remain unaffected by Jesus' demise. The 'Acts of Pilate' that now form the first part of the *Gospel of Nicodemus* dates to around the fifth century and is deeply theological and legendary in tone, casting serious doubts over any historical value it might possess (Elliott 1993: 164–204, also 205–225). In the end, only the four canonical gospels have any claim to contain historical material.

2.4 Canonical gospels

The earliest surviving account of Jesus' trials and death comes from Mark's Gospel, usually dated to sometime in the 70s CE. Although church tradition holds the author of Mark to have been an associate of Peter (Eusebius, *Church History* 3.39), modern scholars tend to be sceptical of this link. Nothing in the tradition suggests that the author was an eyewitness of events, though it is highly likely that he depended on a wide range of earlier material, both written and oral. By virtually unanimous scholarly agreement, Matthew and Luke based their accounts on that of Mark. Matthew's Gospel is usually dated to the 80s CE, and while the author likes to enhance links with the Jewish scriptures wherever possible, the account of Jesus' last hours remains close to the Markan source. The author of Luke's Gospel, however, written any time from the 80s to early 100s CE, makes several significant changes to Mark's passion narrative (for example the hearing before Herod Antipas in 23:8–11), causing scholars in the past to suggest that he drew on a second source at this point (see, for example, Marshall 1978: 852). More likely, Luke's

changes are due to his own rewriting of Mark (as will be discussed below). Luke's second volume, the Acts of the Apostles, contains several brief references to Jesus' trial and death in the context of earliest Christian preaching (Acts 2:22–23; 3:13–15; 4:27–28; 5:30; 7:52). As would be expected, these are broadly in line with the account of events in Luke's Gospel.

Greater uncertainty surrounds John's Gospel. In the mid to late twentieth century, the prevailing scholarly view was that John wrote independently of the Synoptic Gospels (Matthew, Mark, and Luke). This meant that where the Johannine and Synoptic tradition were in agreement, one could assume a high degree of historical reliability. The work of C. H. Dodd was particularly influential in this regard (Dodd 1963) and was taken up by major commentators on John such as Raymond Brown, Rudolf Schnackenburg, and Barnabas Lindars. The historicity of John's more coherent account of Jesus' trial has often been preferred over Mark's rather chaotic one, with its desperate search for witnesses, its enraged High Priest, and the prominent role given to the scene with Barabbas (Millar 2006). Over the last few decades, however, scholarly opinion has shifted, with a growing number of scholars adopting the view that John knew and used (at least) Mark in the composition of his own work (Becker, Bond and Williams 2021). John's reworking of the earlier gospel was clearly much more thoroughgoing than anything found in Matthew and Luke, though it should be noted that John's transformation of Mark is broadly similar to the way in which other classical writers used their sources (it is Matthew and Luke who are unusual in the degree to which they follow their Markan source). All of this makes it difficult to know whether John's changes are due to better historical information or to purely theological or artistic reasons. To take just one example: John includes a large detachment of Roman troops at Jesus' arrest (John 18:3, 12). Is this because he has a source (written or oral) that remembered the presence of these men? Or is it because his final chapters are dominated by a lengthy and dramatic Roman trial, and the evangelist wanted to extend Roman involvement to an earlier stage? Deciding between these two alternatives is no easy matter, and if John did know Mark (and perhaps other canonical gospels too), then Mark's narrative remains the primary source for events surrounding Jesus' trials and crucifixion.

3 Literary themes in the gospels

It is useful at this point to consider the gospels not just as sources, but as pieces of literature: are they historical reports, designed to furnish factual information, or something more imaginative and poetic? A broad consensus has emerged in recent scholarship that takes the canonical gospels to be ancient biographies, or 'lives' of Jesus (Aune 1987; Burridge 1992; Keener 2019; Bond 2020; Walsh 2021). Although never particularly popular amongst Jews, biographical writing was highly fashionable in Graeco-Roman circles, particularly in the early imperial age. Individual biographies varied immensely in

scope, tone, and purpose. What linked most of them, however, was a moral purpose: the biographer attempted to expose the hero's character and to lay out his way of life for the audience to imitate. Biographies of philosophers – such as the gospels – served an additional purpose in establishing a meaningful and personal relationship between the living and the dead. By crafting a life of Jesus, the evangelists could introduce him to new audiences who would revere his memory and pattern their own lives on his.

Some biographers – such as Plutarch or Suetonius – were interested in historical research and reliability; others – such as Xenophon or Philostratus – were clearly happy to draw on legendary material. Most were presumably somewhere between these two extremes. Yet even when historical reliability was important, the moralizing purpose of most biographies inevitably led to a certain amount of distortion and idealization. At the very least, the biographer needed to be selective, choosing from all available sources only what best suited the hero's portrait. Frequently, the biographer's sources might be silent or contradictory on a particular issue. Fundamentally, biographers were interested in exposing character, or – to use Plutarch's expression – the subject's 'soul' (*Alexander* 1.3). Sometimes that was best done by using material of questionable provenance (we might think of the 'apocryphal tales' told of famous people which, although not strictly factual, still tell us something profoundly true about them). As literary compositions, biographies inevitably blended fact with a degree of creativity, from fictive accounts of birth and childhood to freely-composed speeches (Keener 2019; Bond 2020: 66–71)

The moment of death was believed to be particularly revealing of a person's true nature, and biographers often devoted a good deal of space to the way in which their hero met his end. Again, there was considerable scope for artistic licence here, even on the part of eyewitnesses. Whatever the reality, the hero would inevitably experience a good death, while the villain's demise was mired by shame and ignominy. Last words were particularly prone to rewriting and 'improvement', and few biographers could resist the temptation to assign to their hero a fitting final sentiment (Hägg 2012: 3–4; De Temmerman and Demoen 2016). In their accounts of Jesus' demise, the evangelists were no different in any of this than other biographers of their day.

A further consideration when working with the gospels is their clear Jewish provenance. All four canonical works seek to understand Jesus within Jewish categories (messiah, Son of God, prophet, King of Israel, etc.), and to situate his ministry and death within God's wider dealings with the chosen people of Israel. The evangelists intentionally evoke scriptural passages (sometimes even quoting them) and frame Jesus in ways which link him to revered figures of the past – Moses, the prophets, or Isaiah's Suffering Servant, for example. At times, these scriptural passages are included to show that Jesus is the 'fulfilment' of prophecy; for example, Mark's account of the crucifixion with its clear dependence on Psalm 22 (Ahearne-Kroll 2006; McWhirter 2006). This inevitably leads

the reader to question whether details, such as the soldiers' division of Jesus' garments in Mark 15:24, were remembered and recorded because they dovetailed so well with Ps 22:18 or whether they were invented to enhance the link (see the useful discussion in Goodacre 2006).

Several decades of redaction – and more recently narrative – criticism have thrown the evangelists' literary and rhetorical interests and abilities into the spotlight. Although some level of historical fact undoubtedly underlies these accounts, in their present form the texts are carefully-crafted theological reflections on Jesus' last few hours. An overview of each evangelist's interests in their accounts of Jesus' trial will illustrate this, beginning with Mark as the primary account before noting the changes made by the others.

3.1 Mark's trial narratives

Mark presents two parallel trial scenes, one Jewish, one Roman, with no explanation as to why Jesus needs to be interrogated twice. The two trials share a number of features: both revolve around two questions or groups of charges, one general (to which Jesus offers no defence) and one specifically relating to Jesus' identity (to which Jesus does offer a brief reply). Both end with mockery of the prisoner, and in both Jesus is contrasted with another person: Peter in the Jewish trial, and Barabbas in the Roman (Matera 1982; Bond 1998: 94–119).

What is immediately apparent in Mark's Jewish trial is the wide range of Jewish authorities implicated in the proceedings: 'the high priest and all the chief priests and the elders and the scribes were assembled' (14:53); the 'chief priests and the whole council' (14:55); and the 'chief priests, with the elders and scribes, and the whole council' (15:1). This heaping up of various groups gives the impression that Jesus was rejected by the entire Jewish leadership. Even worse is the clear indication that this is a kangaroo court. Verse 55 says that the leaders have gathered with the sole purpose of seeking testimony against Jesus so that they can put him to death. It is often noted that the proceedings described here go against the legal frameworks laid down by the Mishnah (specifically *m.Sanhedrin* 4:1, 7:5, and 11.2): trials were not supposed to be held at night or on the eve of a feast; if witnesses spoke falsely they were to be punished themselves; judgments should have been given by more junior members of the council first; and the verdict should not have been reached on the same day as the trial itself (Theissen and Merz 1998: 460–462). Whether Mark's audience knew the stipulations that would later be codified in the Mishnah is immaterial – the point is that the Jewish trial as Mark describes it offends against all sense of justice. Once the verdict is returned, it is apparently members of the council themselves who mock the prisoner (14:65). If there was any doubt about the intentions of the Jewish aristocratic leaders, it is completely dispelled by the note in the Roman trial that Pilate knew that the chief priests acted out of 'envy' (15:10). The unjust ruler who acts against the hero from

‘envy’ is a common motif in biographical and martyrological literature, exemplified by the Athenian charges against Socrates (Plato, *Apology* 28a). Here Jesus’ Jewish opponents want to do away with him because they resent his popularity with the crowds (11:18; 12:12; 14:1–12).

Mark contrasts Jesus’ serene acceptance of his identity in the courtroom with Peter’s desperate attempt to deny his Christian identity outside. Comparison and contrast is a common feature of Mark’s work (often in the form of an A-B-A structure, where he starts one story, moves on to a second, and then completes the first). Here, in the scandalously unjust Jewish trial, Jesus stands his ground before the High Priest, the supreme representative of the Jews, and answers clearly and openly (14:62). Peter, however, outside and accosted by a lowly serving-maid, is unable to confess that he is a follower of Jesus, and is driven to curse himself in a desperate attempt to save his life (14:53–72). If Mark’s audience found themselves similarly called to trial (as 13:9–13 predicts), they would have been particularly interested in Jesus’ courtroom appearance, and these parallel scenes show them quite clearly what conduct to emulate, and what to avoid.

New themes begin to emerge in Mark’s Roman trial. The element of mockery, introduced after the Jewish proceedings, now becomes much more pronounced and is linked specifically with Jesus’ claims to kingship. Mark has hinted earlier in the narrative that Jesus is a kingly figure, but in the Roman court he addresses the question of what kind of a king Jesus claims to be. ‘Are you the King of the Jews?’ Pilate asks (15:2). Jesus answers ambiguously: *su legeis* (‘you have said so’), perhaps implying ‘[t]he words are yours, not mine’ (15:2). Jesus is a ‘king’, but not in any sense that the Roman prefect would understand. Pilate continues to refer to Jesus as a ‘king’ three more times in this scene; the repeated use of the term, even before a crowd which has clearly expressed its preference for an insurrectionary, can only be read as a taunt (Bond 1998: 99–119). The mockery becomes even more intense once Jesus is passed into the hands of the Roman soldiers. Now he is dressed up in imperial purple and given a crown, while the soldiers salute him, strike and spit upon him, and kneel down in mock homage (15:16–20). Clearly they find the idea that such a man might be ‘King of the Jews’ utterly ridiculous. In the crucifixion scene, too, the executioners attach the scornful title ‘King of the Jews’ over Jesus’ dying body, while he is ridiculed by passersby, chief priests and scribes, and even those crucified with him (15:29–32).

The scene with Barabbas needs to be read in the context of this kingship. As earlier with Peter, Jesus is once again contrasted with another character. Instead of his usual juxtaposition of scenes, however, Mark introduces a Passover amnesty which allows a more explicit contrast to emerge. Barabbas, we are told, is ‘among the rebels in prison, who had committed murder in the insurrection’ (15:7). In response to Pilate’s offer to

release the ‘King of the Jews’, the once-friendly crowd, stirred up by the chief priests, shouts instead for Barabbas, a choice they maintain until their wish is granted (15:9–15). The persistent use of the title ‘king’ in this scene heightens what is at stake in the choice between the two men: will the Jewish crowd choose Jesus as their king and leader, or an insurrectionary, tainted with rebellion and murder? Read in the aftermath of the Jewish-Roman war of 66–70 CE, when Jews really did put their trust in political aspirants and armed rebellion, the drama of Mark’s scene is not hard to appreciate. Jesus is a ‘king’, Mark says, but in a very different way to the leaders of the recent revolt (or Gentile kings in general, see 10:35–45).

3.2 Matthew’s trial narratives

Matthew tends to follow his Markan source closely, though in the trial scenes he adds a number of details of his own and heightens some of Mark’s themes. Like the earlier gospel, this evangelist strongly implicates the Jewish aristocratic leaders in Jesus’ death, stressing from the start that the chief priests and elders met with the sole intention of putting Jesus to death (27:1). A new theme also emerges: the question of responsibility for Jesus’ death preoccupies the narrative, as each actor attempts to pass responsibility to someone else. Judas passes it to the chief priests who refuse to take back the blood money (27:3–10); Pilate is warned by his wife to have nothing to do with Jesus (27:19) and draws on a Jewish ritual to wash his hands of the matter (27:24; Deut 21:1–9); finally, responsibility rests with those who accept it, ‘all the people’ (including chief priests and elders), who cry ‘[h]is blood be on us and on our children’ (27:25).

Matthew makes two small but important changes to the Roman trial. First, the scene is no longer dominated by the title ‘King of the Jews’, but by whether Jesus is the ‘Christ’ (an important title for Matthew; see 16:21–22). Second, Matthew has heightened the element of choice. His Pilate limits the crowd’s decision to two men, asking whether he should release ‘[Jesus] Barabbas or Jesus who is called Christ?’ (27:17, also 27:21). Mark’s description of Barabbas has been trimmed and reworked by Matthew so that he is no longer a political insurrectionary but simply a ‘notorious prisoner’ (27:16). In Matthew’s trial scene, therefore, it is Jesus’ messiahship that is on trial and which is rejected by the Jewish crowd.

3.3 Luke’s trial narratives

Luke alters the structure of Mark’s two trials so that Jesus’ time in Jewish custody is cut down quite drastically (Luke 22:66–71); gone are the false witnesses, the accusation of speaking against the temple, and the charge of blasphemy. The Jewish proceedings now have the air of a preliminary hearing, while the Roman interrogation is much longer and forms Jesus’ only real trial, culminating in the Roman governor’s verdict (23:24). This change is not from any pro-Jewish motive: like the other evangelists, Luke makes it clear

that Pilate gives sentence in accordance with the wishes of both the Jewish authorities and the crowd (23:24; see also Acts 2:22–23; 3:12–13; 4:27; 13:27–29), though the latter do later repent at the crucifixion (23:48). More broadly, many of the elements omitted from Mark's Jewish trial appear to have been relocated to the death of Stephen (Acts 6:9–7:60), and the trials of Jesus are mirrored later on by those of Paul (Acts 22–26).

Luke presents Jesus as a martyr whose innocence is three times declared by Pilate (23:4, 14, and 22). Herod (Antipas) is also said to have found no crime in him (23:15; see also 23:41, 47). If these declarations are to have any value, they need to be made with respect to specific charges, which Luke carefully presents. Jesus is charged with perverting the nation, forbidding the payment of taxes to Caesar, and declaring himself to be Christ, a King (23:2) – all of which have been shown to be false by the preceding narrative. Like other Roman governors in Luke–Acts, Pilate plays an important role in declaring the political innocence of Christianity and allowing it to spread unhindered (see also Gallio, Acts 18:12–17; Felix, Acts 24; and Festus, Acts 25).

Luke's is the only gospel to include a hearing in front of Herod (23:7–12; see later Acts 4:26–28). It is not clear why Pilate decides to send the prisoner to the Herodian tetrarch, though the implication seems to be that he wants to rid himself of a difficult case. On a literary level, the inclusion of this scene seems to have two purposes. First, it allows the evangelist to show that two high-status judges find no crime in Jesus (see Deut 19:15). Second, it may have been included to form a parallel with Paul's later trial before Agrippa, showing that Jesus endured no less than the great apostle (Walaskay 1983: 43).

3.4 John's trial narratives

Like Luke, John trims down events in Jewish custody while enhancing and elaborating the Roman trial. In fact, Roman involvement begins at Jesus' arrest in this gospel, where a tribute and a whole armed cohort come out to apprehend Jesus (John 18:3). The Johannine Jesus has no formal Jewish trial on the night of his arrest (an earlier meeting of Caiaphas and the Jewish council had already agreed that he was to be put to death in 11:47–53). Jesus is simply taken to the High Priest (presumably Annas) who briefly questions him about his disciples and his teaching (18:19–23) before passing him on to Caiaphas (18:24), though nothing of what transpires at this second meeting is recorded. Like Luke, John has scattered several features associated with Jesus' Jewish trial throughout his work, this time earlier in the gospel (see especially 10:22–39), suggesting that the whole of Jesus' ministry has been a 'trial' before Jewish opponents (Lincoln 2000).

John's highly dramatic Roman trial is carefully plotted, composed of seven scenes divided by Pilate's movements inside the praetorium (with Jesus) and outside (with the waiting Jewish leaders). The Barabbas episode has been trimmed substantially; Pilate twice engages in dialogue with Jesus on topics of kingship, authority, and truth; and the soldiers'

mockery is now placed in the central section (19:1–3), emphasizing the mocking tone of the whole trial. Despite the ridicule and contempt to which Jesus is subjected, however, John's audience no doubt appreciates the irony of the scene: although Pilate thinks that he is in charge, it is clear that his power comes from God. In these climactic Johannine scenes, it is Pilate and the Jewish leaders who are judged – and found wanting.

The gospel portrayals of Jesus' trial have been strongly influenced by their historical context, particularly the destruction of the Jerusalem temple at the end of the Jewish-Roman war of 66–70 CE. Like other post-70 Jewish authors, the evangelists assumed that the temple had fallen because of 'sin' (Klawans 2020). While other authors associated this 'sin' with the people generally (so 4 Ezra and 2 Baruch), the priestly leaders (4 Baruch), or even the rebels during the revolt (so Josephus in the *Jewish War*), the evangelists see a direct link between chief priestly involvement in Jesus' execution and the destruction of the temple (so Mark 12:1–11 and parallels). This explains their negativity towards the Jewish leadership, whose failure to recognize Jesus as God's anointed one had disastrous effects on the nation. Rome is not exonerated in these narratives, but the reader is left with the distinct impression that without Jewish pressure Pilate might quite easily have dismissed the case. It is important to recognize, however, that the gospel narratives are part of an intra-Jewish debate on the causes of the fall of the temple. Ordinary Jews are depicted in positive terms as they flock to a Jewish messiah for teaching and healing.

In order to see behind the theological and apologetic interests of the gospels to historical events, one needs to look more carefully at the political realities of first-century Judaea. This historical reconstruction begins with the Roman administration.

4 Historical realities of first-century Judaea

4.1 Pilate and the exercise of Roman power

At the time of Jesus' arrest, Judaea had been under direct Roman rule for around twenty-five years. While Herodian princes continued to rule over Galilee/Peraea and territories to the North-East, Herod's son Archelaus proved cruel and ineffectual and was replaced by a Roman prefect of equestrian rank in 6 CE (Josephus *War* 2.111; *Antiquities* 17:342–344). It is unclear whether Judaea was transformed into an independent province at this point or whether that occurred later (perhaps after the death of Agrippa in 44 CE; see Cotton 2022); in any case, the Judaean prefect was under the authority of the Syrian legate in Antioch, a man of consular standing and the most powerful Roman in the East. At this early stage, the Judaean governor's primary task was to maintain law and order, and to habituate the various peoples of the province to Roman rule. He had a number of auxiliary troops at his disposal, amounting to five infantry cohorts and one cavalry regiment, largely drawn from the pagan cities of Caesarea and Sebaste (Josephus *War* 2.52, *Antiquities*

19.365; 20.122). If conditions got badly out of hand, the Syrian legate could intervene with his legions (Tacitus *Annals* 4.5).

Pontius Pilate was the fifth Roman prefect of Judaea, exercising his authority from 26 to early 37 CE. Nothing is known about his previous career, though it is likely that he had a reasonably distinguished military background. Like his predecessors, he made his headquarters in the Gentile city of Caesarea Maritima on the coast, along with a small entourage consisting of his own household, staff, and assistants. Pilate possessed *imperium* or supreme magisterial power in the region (Josephus *War* 2.117; *Antiquities* 18.2; Tacitus *Annals* 12.60). While Jewish courts may have retained jurisdiction over a limited number of offences specifically connected with Judaean ancestral customs, the Roman governor would have maintained control over the death penalty (Sherwin White 1963; Theissen and Merz 1998: 455–458). Pilate would presumably have had a system of assizes, touring around the larger towns of the region to which more serious cases could be brought (Kinman 1991). Presumably he had a network of spies and informers to keep him abreast of developments and potential unrest throughout the territory. It would have been in the interests of Herodian princes (such as Herod Antipas, tetrarch of Galilee and Peraea) and other wealthy landowners to keep the governor firmly on side (Bermejo-Rubio 2019).

Philo of Alexandria portrays Pilate in a poor light, describing him as ‘a spiteful and angry person’, noting ‘his venality, his violence, his thefts, his assaults, his abusive behaviour, his frequent executions of untried prisoners, and his endless savage ferocity’ (*Embassy to Gaius* 301–302; Smallwood 1970: 128–130). These insults, however, are part of Philo’s stereotypical descriptions of people who act against the Jewish law, and all are applied to other ‘villains’ in his work, so a degree of caution is in order. The series of events from his governorship outlined by Josephus (*War* 2.169–177; *Antiquities* 18.55–89) and the one incident described by Philo (*Embassy to Gaius* 299–305) show him to have been a pragmatic, no-nonsense governor. The fact that he lasted over a decade in a difficult province speaks to his abilities as a negotiator and diplomat (Bond 1998).

During Jewish festivals, Pilate left Caesarea and made his way to Jerusalem with a body of troops in case the celebrations led to riots (though ironically his presence in the holy city at this time often provoked the very hostilities he hoped to avert). Passover was especially worrisome: not only was the walled city crowded to bursting (so much so that people had to sleep in the surrounding towns and villages, often under canvas), but its celebration of liberty from Egyptian bondage must have sounded a hollow note to people now under Rome’s domination. Pilate would have taken up residence in Herod I’s former palace to the west of the city, now transformed into the governor’s praetorium, or headquarters. (It used to be assumed that the praetorium was in the Antonia Fortress, to the north-west of the temple, which explains why the Via Dolorosa – Jesus’ sorrowful journey to the cross

– traditionally starts from the fortress; Bond 2008.) At all other times, the daily running of Jerusalem was left largely in the hands of the Jewish priestly aristocracy.

4.2 Caiaphas and the chief priests

By the first century, the Jewish high priesthood was tightly regulated by Rome. Originally a hereditary office, Herod I had taken it upon himself to appoint and depose High Priests at will, often favouring little-known men from the Diaspora. Rome continued to keep a tight grip on this powerful position, appointing Ananus I (or Annas as he is known in the New Testament) in 6 CE. In the first phase of direct Roman rule (from 6–41 CE), the high priesthood was almost entirely in the hands of this man's family (Josephus *Antiquities* 20.198), no doubt creating a powerful priestly dynasty. The Roman habit of changing High Priest regularly (sometimes every year) created the group known in the gospels as the 'chief priests', consisting of former High Priests (such as Annas) along with their wider families. A further demonstration of Roman control over the sacred priesthood was their custody of the high priestly vestments, which were kept under guard in the Antonia Fortress. When needed for festivals, they were picked up seven days in advance for purification (Josephus *Antiquities* 15.405; 18.90–95).

Joseph Caiaphas held office from 19–37 CE, making him the longest-serving High Priest of the first century by some years. Undoubtedly a rich Hellenized landowner, and most likely Sadducean in outlook, he seems to have married into the powerful high-priestly dynasty of Annas (John 18:13). As High Priest, Caiaphas oversaw the vast temple complex with its endless round of sacrifices. He was the figurehead of Jews everywhere, and the mediator between the people and God: his primary cultic role was on the Day of Atonement, when he alone was able to enter the Holy of Holies and come into the presence of the divine. Rome also expected these aristocratic priests to mediate between the people and their overlords, to ensure Roman expectations were met, and to encourage compliance (Bond 2004; Vanderkam 2006).

Caiaphas has had a bad press throughout Christian history: he is routinely charged with being self-serving, corrupt, and obsessed by the outward observance of the cult rather than inner devotion. In reality, nothing is known about the man or his character. He and his fellow aristocrats are frequently accused of being collaborators with Rome, but it is difficult to know what else they could have done in the circumstances. As seen above, the High Priest was appointed by Rome; anyone not prepared to toe a Roman line would be swiftly replaced. Caiaphas was already in office when Pilate arrived in 26 CE, and presumably the two men worked reasonably well together – certainly Pilate seems not to have seen any need to replace him. But it could never be an equal relationship, and Roman dominance and interference in cultic matters must always have riled. Like all subject people, Caiaphas needed to keep his overlords happy and to navigate a narrow line between submission

and resistance. Presumably the preservation of the sanctity of the temple and its God-ordained cult was paramount in all his activities.

In his day-to-day running of Jewish affairs, Caiaphas did not of course act entirely alone, though scholars now doubt the existence of a formal council known as ‘the Sanhedrin’. Rabbinic sources imagine a fixed, largely Pharisaic, council which dealt with a wide range of political and religious issues. Evidence from Josephus, however, does not back this up. Instead, we see a much more ad hoc gathering of advisors, summoned by the High Priest to deal with whatever problem was at hand. Often these advisors would be fellow chief priests, but Caiaphas might draw on a range of other aristocrats and wealthy men whose expertise might be useful (Sanders 1985; McLaren 1991; Goodblatt 1994; Levine 2002: 267–269). Such was likely the group that met to discuss mounting concerns over Jesus.

5 The proceedings against Jesus

5.1 Why was Jesus executed?

Although Jesus’ ministry was largely centred around the towns and villages of Galilee, at some point he decided to take his message to Jerusalem. Mark suggests that this was his only visit to the holy city, though Mark’s topical arrangement means that all the Jerusalem material has been gathered together into the final chapters of the gospel. John’s suggestion that Jesus frequently visited the city (though also theologically inspired) may well be closer to historical fact, but certainty is impossible. At all events, Jesus must have known that taking his movement to the capital was dangerous; he had seen what had happened to John the Baptist (executed by Herod; Josephus *Antiquities* 18.118), and seems to have avoided Antipas’ cities in Galilee. On this particular visit to Jerusalem, however, he seems to have deliberately courted opposition, both by his entry into the city and his actions in the temple.

Jesus’ entry into the city seems to have been designed to attract attention (Mark 11:1–11; Matt 21:1–11; Luke 19:28–40; John 12:12–16). To modern readers, the image of a donkey conjures ideas of humility and lowliness, particularly when linked with the prophecy from Zech 9:9 in Matt 21:5, but donkeys were a common means of transport for ordinary journeys (Gen 22:3; Exod 4:20; Num 22:21; 2 Sam 17:23, etc). The significance of this detail is that, while all other pilgrims walked into the city, Jesus rode in to the acclaim of his followers, perhaps even as a deliberate parody of Pilate’s arrival into the city at around the same time. Even if the incident was on a much smaller scale than the gospels suggest, it would have marked Jesus out in the eyes of the city authorities as one to watch.

Shortly afterwards, Jesus entered the temple and once again acted provocatively, this time by disrupting the operations of the money changers and those selling birds for sacrifice, acts which would have robbed the great building of its central purpose (Mark 11:15–

19; Matt 21:12–17; Luke 19:45–46; John 2:13–22). The meaning of this act has been hotly debated by scholars. A popular suggestion (and one supported by the gospels themselves, particularly John 2:15 and the reference to ‘robbers’ in Mark 11:17) is that Jesus was against the commercialization of the temple, or perhaps the corruption of the chief priests (so Evans 1989; Horsley 1987; Bauckham 1988). Or perhaps Jesus exploded against the hierarchical, oppressive temple system (so Crossan 1992: 355–360), or the politics of Jewish separation (so Borg 1984: 173–175). A particularly influential explanation is that of E. P. Sanders, who sees it as a prophecy of the temple’s imminent eschatological destruction by God, and so a natural part of Jesus’ apocalyptic outlook (Sanders 1985). Some combination of various aspects of these explanations is also possible. In view of the complexity of the sources, however, a clear understanding of what exactly Jesus’ actions in the temple signified may well be unachievable.

Given the immensity of the temple’s outer courtyard, Jesus’ demonstration could not have been a huge affair. Had it seriously threatened the operation of the temple, the Roman soldiers stationed on the temple porticoes would have intervened and arrested Jesus straight away. Most likely it was over before anyone in charge knew what was going on. Both this, and Jesus’ earlier entry into the city, are best interpreted as symbolic actions, like those frequently performed by the prophets of old (e.g. Jer 19; Ezek 5:2; Isa 20:2).

According to Mark, it was the incident in the temple that led directly to Jesus’ death (11:18). The evangelist is clear that Jesus’ opponents were the chief priests; there is no reference to Pharisees here (although they are added by Matthew and John). Historically, it is very unlikely that Pharisees had anything to do with Jesus’ death: no doubt they engaged in heated discussions with Jesus over the interpretation of various aspects of the Law, but divergent opinions on the Torah did not get a person executed. The hostile portraits of Pharisees in the gospels (particularly in Matt 23) likely reflect later antagonism between Jesus’ early followers and fellow Jews (Levine and Sievers 2021). Historically, the people who would have been most threatened by Jesus were the aristocratic priesthood centred in the temple. They would naturally have been alarmed by Jesus’ announcement of the temple’s destruction and feared that he might intervene again and disturb the smooth running of the cult. Centuries earlier, Jeremiah had been threatened with execution for speaking against the temple (Jer 7; 26). What made Jesus even more dangerous was the fact that he had a following, composed of people who had come with him from Galilee and perhaps others he had picked up on the way. Given the volatile Passover setting, the nationalistic hopes that Jesus seemed to inspire, and the distinct possibility of Jesus’ actions leading to unrest, it is hardly surprising that the aristocratic elite wanted him eliminated (for a more sympathetic view of Caiaphas, see Reinhartz 2011).

5.2 Betrayal by a friend?

Was Jesus betrayed by one of his closest followers? It is often claimed that Jesus' betrayal has a strong claim to historical accuracy, simply because the story was too embarrassing for the early church to have invented. The second-century pagan philosopher Celsus sneered at Jesus for his poor taste in disciples, one of whom betrayed him, another of whom denied him. However, this argument is not as strong as it appears, and ignores the very obvious point that the earliest followers of Jesus were free to tell the story of Jesus' last few hours in whatever way they wanted – and could of course conveniently 'forget' anything that didn't suit their needs. The story of Jesus' arrest could have been told quite adequately without any reference at all to Judas. Appeal is often made to Paul, who refers to the night that Jesus was 'betrayed' (1 Cor 11:23). The Greek word here, however (*paradidomi*), can mean both 'betrayed' and 'handed over', meaning that Paul's testimony is ambiguous.

The figure of Judas is used in rather different ways across the early tradition. For Mark, Judas the 'inside' betrayer contrasts with the unnamed woman who anoints him in Bethany (Mark 14:1–11). He and Peter represent negative examples for Mark's audience, illustrating how not to behave. If the gospel was written at a time of persecution (as Mark 4:17; 8:34; 10:37–40; and 13:9–13 seem to imply), the audience may have had direct experience of betrayers or those who had denied their allegiance to Christ. The figure of Judas, in that case, provided an easily identifiable contemporary villain. Matthew provides a fuller story: drawing on several scriptural texts, he notes that Judas sought to return the money and later took his own life (Matt 27:3–10, citing Jer 19:1–13; 32:6–9; Zech 11:12–13). Luke describes him being struck down by God (Acts 1:18–19), while John ignores him after his dramatic turn to the night (John 3:30; Klassen 1996; Middleton 2018).

It is quite possible that the figure of Judas does rest on an early tradition that one of Jesus' disciples betrayed him. If so, Mark gives no reasons for his actions, leading to much speculation, even in ancient times. Matthew suggests he did it for the money (Matt 26:15), while Luke and John can only surmise that Satan entered into him (Luke 22:3; John 13:2). Modern scholars have suggested a variety of reasons: was Judas a disillusioned nationalist? Had he lost faith in Jesus, or did he hope to force a confrontation between him and the High Priest and so bring matters to a head? Did Jesus ask him to do it? Was Judas the only Judaean and did the chief priests get to him in some way? Perhaps – as Mark implies – the chief priests needed someone to tell them where Jesus might be arrested quietly, away from the crowds (Mark 14:2). If Judas did play a part in the arrest, he seems not to have had any subsequent role.

5.3 Was there a Jewish trial?

The extent of Jewish priestly involvement in Jesus' death is open to question. Crucifixion was a Roman penalty, not a Jewish one, and so the prime movers in his execution were

clearly Roman. In theory, Jesus might have been picked up by Roman troops and put on a cross with no Jewish involvement at all. It is even possible that Pilate himself played little role in the affair: there could have been a military decision prior to the feast that all troublemakers be crucified without any need for higher involvement (so Crossan 1996: 117). Yet this would be to completely abandon not only the broad outline of both the gospels and Paul in 1 Thess 2:14–16 but also the reconstructed account of Josephus where Pilate acts 'upon hearing him accused by men of the highest standing amongst us' (see above).

An interesting analogy to the case of Jesus of Nazareth is that of Jesus ben Ananias (Josephus *War* 6.300–309). This second Jesus was a prophetic figure who appeared at the autumn feast of Tabernacles in 62 CE, crying out from the temple: 'A voice from the east, a voice from the west, a voice from the four winds, a voice against Jerusalem and the sanctuary, a voice against the bridegroom and the bride, a voice against all the people'. Eventually, the temple authorities arrested him and handed him over to Albinus the Roman prefect, who declared him to be a madman before having him flogged and released. Ben Ananias, however, simply picked up where he had left off, and carried on with his mournful dirge until he was killed by a Roman missile a few years later during the siege of Jerusalem. Jesus of Nazareth was significantly more dangerous than ben Ananias: he had a sizeable following and not only spoke against the temple but performed a symbolic action in its outer court. And yet the sequence of events against both of them is similar: in each case, the temple authorities initiate the arrest, then pass their prisoner over to the Roman governor for a short hearing to determine the sentence. That the case of Jesus of Nazareth was handled in broadly the same manner as his later namesake seems probable.

A related, but different, question surrounds whether there was any kind of formal Jewish 'trial' of Jesus. This has been one of the most hotly debated topics in historical Jesus research (important studies include those of Blinzler 1959; Brandon 1968; Winter 1974; Bammel 1970; Brown 1994; Crossan 1996; for overview see Theissen and Merz 1998: 444–449). As we have seen above, however, the gospels themselves lack consistency here: Mark and Matthew suggest a formal trial before a full council, culminating in a capital verdict, while Luke and John imply only an informal preliminary interrogation. Given their desire to shift as much responsibility as possible for Jesus' death to the Jewish authorities, it is easy to see why Mark (followed by Matthew) would present a formal courtroom scene at this point. Yet there was no need for such a gathering: all that the High Priest and his advisers needed to do after apprehending their prisoner was to determine which charges to present to the prefect. A brief hearing (along the lines of what is found in Luke and John) seems more historically plausible. (For the view that the Markan trial scene contains more historicity than suggested here, see Wright 1996: 540–552; Bock 1998.)

What was the charge against Jesus? As described above, the gospels offer a range of options: blasphemy (so Mark/Matthew); perverting the nation, forbidding the payment of taxes to Caesar, and declaring himself to be Christ, a king (so Luke); claiming to be the Son of God (so John). In all cases, Pilate interprets the charges to mean that Jesus claims some kind of kingship or political-nationalistic role. The charge of blasphemy will be examined in more depth below, but it seems unlikely that the earliest Christ-followers knew the precise allegations against Jesus. More likely, the Jewish leaders presented the prefect with a series of concerns. From a Jewish point of view, Jesus could easily be depicted as someone who was leading Israel astray, a rebellious son, or a false prophet (Deut 13; 17:1–13; 18:20; 21:18–21; Jer 23:9–40) – all of which were punishable by death.

5.3.1 The charge of blasphemy

Blasphemy in the first century did not simply mean saying the name of Israel's God Yahweh out loud (as Monty Python's *Life of Brian* or Lev 24:15–16 might have one believe). Rather, it covered a broader range of misdeeds, including speaking against the patriarchs or institutions of Judaism, or claiming any privileges that belonged to God alone (Brown 1994: 520–530; Collins 2006). Prophesying the destruction of the temple could certainly be included in this definition, though in Mark and Matthew Jesus is charged with blasphemy only when he claims that his opponents will soon see him sitting at the right hand of the 'Power' (a circumlocution for God) and coming with the clouds of heaven (Mark 14:62; Matt 26:65). It is thus his messianic claim that is declared blasphemous (Bock 1998).

The need to be wary of the formal trial narrative presented by Mark (and followed by Matthew) has been noted already. One should also remember that Mark parallels Jesus' trial before the Jewish council with Peter's 'trial' before the servants outside. It is often noted that Peter's threefold questioning has parallels with the interrogation of Christ-followers by Roman authorities at a slightly later date (Pliny, *Epistles* X, 96; Hurtado 1995: 247–256). One might well also imagine a similar line of questioning on a local synagogue level. If some degree of hardship and even persecution lies behind Mark's text (as suggested above and implied by 13:9–13), Mark's audience might well have had experience of being questioned about their allegiance to Christ. This, then, may be the real historical background to the blasphemy charge – that is, later blasphemy trials of Christ-followers for their beliefs. Jesus and Peter both offer models of how to behave in a courtroom setting: Jesus proudly accepts the charges against him while Peter does everything he can to avoid proclaiming himself a follower. Mark's audience know which model they are to follow, even if it means being labelled a blasphemer by their synagogue neighbours (Crossan 1996: 108–111; Luke, more appropriately, relocates the blasphemy charge and the saying about the Son of Man at the right hand of God to the proceedings against Stephen in Acts 6:11; 7:54–58).

5.4 The Roman trial

The analogy with Jesus ben Ananias noted above suggests that the Roman governor would have wanted to see Jesus himself, however briefly. Pilate needed to gauge the threat posed by the Galilean prophet, and to reassure himself that Jesus' followers would disappear once their leader had been executed. It is very unlikely that he would have deliberated for any length of time over someone of low status; while Rome had an extensive legal system, it was designed only for citizens. Trials of provincials were carried out according to a broad criminal jurisdiction known as *cognitio extra ordinem*: the governor would follow the general rules of Roman law, but had a degree of flexibility in dealing with difficult or unusual cases and also in determining the sentences. It is possible that Pilate summoned a couple of witnesses, but he would not have spent much time on the matter. Anyone who worried the aristocratic chief priests was potentially also a concern to Pilate, and the life of a provincial was a small price to pay for a quiet Passover. It is likely that Pilate had already been watching Jesus' activities and might well have executed him even without high-priestly involvement. Herod Antipas' treatment of John the Baptist offered a precedent: once the prophetic figure at the centre had been eliminated, the crowds – and potential threat – had largely disappeared (Josephus *Antiquities* 18.116–119).

The gospels suggest that the accusation against Jesus was his claim to be 'the King of the Jews', a charge that was also attached to the cross (Mark 15:26; Matt 27:37; Luke 23:38; John 19:19–22). In its formulation, the charge is clearly meant to be mocking and derisory, poking fun not only at the prisoner himself but also at the Jewish people's occupied status (see below for the link between crucifixion and mockery). If historical, the charge was clearly a contemptuous perversion of a more general set of accusations around rabble rousing, attracting a following, and claiming to speak on behalf of the Jewish God.

Not much more can be said with any confidence about Jesus' hearing before Pilate. The gospels suggest that at least part of it took place out-of-doors, where a crowd could congregate, but very little in these scenes seems to go back to eyewitness evidence. Many features clearly owe their origins to the evangelists' apologetic and theological aims: Pilate's wife's dream, the governor washing his hands, the repeated declaration of Jesus' innocence, and any suggestion that Pilate was reluctant to execute the prisoner. Three features, however, are worth a fuller discussion.

5.4.1 Was there a Passover amnesty?

As seen already, a central element in the dramatic accounts of the Roman trial was the choice of prisoner created by a Passover amnesty. There are, however, significant difficulties surrounding the existence of this pardon. There is no agreement amongst the evangelists over the details. Matthew and Mark both suggest that it was a custom of the

Roman prefect (or his predecessors) and locate it simply at ‘the festival’, presumably Passover (Mark 15:6; Matt 27:15). John specifically links it with Passover, but implies that it is a Jewish custom, perhaps taken over from former Hasmonaean or Herodian rulers (John 18:39). Luke omits any mention of a regular custom, suggesting that the choice of Barabbas was a spontaneous cry of the crowd (Luke 23:18). Irrespective of the particulars, there is no evidence for a Passover amnesty in any existing sources. Josephus is usually quick to mention Roman concessions to Jews, so his silence here is noteworthy (*M. Pesahim* 8.6a is sometimes cited as evidence, though the text really concerns Passover arrangements for someone whose prison sentence ends in time for them to join in with the feast). Furthermore, it is hard to imagine a provincial governor allowing the people free choice over the release of a prisoner. If there is any historical background to this, it may lie in the isolated amnesties that are occasionally recorded elsewhere in the Roman world (Bond 1998: 199). Perhaps the release of another prisoner at around the time of Jesus’ trial was a single act of clemency rather than part of a regular custom. Pilate and other governors may have occasionally released a relatively harmless prisoner as a gesture of Roman goodwill, especially during the potentially volatile Passover season. The chief priests may well have played a role in securing the release (Theissen and Merz 1998: 465–466).

5.4.2 Who was Barabbas?

Barabbas is described in different ways by the various evangelists. Rather enigmatically, Mark says that he ‘was in prison with the insurrectionists who had committed murder in the uprising’ (Mark 15:7). Luke simply assumes that he was an insurrectionary and murderer (Luke 23:19), while Matthew labels him a ‘notorious prisoner’ (Matt 27:16) and John a ‘bandit’ or ‘brigand’ (John 18:40). He seems to have been arrested during a well-known riot (Mark 15:7; Luke 23:19). Perhaps he became associated with Jesus of Nazareth in Christian tradition because their trials were held on the same day. It is not clear why he was released: was it because the charges against him did not stand up? Or because of an isolated act of clemency on Pilate’s part (as suggested above)? Perhaps there was some uncertainty from the start as to which prisoner would benefit from Pilate’s offer of release. It is easy to imagine how Christian reflection on the injustice of Barabbas’ release and Jesus’ crucifixion might have associated the two men. The similarity of names – if historical – may also have helped to link them: Barabbas means ‘son of the father’ and some versions of Matthew give his first name as ‘Jesus’ (Brown 1994: 796–799; Theissen and Merz 1998: 466).

5.4.3 Was Antipas involved?

Of the canonical gospels, only Luke records a hearing before Herod Antipas, tetrarch of Galilee and Peraea (Luke 23:6–12). There was no legal necessity for Pilate to send Jesus back to his home territory to stand trial; he was arrested because of his activities in

Jerusalem, which was very much under Pilate's jurisdiction (Sherwin White 1963: 28–31). Furthermore, it was seen above that literary and apologetic motives may lie behind Luke's narrative at this point. While it is quite possible – even likely – that Pilate did at some point discuss Jesus' activities with Antipas, the hearing in its present form is most likely a Lukan invention.

5.5 Mockery and crucifixion

Jesus was sentenced to crucifixion, a punishment so barbaric that civilized Romans declined to refer to it by name. Reserved only for non-citizens, crucifixion was considered a slave's death, appropriate for petty thieves, delinquents, and rebels against Rome (Cicero, *Against Verres* 2.5.165; Tacitus *Histories* 4.11). The victim carried the crossbeam (or *patibulum*) through the city to the place of crucifixion, where he was attached either by nails or rope and then hoisted up onto an upright stake into a cross or 'T' shape. Death was slow and painful, often taking several days until the victim died of suffocation and exhaustion (Hengel 1977; Cook 2018).

Scourging was a normal preliminary to crucifixion, and the brutality of Jesus' flogging at the hands of the Roman soldiers may explain the speed of his death (six hours according to Mark 15:25, 33–37). The gospels suggest that the cohort had their fun with Jesus, dressing him in royal robes, putting a crown of thorns on his head, and bowing down in mock homage to the 'King of the Jews'. While it is unlikely that the guards found purple robes in a barracks (as Mark 15:15–20 and John 19:1–2 suggest; Matthew more plausibly takes it to have been a red soldier's cloak, Matt 27:27–31), mockery was a common component of crucifixion, where the soldiers' cruelty and contempt were allowed full reign. That such theatrical lampooning of kingly claims did sometimes take place is demonstrated by Philo's account of what happened in Alexandria at the time of Agrippa I's visit in 38 CE: the Alexandrians took a man with mental health issues named Carabbas and dressed him as a king, offering him mock homage in a passage very similar to the gospel accounts (*In Flaccum* 36–38; see also Marcus 2006).

5.6 Last words

According to Mark, Jesus died around 3pm with a loud cry (Mark 15:37). His last words are different in each gospel, though in each case they perfectly encapsulate the particular portrait of Jesus each evangelist wants to create – a common feature of biographical writing, as noted earlier. Mark (followed by Matthew) emphasizes the shame of Jesus' death: as the final scenes proceed, Jesus becomes ever more passive and isolated, passed from one group of people to another (often using the verb *paradidōmi*, to hand over). The teacher who only a few days previously attracted large and enthusiastic crowds at his entry to the city is now rejected by everyone, except for a small group of women (Mark 15:40–41). Appropriately enough, the Markan Jesus turns to God in his last

moments, and in the language of Ps 22:1 asks: ‘My God, my God, why have you forsaken me?’ (Mark 15:34). For Mark, Jesus’ ignominious death is the climax of his self-denial and mission ‘not to be served but to serve, and to give his life as a ransom for many’ (10:45). He has plunged into the very depths of human despair and in so doing has liberated humans from all that constrains or prevents them flourishing (Bond 2020: 222–246).

Luke, however, presents a very different portrait of Jesus’ death. Jesus does not die alone or rejected; instead he faces his end as an innocent prophet-martyr. As he is led out of the city, he tells the wailing women to weep not for him but for themselves and their children (Luke 23:27–31); as he is nailed to the cross, he says: ‘Father forgive them; for they don’t know what they are doing’ (23:34); he has time for a reassuring conversation with the penitent thief (23:39–43); and finally he expires with the words: ‘Father, into your hands I commend my spirit’ (23:46). John develops his account of Jesus’ death in a similar manner, expunging any sign of the Markan Jesus’ passivity or isolation. Instead, the Johannine Jesus takes time to leave his affairs in order, placing his mother and the ‘Beloved Disciple’ into one another’s care (John 19:26–27). With divine foreknowledge, he knows his end has come (19:28–29), deliberately fulfils scripture (19:28–29), and dies with the words: ‘It is finished’ (19:30). There is no final, inarticulate cry, as in Mark, only the calm assurance that his mission on earth is now complete. Which – if any – of these words was actually uttered by Jesus cannot now be established.

5.7 Burial

Part of the horrific nature of crucifixion was that victims were not usually buried; corpses were left to hang as carrion for the vultures and the dogs. In 1968, however, an ossuary belonging to a young man named Jehohanan was found at Giv’at ha Mivtar. What was remarkable about the man’s ankle bone was that it still contained an iron nail, showing that Jehohanan had not only been crucified but that his corpse had been buried. Clearly, victims of crucifixion in Judaea might sometimes be buried, though how frequent this was is unknown. Jewish anxiety over the defilement caused by anyone ‘hanged from a tree’ (Deut 21:22–23) may have been a factor in burying the remains.

The gospels suggest that Jesus was buried, as does Paul (1 Cor 15:4). This may have been regular practice at the time, or perhaps as a gesture of goodwill at the festival (Evans and Wright 2009: 39–73; McDonald 2013). Jesus seems to have been buried by a council member named Joseph of Arimathaea. Joseph’s relation to Jesus becomes closer from one gospel to another, even as the grandeur of the burial he gives to Jesus increases (Lyons 2014). In John, along with Nicodemus, he is a secret disciple who gives Jesus a burial fit for a king (John 19:38–42). More likely, Joseph was the person whose job it was to oversee the burial of people executed by the state. This would explain why the women appear to watch from afar rather than playing a part in the interment, as would

be expected. If so, it is more historically likely that Jesus was quickly interred in a simple grave, rather than the lavish rock tomb of Christian art and imagination (Brown 1994: 1201–1313; McCane 1999).

6 Theological reflections

This article has taken a largely historical approach to the subject of Jesus' trial and death, working backwards from the heavily rhetorical and apologetic accounts of the canonical gospels to the likely course of Jesus' last few hours. The question remains of how the earliest Christians make sense of Jesus' death theologically.

It was seen earlier that there are good reasons to suppose that Jesus expected a violent death when he made his last fateful visit to Jerusalem. Not only had he seen what had happened to John the Baptist, but he knew the proverbial fate of the prophets (Luke/Q 6:23; 11:47–51; 13:34–51), and seems to have courted attention by his entry into the city and his actions in the temple. While the gospel passion predictions are unlikely to go back to Jesus himself (Mark 8:31; 9:31; 10:32–34), their general sentiment may be historical. If Jesus thought that his death was likely, it follows that he tried to make sense of it, no doubt through the rich resources of the Jewish scriptures. The figure of the righteous sufferer, found in the psalms of lament (e.g. Psalms 22; 38; 69) or Wis 2:12–20, 5:1–7, would have easily come to mind.

Perhaps he understood his impending death as an atoning sacrifice (Hengel 1981), but it is hard to understand why the earliest Christians then continued to worship at the temple (Matt 5:23–24; Acts 3:1). More likely, he understood his death in some way as a renewal of God's covenant sacrifice (Exod 24:8) or as establishing the covenant promised in Jer 31:31–34 (Dunn 2007). Yet the idea of Jesus' death as an atoning sacrifice goes back to a very early period: Paul is clearly drawing on an earlier formula in 1 Cor 15:3 when he declares that Christ 'died for our sins according to the scriptures', presumably an allusion to the sin offerings on the Day of Atonement. Elsewhere, Paul understands Jesus' death according to a range of other Jewish ideas: the paschal lamb (1 Cor 5:7); the Servant of the Lord (Phil 2:5–11); the Scapegoat or substitute for human sin (Rom 4:25; Gal 1.4; see also 1 Pet 2:24); and even the curse of Deut 21:23 (Gal 3:13).

For Mark, Jesus was the Suffering Messiah whose death established not only a (new) covenant with God (14:24) but also served as a ransom (Mark 14:45). This evangelist does not say exactly what Jesus' death ransoms followers from (perhaps all the powers that enslave), though Matthew is clear that it is for the forgiveness of sins (Matt 20:28; 26:28). The Barabbas episode in both gospels has echoes of the Scapegoat ritual, with Jesus dying in place of the other man. Luke, as seen above, stresses Jesus' innocence, presenting him as God's righteous son whose martyrdom leads people to repentance. Luke is the only evangelist explicitly to quote from Isaiah's fourth Suffering Servant song

(Isa 52:13–53:12; Luke 22:37), though undoubtedly the passage exerted a great deal of influence on much early Christian thinking around Jesus' end. For John, Jesus is the Good Shepherd who freely lays down his life on behalf of the sheep (John 10:1–18) and whose death takes place at exactly the same time as the Passover lambs (John 19:14; see also Heb 9:11–28). At the same time, this evangelist sees Jesus' death as his exaltation, a key part of his glorious return to the Father.

All of these were attempts to come to terms with Jesus' violent death and to make sense of it against the history of Israel. The regular commemoration of the Eucharist, with its recitation of events associated with Jesus' last few hours, provided the perfect opportunity to articulate and develop these ideas.

Attributions

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