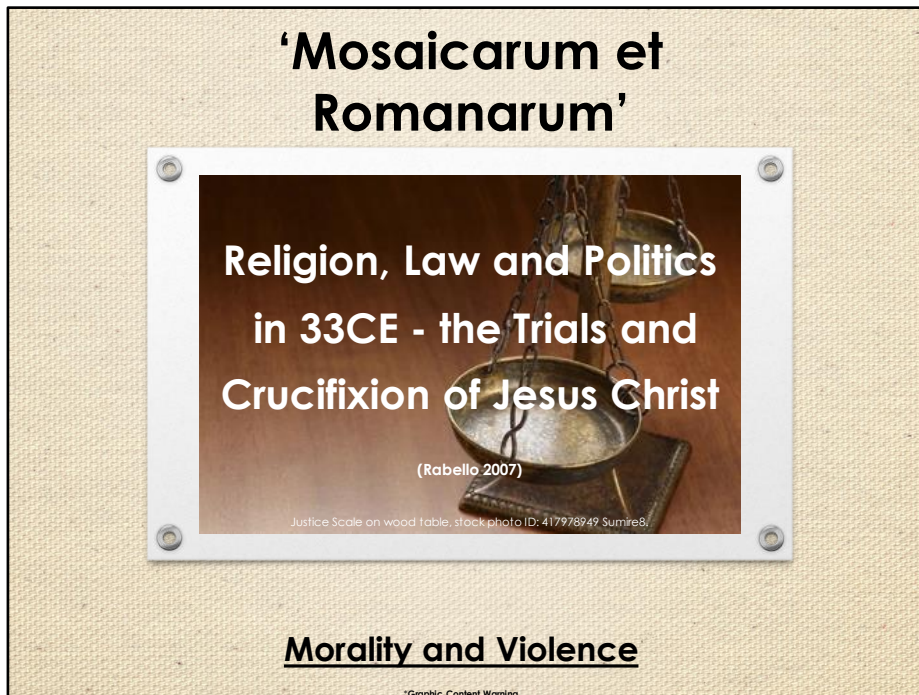




The trials and crucifixion of Christ provide the perfect basis for discussion of the themes of morality and violence. The Roman-Jewish world of 33CE forms the backdrop for significant events in human history. Not only do the four Gospels of the New Testament provide evidence, but secular witnesses, or witnesses one step removed. 1st-century Jewish philosopher Philo, Roman historian Tacitus, and Jewish historian Josephus were observers and recorders of Roman Jewish law, politics, and religion. R.P. Booth asserts that in 'Jewish culture...law is the will of God and thus theology, and (in) Roman culture...law is the will of a human sovereign' (Booth, 2012).

'In antiquity nobody for a moment thought politics and religion were distinct, ...every political act is religious and every religious act is political.' (White et al., 2021). Life in 1st century Judea was brutal. Corrupt leaders lived in fear of losing status and wealth; anyone who got in their way was a legitimate target. However, beyond questionable morality and the unquestionable violence of actual events, the trials and crucifixion of Christ were not a 'one-off' tragedy perpetuated by barbarous men, but a savage example of a 'deeply ingrained pattern that humans developed as hunter-gatherers.' A 'combination of contextual factors, cultural systems and socio-political context,' aimed 'at maintaining a balance of power', were the forces at play (Eisner, 2011).



The festival of Passover is one of the most important holy days in the Jewish calendar. Not only does it celebrate the coming of spring and harvest, but more importantly, it commemorates Moses' historic delivery of the Jews from slavery in Egypt (Hebrew Bible, Exodus). Pilgrimage to the Temple in Jerusalem for the Passover feast was the once-in-a-lifetime goal of every Jew in the ancient world (White et al., 2021). In 33CE Pontius Pilate, under Rome, was Governor of Judea. His role was to maintain Roman authority, and therefore peace, in the province.

During this time of high tension in Jerusalem, there were Roman troops on the ground and informants within the Sanhedrin (the supreme council and tribunal of the Jews) (Booth, 2012). 'Roman leaders paid close attention to temple activity. Any threat to Roman power over the Temple - even symbolic - was dealt with harshly' (Linder, 2002). Pilate travelled to Jerusalem for the Passover festivities to oversee control of the crowds. Crowds he knew from experience could easily 'break out into open rebellion' (White et al., 2021).

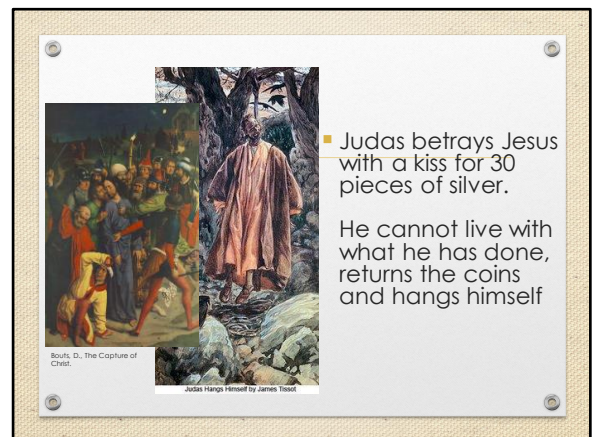
Political insurrection and agitation were the biggest fear of the Roman governor and were dealt with swiftly and harshly. Linder says that Josephus, writing in around 90CE, tells of an incident where approximately forty young men stormed the roof of the Temple to protest the erection of a golden eagle (a symbol of Roman control). These young men were arrested 'with considerable force'. 'Those observed on the Temple roof were burnt alive and others merely executed.' Pilate, under Rome, was free to govern as he pleased, and excessive cruelty was his *modus operandi* (Linder, 2002).

The High Priests were Jewish leaders appointed by Rome who operated within the structure of the Judean government. They 'juggled the religious interests of Jews and the political interests of Rome' (Linder 2002). It fell to these men to identify possible insurgents and report to the Roman governor. High Priests were not only bound by Roman law but also Mosaic law. The High Priests methods of governance were both morally and legally questionable during the trials of Jesus. Within the Jewish leadership, 'the Pharisees and the Sadducees followed different versions of theocratic law', and all operated subject to Roman intervention (Booth, 2012). The Gospel accounts of Jesus' trials before the Sanhedrin do not entirely agree, also the morality and legality of the proceedings are questionable. However, the Gospels do agree that the Sanhedrin were desperate to find a way of condemning Jesus for blasphemy (Linder, 2002).

All four Gospels set the scene for Jesus' arrest. Although the role of Judas Iscariot is a matter of historical debate, *someone* felt motivated to tell the Temple Guard Jesus' location (Linder, 2002). If the gospel accounts are a valid source for this episode, the question of Judas' motives presents itself. Why would he feel it necessary to betray his Master, Teacher, Lord? Firstly, disillusionment; it became clear that Jesus was not planning an uprising against Roman rule, nor was he the 'political-military Messiah' prophesied in the Hebrew Bible (Linder, 2002). A confrontational arrest might force Jesus' hand and lead him to declare that the military rebellion, prophesied in the Hebrew Bible, had begun (Linder, 2002). More simply, Judas could have been taken prisoner by the Temple Guard following Jesus' outspoken words in the Temple. Perhaps he was pressured by the guards to disclose the identity of the troublemaker. Whatever Judas' motivation, Josephus provides a retrospective account of events, confirming that although it was Pilate who sentenced Jesus to die, it was men he called 'the noblest of our citizens' who had enabled, and encouraged, Jesus' sentence. These 'noble citizens' were Jewish leaders, members of the Sanhedrin, to whom the Temple Guard reported (Booth, 2012; Linder, 2002).

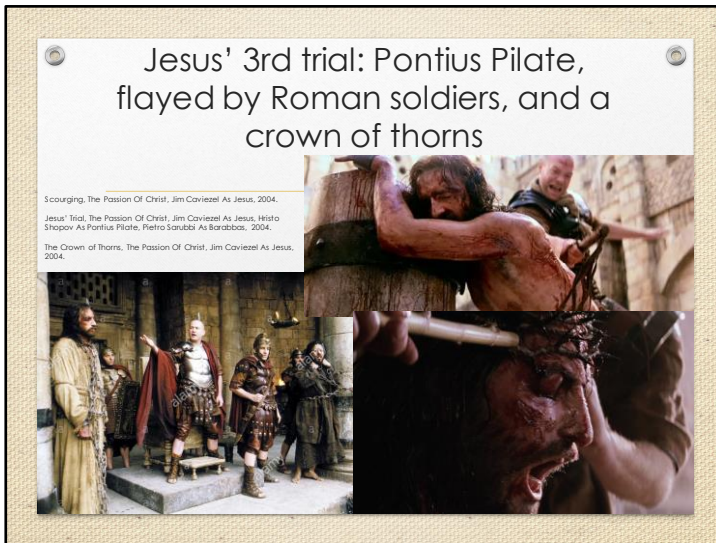
Judas' guilt at his betrayal of Christ provides an opportunity to compare his moral compass with that of the Jewish authorities. Prior to Jesus' arrest Judas had been one of Jesus' disciples. As such, he had accepted Jesus' command, and supported him. Once Judas had chosen to facilitate Jesus' arrest, and received payment, his conscience condemned him and he affected a volte-face. Yet, Judas could not retract his actions. He returned his payment and committed suicide.

The Jewish authorities were religious men, whose office was also political and legislative, within the Jewish community. These men believed the Hebrew Bible to be God's Word, and therefore his law. Paradoxically, there is no evidence of guilt, no volte-face, no postulation of their wrongdoing. The more Pontius Pilate attempted to find Jesus 'not guilty', the harder the Jewish authorities pressed for the death sentence. Suffice to say, morality is a culturally, politically, and situationally composed ideal, open not only to personal interpretation, but to bribery and fear.



Jesus' first and second trials before the Sanhedrin exemplify its moral stance (Mark 14:56). Not only did they deliberately flout Mosaic law, but they fabricated evidence, and used unnecessarily violent means to mock Jesus (Matt. 26:67-68). Retired High Priest 'Annas' methods were underhanded, his motives cloaked, his plotting sinister.' Annas' son in law, High Priest, and president of the Sanhedrin, 'Caiaphas...was in violation of established Jewish judicial practice.' 'Mistreatment of truth led eventually to mistreatment of person.' (Gilmore, 2001, pp. 20, 35, 49-50).

The accusation of blasphemy differs in meaning from the modern understanding. The Hebrew word-root translates as 'curses', or 'dishonours'. Jesus' claim 'to be the Christ or the Son of God far from being blasphemous was, amongst the Jews, laudable rather than indictable' (Booth, 2012). How then to bring about a sentence of death? Clearly the Sanhedrin made a moral choice as to how they would proceed.

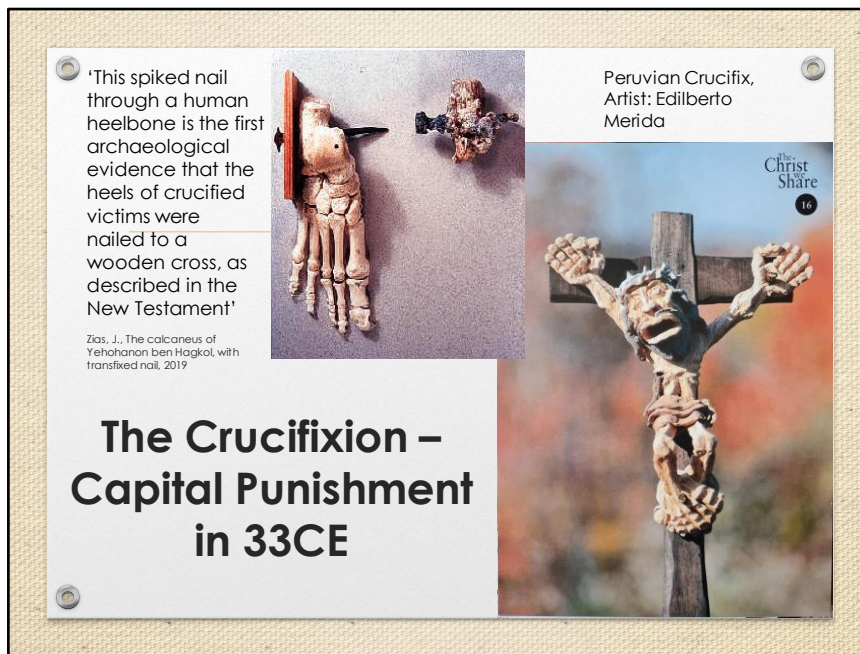


Claiming to be the Son of God did not constitute dishonour of God (Booth, 2012). Accordingly, Jesus had to have other charges levelled against him, and this is where the moral integrity of the proceedings breaks down. False witnesses testified against Jesus, witnesses sought by 'the chief priests and the entire council...trying to obtain testimony against Jesus to put him to death...' (Mark 14:55-56). Jesus' metaphorical 'I will destroy this temple...and in three days I will build another...' (Mark 14:58), attested to by more than one witness, was all the authorities needed to present Jesus to Pilate. They had found Jesus guilty of blasphemy, but threatening to destroy the temple was a capital offence under Roman law.

'Pontius Pilate was *praefactus* from A.D. 26 to 36 and was hated by the Jews because of his disregard for their customs and privileges' (Booth, 2012). Pilate had a brutal reputation, not only for violence, but for racism against Jews (Gilmore, 2001, p. 61; Blinzler, 1959, p. 208). He openly disliked them, yet, when faced with Jesus, he declared 'three times that the charges against Jesus were groundless' (John 18:38b; 19:4,6). Pilate appears to have had a moment of moral indignation, soon quashed. '...self-trust and seasoned bigotry would prevail, which not even conscience could mollify, overcome or expel.' (Gilmore, 2001, p. 70). True to his nature Pilate, incited by the Jewish authorities, and the crowds of fervent festival-goers, passed Jesus over to Tetrarch Herod Antipas.

Herod Antipas was a Jew working for Rome. His interest in Jesus was purely voyeuristic. As the man who on the whim of his niece, was responsible for the beheading of John The Baptist, it is small wonder that he was interested in John's cousin, Jesus. Between Pilate, Herod, and the Roman soldiers, Jesus was mocked, spat upon, stripped, flayed, dressed in kingly robes, and crowned with a wreath of thorns. Acknowledged by scholars, the usual course of punishment was flogging to a point just short of death, thus appeasing both Jewish authorities and crowds. This would be followed by the prisoner's release (Gilmore, 2001, p. 100-101). However, based upon Pilate's quick temper and violent reputation, it is unlikely that his thoughts went in that direction. Customarily, the Passover festival was a time when Pilate would release one prisoner. Barabbas, variously described as a 'notorious prisoner' (Matthew 27:16), implicated in involvement with 'rebels who had committed murder during the insurrection' (Mark 15:7), and a 'bandit' (John 18:40); was released in preference to Jesus, the travelling teacher who preached forgiveness of sins.

To the modern mind the immorality of the situation is undeniable. However, Booth provides an alternative perspective. He explains that 'the historicity of the Gospel evidence is supported by evidence of Roman law.' Pilate was not obligated to pronounce a verdict of guilty or not guilty, he simply '(followed) procedure, ordered Jesus to be scourged and delivered him to be crucified.' (Booth, 2012).



Crucifixion was undeniably violent, gruesome, and barbaric. Nevertheless, perspective can be provided by examining relevant facts. Under Roman law, Jesus had committed the crime of sedition. His prophetic words in the temple were political subversion in the minds of the Romans (White et al., 2021). Any threat to the power of Rome was punished immediately by crucifixion. Such a public warning was the most explicit deterrent of the era.

Crucifixion was a Roman punishment reserved for slaves, subversives, and anyone considered 'beneath the dignity of Roman citizenship.' (White et al., 2021). If the Jewish authorities had been able to convict him of blasphemy, stoning would have followed. Why Jesus was not stoned to death is twofold. Firstly timing; the Jews did not have the time, or inclination, so close to the cleansing rituals and feasts of Passover. Secondly, they knew he could not be found guilty of blasphemy under Mosaic law. Perhaps they metaphorically 'washed their hands' of him, knowing that by passing him over to the hot-headed Pilate, they literally (and perhaps morally) would not be responsible for Jesus' death.

The question of why there is so little archaeological evidence of crucifixion makes the practice all the more opaque. White provides clarity; not only the Gospel accounts, but Josephus, and many other ancient sources talk about it. Comparable in some respects to Tibetan sky burial, the remains hung in place, picked by vultures, and scavenged by dogs (Cook, 2011, p. 213). Alternatively, 4th century historian Eusebius reports that the bodies of martyrs, during the reign of Marcus Aurelias, 'were on public view for six days and then burned. Their ashes were then thrown into the Rhone River.' (Cook, 2011, p. 196). Whichever way, the result would be the same, scant archaeological evidence.

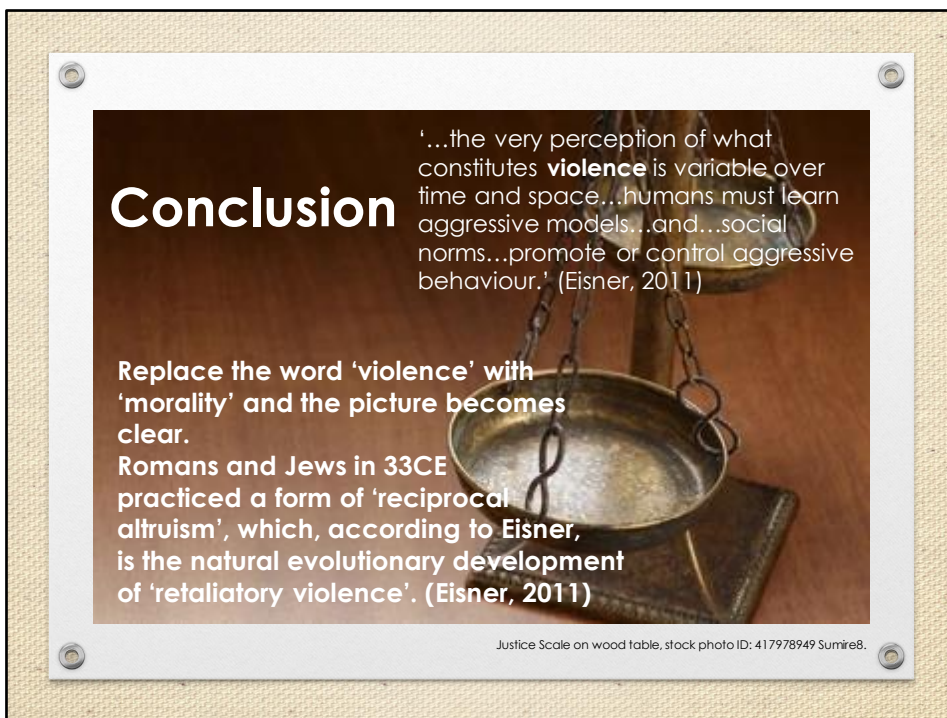
Cook, quoting J. D. Crossan, does not deny the historicity of Mark 15:43, that Joseph of Arimathea buried Jesus' body. A respected member of the Sanhedrin turned disciple, a moral exception. (Cook, 2011, p. 193).

Since 63BCE, under the direct rule of Rome, Jewish authorities had resorted to a form of justice that protected their status and wealth. It was fear of loss of control that necessitated their morally questionable arrest and trials of Jesus. The documented collaboration between the Sanhedrin and the Romans goes a long way to demonstrate the complexity of the relationship.

Similarly, Pontius Pilate lived, governed, and meted out punishment from a position of vulnerability. To effectively rule the region, he had to suppress smouldering Jewish anti-Roman sentiment. '...any challenge to Roman authority, and challenge to the peace of Rome would have been met with a swift and violent response.' Pilate had 'a terrible reputation...people would get hurt or killed when Pilate felt so moved.' (White et al., 2021). Not only did he have to work with the Jewish authorities, but he also had to govern effectively in the eyes of his superiors.

Booth's final comment epitomizes the moral, ethical and legal chaos of Jesus' trials and ultimate death sentence; 'The conflict of laws, jurisdictions and cultures...were tragically symbolised in the crucial superscription (attested by all Evangelists and conforming with Roman practice), "Jesus of Nazareth, King of the Jews" ...was written in Hebrew, in Latin and in Greek.' (Booth, 2012).

In his study of Trivers' (1971) work on The Evolution of Reciprocal Altruism, Eisner advances his theory. 'Altruistic behaviour will develop as rational...if there is a good chance (of reciprocation)' (Eisner, 2011). Based on this model, Trivers promotes several possible outcomes, the most important in this context being that of 'moralistic aggression'. The turbulent religious and political atmosphere of Judea in 33CE was ripe for the evolution of these natural behaviours, rooted in prehistory.



Conclusion

'...the very perception of what constitutes **violence** is variable over time and space...humans must learn aggressive models...and...social norms...promote or control aggressive behaviour.' (Eisner, 2011)

Replace the word 'violence' with 'morality' and the picture becomes clear.

Romans and Jews in 33CE practiced a form of 'reciprocal altruism', which, according to Eisner, is the natural evolutionary development of 'retaliatory violence'. (Eisner, 2011)

Justice Scale on wood table, stock photo ID: 417978949 Sumire8.

Bibliography Pictures

- Bouts, D., The Capture of Christ. https://kutkin2015.files.wordpress.com/2015/06/dieric_bouts [Accessed 22 July 2021]
- Justice Scale on wood table, stock photo ID: 417978949 Sumire8. <https://www.shutterstock.com/image-photo/justice-scale-on-wood-table-417978949> [Accessed 22 July 2021]
- Peruvian Crucifix, Artist: Edilberto Merida, Courtesy of the Marykno; Missioners, 1999, ed. McConnell, A. The Christ We Share: Theological background and notes on images, published by CMS, USPG, Methodist Church
- Radovan, Z., Pilgrims At The Western Wall During The Passover Pilgrimage. <http://biblelandpictures.com/product/2080-3-passover-pilgrimage/> [Accessed 23 July 2021]
- Scourging & The Crown of Thorns. The Passion of Christ, Jim Caviezel As Jesus, 2004. <https://projectedrealities.wordpress.com/2014/04/21/nsfw-graphic-imagery-warning-movie-review-the-passion-of-the-christ/> [Accessed 20 July 2021]
- The Passion Of Christ, Jim Caviezel As Jesus, Hristo Shopov As Pontius Pilate, Pietro Sarubbi As Barabbas, 2004, Image Id: K3hwtp. <https://www.alamy.com/the-passion-of-christ-jim-caviezel-as-jesus-hristo-shopov-as-pontius-image157130758.html> [Accessed 20 July 2021]
- Tissot, J., Judas Hangs Himself. <https://archive.org/details/brooklynmuseum-o4566-judas-hangs-himself-judas-se-pend> [Accessed 22 July 2021]
- Western Wall of Temple. <https://free.messianicbible.com/feature/end-time-prophecy-why-is-the-third-temple-so-important/> https://kutkin2015.files.wordpress.com/2015/06/dieric_bouts [Accessed 22 July 2021]
- Zias, J., The calcaneus of Yehohanan ben Hagkol, with transfixing nail, 2019. <https://www.forbes.com/sites/kristinakillgrove/2019/12/23/heel-bone-from-italy-is-only-second-example-of-crucifixion-ever-found/?sh=68a67f58129a> [Accessed 20 July 2021]

Bibliography

- Blinzler, J., *The Trial of Jesus*, 2nd rev. ed., translated by McHugh, F. & I., (Westminster, Maryland: The Newman Press, 1959) p.83. [Accessed via Gilmore, 2001]
- Booth, R. P., "We have a law ...": *The Trials of Jesus of Nazareth*, *The Denning Law Journal*, 6, 1-21 (2012) https://pdfs.semanticscholar.org/7c3c/6b9100fc66a6dd4478de94dde9143b334d1f.pdf?_ga=2.241227906.1859008877.1613730279-72523175.1613730279 [Accessed 19/02]
- Britannica, T. Editors of Encyclopaedia (2020) *Sanhedrin*. Encyclopædia Britannica. <https://www.britannica.com/topic/sanhedrin> [accessed 29/07/2021]
- Brodrick, M., *Christ, Jesus of Nazareth, The Trial and Crucifixion*. The Academy, London (1908) [online] 75 (1892), pp.127-128. <https://www.proquest.com/docview/1298670266/D57BF28F8DE64201PQ/3> [Accessed 19 February 2021]
- Cook, J. G., *Crucifixion and Burial*. New Testament Studies, 57(2), pp. 193-213. (Cambridge University Press, 2011) doi: 10.1017/S0028688510000214 [Accessed 19 February 2021]
- Eisner, M., *Human Evolution, History and Violence: An Introduction*, *The British Journal of Criminology* (2011) Vol. 51, Issue 3, p. 473-478. <https://doi.org/10.1093/bjc/azr028> [Accessed 05 February 2021]
- Gee, A., *Crucifixion from ancient Rome to modern Syria*, BBC News Magazine (2014) www.bbc.co.uk/news/magazine-27245852 [Accessed 31/07/2021]
- Gilmore, J., *The Trials of Christ: The Moral Failures of those Who Judged Jesus*. (Ross-shire, UK, Christian Focus Publications 2001)
- Linder, D., *Trials of Jesus: An Account* (2002) <http://law2.umkc.edu/faculty/projects/fttials/jesus/jesusaccount.html> [Accessed 19 February 2021]
- Rabello, A. M., 'Collatio Legum Mosaicarum et Romanarum' in Berenbaum, M. and Skolnik, F., eds., *Encyclopaedia Judaica*, 2nd ed., vol. 5, (Detroit, MI: Macmillan Reference USA, 57 2007) <https://link.gale.com/apps/doc/CX2587504519/GVRL?u=walamp&sid=bookmark-GVRL&xid=8c245487> [Accessed 23 Jul 2021]
- Trivers, R. L., "The Evolution of Reciprocal Altruism", *Quarterly Review of Biology*, 46:35 (1971) [Accessed via Eisner, 2011]
- White, L., Callahan, A., Cohen, S., Crossan, J. and Fredriksen, P., *Jesus Many Faces - Arrest And Execution, Jesus To Christ*, (FRONTLINE, PBS. 2021) <https://www.pbs.org/wgbh/pages/frontline/shows/religion/jesus/arrest.html> [Accessed 19 July 2021]
- (Please note: Where there are no page numbers in the in-text citations, there are no page numbers on the documents themselves)