

A COMMENTARY
on the
GOSPEL OF MATTHEW

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Excursus: The Sanhedrin and the Sword

The local aristocracy would prepare the charges and suggest action, but Pilate had to pronounce sentence. The governor held the power of life and death in a province (Jos. *War* 2.117; cf. b. Shab. 108a). Some scholars think that the Sanhedrin could execute capital sentences (Winter 1961: 10-15; Smallwood 1976: 150), but this does not fit what we know of the way the Romans administered their provinces. Acts 23:1-10 constitutes a preliminary inquiry to formulate a charge (22:30; 23:28-29), *not* evidence for capital authority (pace Winter 1961: 75-90), even though profanation of the temple (cf. 21:28-29) was the one charge for which the Romans permitted local executions (cf. O'Rourke 1971: 174; Sanders 1992: 61).¹⁶⁸

Some rabbinic tradition traces the loss of Jewish courts' capital authority to a.d. 70 (Sifre Deut. 154.1; b. Sanh. 37b), other tradition to no later than a.d. 30 (p. Sanh. 1:1, §3; 7:2, §3; Sifrai 1974/76: 398 also cites b. Shab. 15a; 'Abod. Zar. 8b; cf. Abrahams 1917:73). Although Josephus does not report any precedents unfavorable toward Jewish autonomy, this loss of sovereignty (for so it would be viewed — Ep. Jer. 14) must have begun much earlier. Although Rome delegated the right of the sword to Herod and other client rulers,¹⁶⁹ it withheld that right from municipal aristocracies who could employ it against citizens loyal to Rome. Although councils of subject territories could pronounce a death sentence, they had to bring their sentence before the governor for ratification (Blinzler 1959: 164-68; Ramsay 1897: 293). Most scholars thus currently recognize that the Sanhedrin had no capital authority in this period (Jos. *Ant.* 20.200; Benoit 1973: 1:135; Lane 1974a: 530; Stewart 1975; Sanders 1990: 17; F. F. Bruce 1980b: 12-13). As Roman legal scholar Shewin-White notes (1978: 36; see more fully 32-43),

When we find that capital power was the most jealously guarded of all the attributes of government, not even entrusted to the principal assistants of the governors, and specifically withdrawn, in the instance of Cyrene, from the competence of local courts, it becomes very questionable indeed for the Sanhedrin.

The Sanhedrin could sentence offenders and recommend them for execution, but apart from violating the temple few Jewish religious charges would receive an auto-

¹⁶⁸ An intermediate position is that Romans rarely delegated capital authority, but that the Roman governors were authorized to do so (O'Rourke 1971: 174-75); but whatever governors of some provinces may have wished to do, it is inconceivable that Pilate would have shared his authority with the Sanhedrin. Brown 1994: 339 correctly observes that executions required ratification by the Sanhedrin in Jos. *Ant.* 14.167, while this datum is undoubtedly relevant, we should note that it describes the time of Herod the Great, not direct Roman rule.

¹⁶⁹ Theissen 1991: 189-93 thinks that the Passion Narrative presupposes that the Sanhedrin had capital authority, and thus reads its own milieu's circumstances of a.d. 41-44, under Agrippa I, into the narrative. This proposal falters on two counts: First, the logic of the Passion Narrative actually presupposes that the Sanhedrin lacks capital authority; why else would they hand Jesus over to Pilate? Second, Agrippa I was a client king who would hold capital authority — but he was not the Sanhedrin. Besides, Johannine tradition preserves the Sanhedrin's lack of capital authority in the last decade of the first century (Jn 18:31-32).

matic capital sentence from the Romans (e.g., the case of Jesus ben Ananias; Brown 1994: 363-72).

As in normal judicial procedure (e.g., Char. *Chaeer* 5.4.9; Apul. *Metam.* 10.7; t. Sanh. 6:3),¹⁷⁰ the accusers speak first (27:11-13). Pilate's initial interrogation of Jesus clarifies the charge the Sanhedrin has brought to Pilate: Jesus claims to be a king, which Rome, like the priestly aristocracy, would understand in revolutionary terms (27:11). Whatever the possible religious motivations behind the charge, the charge against Jesus is political: by claiming to be a king, Jesus implied a worldly kingdom that would challenge Rome (e.g., F. F. Bruce 1972b: 199). The political charge in Luke 23:2 accurately summarizes the gist of the charge in Mark and Matthew: Jesus was a revolutionary (Schneider 1984; cf. similarly the Johannine charges — Robinson 1984). This is easily the charge of *lese majesty* (Blinzler 1959: 213, citing *Dig.* 48.4.1, 3-4; cf. Bammel 1984b: 357), for which the normal punishment in the provinces was crucifixion (Blinzler 1959: 238). Because Pilate had authority to conduct his inquiry without a jury or dependence even on the Roman *ordo*, the hearing was merely a *cognitio* to determine the facts and inform his decision (F. F. Bruce 1980b: 13; Ferguson 1987: 50). Jesus' only answer (27:11; cf. 26:25, 64) in the context affirms the charge (Wrede 1971: 47).

Pilate preferred political expediency to justice, but the political leaders of Jesus' own people appear even guiltier. The narrative portrays those who brought the charge as quite insistent that Jesus be executed, and this behavior is hardly surprising given the situation portrayed. What is instead striking is Pilate's reticence to pronounce sentence: if no Roman citizens were involved, one would expect most governors to act quickly at the local aristocracy's request (cf. Harvey 1982: 17; Sanders 1993: 274; for an impoverished provincial condemned to death without trial, cf., e.g., Apul. *Metam.* 9.42). The Gospels show that Pilate did indeed act quickly, but they also report his reluctance to do so.

Thus some scholars question whether the Pilate of the Gospels is "in character" with the Pilate known to us from other sources (Winter 1961: 54-55, 60; Borg 1987: 179). Pilate executed people without trial, and excessive use of capital punishment ultimately cost him his office (Philo *Leg. Gal.* 302; Jos. *Ant.* 18.88-89; Sanders 1993: 274).¹⁷¹ From what Philo and especially Josephus show us of Pilate's character, any reticence to accept the local leaders' recommendation would be more out of spite for them than concern for justice (cf. Benoit 1973/74: 1:141-42).

¹⁷⁰ Later rabbinic rules allowed the defendant to speak first in a capital case (t. Sanh. 7:2), but even if some Jewish teachers held this view in Jesus' day, Pilate would have operated under Roman procedure.

¹⁷¹ On governors being tried for abusing power, especially executing innocent people (particularly Roman citizens), see Pliny *Ep.* 2.11, in Jones 1970: 192-95.

Yet this reticence need not be unhistorical. As corrupt as the later governor Albinus was, he dismissed Jesus ben Hananiah from further punishment (after a scourging reportedly bared his bones) once he took him to be insane, hence harmless (Jos. *War* 6.305). Philo and especially Josephus are ill disposed to report good of Pilate (cf. Brown 1994: 697; Krieger 1995; Thatcher 1995); they seem to have felt that the unrest in Judea was better blamed on deceased prefects like Pilate (once supported by the corrupt Sejanus, still despised, e.g., in *Juv. Sat.* 10.66, 76, 89-90, 104; Phaedrus 3, prol., 41-44; cf. also Brown 1994: 694 on Philo *Flacc.* 1; *Leg. Gai.* 160-61) than left with the Judeans themselves. Even as governor, Pilate seems to have been quite unpopular (cf. rumors circulating in Lk 13:1 and Bailey 1980: 75).¹⁷²

Still, the narratives go to great lengths to emphasize that Pilate cooperated with Jesus' execution against his own preference, and this emphasis is understandable for apologetic reasons. Minority sects often validate themselves through reports of praises by those respected among their oppressors; those writing in socially delicate situations must also show proper deference to officials. Thus, for example, Josephus repeatedly excuses Roman rulers' motives; for instance, Titus wished to spare the temple, but some soldiers failed to cooperate (*War* 6.254, 258, 260-66), or Tius allowed his soldiers to torture Jews only for good reason (*War* 5.449-51). The Epistle of Aristes likewise defends the Ptolemaic ruler's motives against the Jews (Ep. Arist. 14), and Josephus claims that Ptolemy Philadelphus praised Jewish law (*Aption* 2.45-47). In the same manner, early Christians commending themselves to an audience in the broader Roman world might wish to exonerate the Roman prefect (cf. Sanders 1985: 298; Cohn 1977: 326-27) or even cite in their own defense Roman officials' reticence to condemn them (e.g., Acts 13:12; 18:14-15). Matthew probably writes for a largely Jewish-Christian rather than Gentile audience, but nevertheless has ample reason to emphasize the guilt of Jewish rather than Roman leaders whom he views as predecessors of his own community's opponents. Matthew may use historical tradition yet emphasize what best fits his purposes.

Historically, Pilate may have had good reason for political concern if he erred in judgment. Philo notes Pilate's patron, Sejanus, for his anti-Jewishness (Philo *Flacc.* 1). If Sejanus was executed on October 19, A.D. 31 (Stauffer 1960: 132; Lane 1974a: 556-57n.34; cf. Sherk 1988: 75-77, §40), some premonitions of his impending weakness might have been felt a year and a half earlier at the more likely time of Jesus' trial near Passover of A.D. 30. (Some, e.g., Jewett 1979: 29, prefer a trial in A.D. 33, but it seems more problematic on other grounds.) Such premonitions are admittedly at best a guess rather than a direct inference from our sources, which, unanimously hostile to Sejanus, suggest that most of those who disagreed with him in Rome would have been more circum-spect than to *say* so. More clearly Pilate, like most provincial officials (see

Reicke 1974: 138, 175), was probably politically ambitious and hence could ill-afford bad reports about himself (cf. Malina 1993: 115-16). In contrast to many of his peers in office, Pilate was only an equestrian, and that left him especially vulnerable apart from Sejanus's patronage (on that order, see Jones 1970: 134-40). More to the point, Pilate had incurred the hatred of the Jewish people (e.g., Jos. *War* 2.169-77; *Ant.* 18.55-62), and on some other occasions he had backed down to pacify them (Philo *Leg. Gai.* 301-2; Jos. *War* 2.171-74; *Ant.* 18.59). Thus Pilate was not only cruel but, like many bullies, fearful of exposure to those in authority over him (Winter 1961: 53-54).

If anything, this situation would probably require Pilate in time to become more rather than less cooperative with the more powerful of his subjects (cf. Jn 19:12-13); failure to prosecute a potential revolutionary, accused by the leaders of his own people, could lay Pilate himself open to the charge of *maiestas* (Blinzler 1959: 236; Smallwood 1972: 169). Even the suspicion of treason could be fatal under Tiberius, and despite Sejanus's patronage he likely would not risk it.¹⁷³ Further, although Jesus may have proved politically innocuous (Cullmann 1956b: 46-47), cooperation with the local aristocracy would be more advantageous politically; that he survived as governor until A.D. 36, long after his patron's demise, suggests that he had belatedly acquired some political savvy.¹⁷⁴ Pilate's wife's dream (27:19) thus makes some sense of the hesitation depicted in the four Gospels,¹⁷⁵ although we should note that divine intervention by dreams is a specifically Matthean technique (1:20; 2:12, 13, 19, 22; cf. Soares Prabhu 1976: 167),¹⁷⁶ and Pilate's wife may become another prototype of Gentile sympathizers (2:2, 11; 8:10-11; 15:28; Gundry 1982: 562; Brown 1994: 806). In any case, the hearing before Pilate is brief, and the execution swift (a few hours later).

Fortified through Gethsemane, Jesus now faces death heroically for his people. The hearing was swift not only because Pilate was unconcerned with justice, but because Jesus refused to defend himself, probably in submission to his Fa-

173. Tiberius reportedly viewed even negative remarks as *maiestas* (e.g., Dio Cassius *R.H.* 57.9.2; 57.19.1; 57.23.1-2; cf. Caligula — 59.11.6), leading to many false accusations (57.4.5-6); some later emperors also suffered paranoia (Herodian 1.13.7). Among Romans treason was the greatest crime (Dion. Hal. 8.80.1; see comment on 26:15 regarding traitors).

174. Reasons for this dismissal in A.D. 36 are debated; Krieger 1992b rejects Josephus's explanation.

175. In Roman tradition ideal matrons were unobtrusive, but many privately influenced their husbands to appropriate public action, often more effectively than Pilate's wife here (Stambaugh and Batch 1986: 111; cf. negatively P. Sukk. 5.1. §7). After Augustus (cf. Suet. *Aug.* 24) Roman governors could take wives with them (cf. Tac. *Ann.* 1.40: 2.54-55; 3.33-34; contrast Severus in Herodian 3.2.5), and many prominent women were interested in Judaism (Jos. *War* 2.560; *Ant.* 20.195; cf. Acts of Pilate 2.1; *CJL* 1.384, §523; Blinzler 1959: 217; Brown 1994: 804; Leon 1960: 256). Jewish people also told stories of women who influenced powerful relatives not to punish God's people (Tractate 1987: 428 cites b. Ta'an. 24b). On dreams, see excursus on Mt 1:20.

176. Elsewhere in early Christianity, cf. Acts 2:17, but Luke's narrative emphasizes the more dramatic "visions" (e.g., Acts 7.55; 9.3-4; 10.3, 10; 18.9; 22.6-7; 17-18; 26.19; cf. Acts 27.23; 2 Cor 12.1).

ther's plan, though this did not reduce the perpetrators' responsibility (18:7; 26:24; Acts 2:23; 4:27-28; cf. Esth 4:14; Is 10:5-19). According to Roman law, a defendant who refused to make a defense had to be assumed guilty (Lane 1974a: 551; cf. Applan *R.H.* 11.7.41); Roman officials typically offered "a defendant three opportunities to respond before convicting by default" (France 1985: 389, following Sherwin-White 1978: 25-26), and Pilate offers Jesus at least two here (27:13). It is no wonder, therefore, that Pilate is amazed by the silence (27:14), an amazement that characterizes some other pagans in Jewish martyr stories (4 Macc 17:16) — and may suggest that Matthew links Jesus' opponents with the enemies of his people. From a literary perspective, Matthew can underline Jesus' heroism: such as-tonishment of judges characterizes Jewish accounts of defiant martyrs who — in contrast to their judges — value God's kingdom more than their lives (Shanton 1974: 36); others also praised courage in the face of death (e.g., Plut. *Sayings of Spartans*, Anon. 35, *Mor.* 234AB).¹⁷⁷ Matthew's audience might also recall that Jesus had used silence to express initial disdain for another Gentile (15:23, with slightly different wording; cf. Lk 23:9-10).

Pilate could not evade responsibility by passing it off on someone else. Pilate's only way to avoid the situation is to put forward Jesus as the one to be freed at the paschal amnesty. With others (e.g., Cohn 1977: 166), Brown 1994: 814-19 doubts the adequacy of any of the proposed analogies, hence (819) the custom itself, though it is multiply attested in the Gospels (793-95).¹⁷⁸ Although current evidence is insufficient to prove that the custom existed, denying its existence argues from silence (in a narrative that can be confirmed at many other points), and, if we weigh the burden of proof in favor of the Gospels' usual authenticity (see the Introduction), various factors support the likelihood of the custom. Like *mos* customs of the Roman administration in Palestine, this one is currently unattested, but parallels from other Roman administrations and the Gospel writers' assumption that their audiences were familiar with this practice in the Gospel tradition support it. Later Roman law dictated that judges should not ignore laws, decrees, or custom (*legibus . . . constitutionibus . . . moribus* — Justin, *Instit.* 4.17). Nevertheless, Roman provincial officials were not bound by "precedents of their predecessors or local customs" (Ferguson 1987: 50);¹⁷⁹ thus Pilate's offer of amnesty (27:15) might be a custom Pilate himself initiated, though it is more likely an earlier one he merely de-

177. For ancient literary portrayals of heroism, see comment on 16:21. Cohn 1977: 328-29 thinks that Jesus was innocent but pleaded guilty, perhaps to earn martyrdom and fulfill his prophecies. Some church fathers compared Jesus' silence to that of an innocent lamb (Gregory Nazianzen *Oratio* 29, *On the Son* 20; Augustine *Tractates on John* 116:4; *ACCS*, 222-23; cf. Is 53:7).

178. Theissen 1991: 196 links this story with the Caligula crisis, when he thinks more of the populace would have sided with the "bandits" than with Christians (citing Tac. *Ann.* 12.54.1; Jos. *Ant.* 20.5, 97, 102); but this is hardly the only period in the first century in which that would be the case, and the point here, less popular than Barabbas to those prone to revolution (22:21) and, probably more to 2:2) and Tertullian (*Apol.* 21:24; cf. 5:2), which may depend on an earlier Christian forgery that the Christians assumed to be accurate (probably as in Justin *I Apol.* 35, 48, pace Stauffer 1960: 145-46).

cided to continue (in 18:39).¹⁸⁰ His offer may suggest that he thought himself indulgent on special occasions; his otherwise brutal disposition, however, colors all the other brief Jewish reports of his activity that remain extant. Romans sometimes deferred to local custom in forgiving an offense (e.g., Plut. *R.Q.* 83, *Mor.* 283F); they also sometimes performed mass amnesties on local feasts (Livy 5.13.8; Blinzler 1959: 206), a custom known in various other ancient Near Eastern and Mediterranean cultures (Merritt 1985). Sometimes they also released captives due to the people's demands.¹⁸¹ Roman law permitted two kinds of amnesty: *abolitio* (acquitting a prisoner before trial — *Codex* 9.42; *De Abolitionibus*; *Dig.* 48.16) and *indulgentia* (pardoning a convicted criminal — *Codex* 9.43.3; Blinzler 1959: 207-8). Since Pilate had not yet pronounced sentence against Jesus (27:26), an *abolitio* allowed him to circumvent the whole matter placed before him.

Why would Pilate have sought to release Jesus? Possibly because it was safer to release Jesus, the "so-called Christ" (27:17, 22), than alternatives like Barabbas, who, like those ultimately executed with Jesus, was a "robber" (27:38, 44; Mk 15:7).¹⁸² The aristocracy's despotic title (shared by Josephus) for insurgents, Pilate probably saw Jesus in the terms suggested in John 18:36-38: as the sort of relatively harmless wandering philosopher-king known to him from Greco-Roman tradition (see Keener 1993: 309; Epict. *Disc.* 3.22.49; Plut. *Platiter/Friend* 16, *Mor.* 58E).¹⁸³ Roman officials were generally not inclined to ex-

180. Pilate could have abolished a preexisting custom, but given previous conflicts with the people (e.g., Jos. *War* 2.174, 177) and the dangers of popular unrest at festivals (e.g., Jos. *War* 2.224) he probably would not have done so (though its lack of attestation in Josephus may suggest that someone eventually abolished the custom). Politically prudent rulers in the east presumably often continued festival traditions begun by their predecessors (e.g., Diocl. *Sic.* 17.1.63).

181. P. Florentinus 61.59ff., in Deissmann 1978: 269; Blinzler 1959: 207; Lane 1974a: 553; also Livy 8.35.1-9; the later practice of pardoning criminals at Easter (*Cod. Theod.* 9.38.3-4, 8), however, is probably dependent on the Gospels (Cohn 1977: 167). Blinzler 1959: 207, 218-21 argues for the custom of a paschal release of a prisoner in m. Pesah. 8:6 (following Chavel's 1941 article; cf. also Schnackenburg 1982: 3.252); but see Bammel 1984c: 427, who argues more persuasively that the text merely indicates the special Jewish desire to free prisoners at this time. Because we have little evidence for the customs of the period and because Roman governors were not required to continue previous customs (Ferguson 1987: 50), hence probably abolishing this one in time), it is not surprising that we have little direct evidence for the practice. Governors might also release prisoners in according to terrorist demands (Jos. *Ant.* 20.208-10). Ancient Mediterranean officials could even proclaim selective mass amnesties if they wished (P. *Tehr.* 5.1-13, 118 B.C.).

182. Matthew or a later scribal tradition may heighten the contrast by including Barabbas's real name ("Barabbas" is Aramaic for "son of the father"), "Jesus" (a common Jewish name in the period — Acts 13:6; Col 4:11; Jos. *Ant.* 6.129; 12.239; 20.234; *Lyle* 66-67, 134; Ep. Arist. 49; R. Joshua in Tannaitic texts; etc.); so Meier 1980: 341; Gundry 1982: 561. The reading's difficulty may favor its authenticity (see Metzger 1971: 67-68), though the best texts omit it and geographical distribution seems slightly against it; the matter is not easily decided.

183. Philosophers considered themselves most fit to rule (e.g., Quint. 2.17.28; *Dioe.* Laert. 7.1.122; cf. CD 6.6; ARN 44, §124B; Gen. Rab. 93:2; Deut. Rab. 2.33), and many philosophers and moralists writing on the *topos* of kingship emphasized the ruler's need for wisdom (e.g., Plato *Rep.* 5.472; Isoc. *To Nicocles* 10-11, 29; *Or.* 2; Plut. *Sayings of Romans*, Cato the Elder 8, *Mor.* 198F; cf. Prov 8:15; the Epistle of Aristes's symposium section; Sife Deut. 161.2.1).

ecute (hence, perhaps, make martyrs of) those they saw as harmless fools (cf. Jos. War 6.305). By contrast, the Jerusalem aristocrats appear more sensitive to the sort of political threat a populist leader like Jesus might actually pose to their power base.

Jesus' contemporaries shared the guilt of his execution (cf. 23:30-36). Perhaps because the high priests have reported Jesus' popular appeal along with the charge, Pilate gambles that the people will prefer Jesus to Barabbas; if so, his hope is disappointed. Although Jesus' following may have been large, the high priests represented the temple system respected by most local and foreign Jews, and they could more easily inflame a general mob in their favor, by mob pressure silencing any of Jesus' core supporters who might be present. Ancient literature is replete with examples of masses being easily swayed by leaders (e.g., many who voted for Aristides' banishment allegedly did not know the charge, Corn. Nep. 3 [Aristides], 1.4), including by these priests (Jos. War 2.237-38, 316-17, 321-25; cf. 2.406), and being fickle in the populist favor they bestowed on various figures (Tac. Ann. 2.41; Hist. 1.32, 45; 3.85; Ps-Phocyl. 95-96; Philo Embassy to Gaius 120; Jos. Life 87, 97, 143-44, 313-17, 333; Livy 31.34.3; Lucan C.W. 3.52-58; Corn. Nep. 10 [Dion], 10.2, 13 [Timotheus], 4.1; 1 Sam 18:16; 25:10; 2 Sam 5:2; 15:6).¹⁸⁴ Further, the outdoor hearing at Pilate's bema (Jn 19:13; Jos. War 2.175-76, 301, 308; cf. Acts 18:12; 2 Cor 5:10)¹⁸⁵ undoubtedly took place at Herod the Great's old palace (Wilkinson 1978: 140; Gnika 1997: 309; Jos. War 2.301); although still in the Upper City dominated by the priestly aristocracy, it was some distance from the temple, where Jesus' popular following had been growing and where most Galileans would be found, and perhaps earlier than most of Jesus' supporters would have returned to the temple area anyway after a late night Passover.

On a literary and theological level, Pilate may be offering that particular generation of Israel the "two ways," one of life and the other of death (7:13-14; cf. Deut 30:15-19). Nevertheless, the apparent inconsistency between the crowds that favored Jesus and those who opposed him may have less to do with the Gospel writers adjusting the traditions (cf. Sandmel 1978a: 39) than with their failure to explain the diversity of crowds in their traditions more thoroughly (including diversity based on locales, above). Although this lack of differentiation seems prejudicial to modern readers, understanding a literary device may increase our familiarity with their technique: ancient writers, especially those influenced by the

184. Cf. also references in Meeks 1986: 57; Epicurus Fr. 43; Themistius *Oration* 26; *Vatican Syriac* 58; Ex 4:30-31; 5:21-23; fickleness was negative (Sall. Jug. 56.5). The ruling class usually could sway the masses (Saldarini 1994: 38), although deep-rooted popular convictions were no more easily removed than than today (Paus. 2.23.6; Jos. Ant. 13.298, 18.17). Contrast the motif of being well-liked by the people, who advocate one's case, as a sign of one's great nobility (e.g., Char. *Chazor* 1.1.10; 1 Sam 14:4-5; Jos. Ant. 6.128; *Life* 303). Switching sides was sometimes a matter of political discretion, however (e.g., Jos. Ant. 15.193; Bowersock 1965: 85).

185. In 19:13 necessarily occurs at the bema, capital sentences, unlike others, had to be pronounced from there (Blinzler 1959: 240, following Mommsen). It was natural to go outside if one were to speak with the multitude (Jos. War 2.172).

chorus tradition of Greek drama, often allowed a corporate body to speak as if in unison (e.g., Virg. *Aen.* 11.122-31; Dion. Hal. 6.10.1; 6.87.1; Acts 4:24; cf. 1 Sam 11:4; 2 Sam 5:1-2).¹⁸⁶ These crowds can function on a literary level to underline the ambivalence of God's own people swayed by various competing voices. Given the dangers of riots, Pilate's acquiescence to the masses at the Passover (27:24; cf. 26:5) was likely (also Albright and Mann 1971: 345; Brown 1994: 722).

Finally, Matthew underlines in obvious ways that the crowds shared the guilt for Jesus' execution — though he also refuses to let Pilate absolve himself from guilt as easily as he desires. Pilate, who hands Jesus over to the crowds' wishes, is no less guilty than weak-willed Zedekiah, who hands over Jeremiah in Jeremiah 38:5. By accepting the bloodguilt on themselves and their children, however (cf. 2 Sam 3:28-29), Matthew's crowds directly fulfill Jesus' warning in Matthew 23:29-36, thereby inviting the destruction of their temple at the end of the generation, in their children's days. They ironically invite a curse against themselves (cf. Jer 42:5).¹⁸⁷ Because later professing Christians abused this passage in an anti-Jewish manner¹⁸⁸ (forgetting the ethnic Jewishness of Matthew's own community), interpreters have frequently charged Matthew with vicious anti-Semitism. Others have sought various ways to absolve him of the charge (e.g., Caprie 1960): for example, Matthew meant that Jesus' blood would cover them salvifically, as in Jewish traditions about Exodus 24 (cf. Bowman 1974; Smith 1990; Cargal 1991; Sullivan 1992; but the context is bloodguilt); only the Jewish leaders are indicted here (Yandone 1964), or the leaders represented all of sinful humanity (Stephens 1964). How subsequent interpreters have applied Matthew in anti-Jewish ways is an important issue,¹⁸⁹ but it is quite different from what Matthew intended; for Matthew, the curse invoked in this verse was fulfilled in the year 70, "children" in this instance referring to the generation immediately following from that multitude (23:36-24:2; 24:34).¹⁹⁰

186. Some also venture a chronological explanation for the transformation of the crowds, namely, the passage of six months between Jesus' act in the temple (at Sukkoth) and his arrest (at Pesach), so Manson 1961: 79. Yet it seems inconceivable that the authorities would have allowed Jesus to survive in public six months after the act in the temple.

187. Contrast the Roman people's swearing (hence involving curses against themselves) specifically for an institution to be ordained forever (Dion. Hal. 6.89.4).

188. See, e.g., the laments of Schnackenburg 1996: 263; Garland 1993: 258. Although guilt could be communicated transgenerationally (Ex 20:5; 34:7; Deut 5:9; 23:3-4; 1 Sam 15:2-3; 2 Sam 21:1-19), people were not to effect transgenerational punishments except under direct divine orders (Deut 24:16; 2 Kings 14:6; 2 Chron 25:4; Dion. Hal. 8.80.1).

189. Although many contemporary scholars overplay the Gospel's emphasis on "Jewish" guilt (e.g., Brandon 1967: 282), all four Gospels do emphasize the Jerusalem leadership's responsibility more than that of Pilate. This apologetic works, however, because they present the leaders' hostility as an internal Jewish dispute — which requires that the texts be read as the Gospel writers assumed they would be. Jesus and the Christians comprising a movement *within* Judaism. Cf. Renke 1974: 184n-44 on the anachronism of the modern question: "it was Jews [Judeans] and Romans who killed him, not Israelis and Italians."

190. So, e.g., Albright and Mann 1971: 345; Matera 1989; Saldarini 1994: 33. Overman 1996: 383-84. Even the second century letter of Mara bar Serapion associates the exile of Israel with

The Romans torture Jesus. Pilate decrees the sentence, as his position required him to do (27:26). A Roman court had to pronounce the method of execution, which for sedition in the provinces was normally crucifixion; the sentencer normally declared, "*ibi in cruce*" (You will mount the cross) (Blinzler 1959: 238, citing Petron. *Sat.* 137.9; Plaut. *Mosell.* 3.2.63, §850). That Pilate "delivered" him up to carrying the cross fits customary language (Char. *Chær.* 4.2.7).

The preliminary scourging here (27:26) is more serious than the maximum thirty-nine lashes administered by synagogue communities (10:17; cf. 2 Cor 11:23)¹⁹¹ and more severe than most Roman public corporal disciplines as well (cf. Acts 16:22; 2 Cor 11:25; Test. Jos. 2.3; *Dig.* 47.21.2);¹⁹² sometimes this kind of scourging caused death itself (F. F. Bruce 1977a: 445). Unlike the lesser *flagellatio* (beating), the severer disciplines of *flagellatio* (flogging) and especially *verberatio* (scourging) accompanied the death sentence (Brown 1970: 2:874; but Brown concedes in 1994: 851 that the Gospel writers and their audiences probably did not recognize these distinctions); whereas Romans used rods on freemen and sticks on soldiers, they used scourges on slaves or provincials of equivalent status (*Dig.* 48.19.10; 68.28.2; Blinzler 1959: 222).¹⁹³ Thus Pilate here orders the preliminary scourging that, whether with rods or whips, generally preceded crucifixion and other forms of capital punishment.¹⁹⁴

Probably stripped and tied to a pillar or post (Plaut. *Bacchides* 4.7.25; Artem. *Oneir.* 1.78 in Blinzler 1959: 222; see similarly m. Mak. 3:12),¹⁹⁵ Jesus was beaten with *flagella*—leather whips "whose thongs were knotted and interspersed" with pieces of iron or bone, or a spike (Apu. *Metam.* 7.30.154; *Cod.*

the condemnation of Jesus. Although not from a Christian (Boring 1995: 124-25), it undoubtedly testifies to a view circulated by Christians. Rabbinic texts often connect the suffering of A.D. 70 with judgment for sins, but never with Jesus' execution (Cohn 1977: 219-20).

191. Romans did not limit the number of lashes, hence sometimes victims not even sentenced to death died or were disabled under cruel supervisors (Cic. *Verr.* 2.4.39.85; Philo *Placc.* 75); Josephus had opponents scourged "until their entrails were visible" (*War* 2.612) and reports a procurator laying bare a man's bones, though the man survived (*War* 6.304; Blinzler 1959: 223).

192. For *coercio* as part of preliminary examinations, cf. Lake and Cadbury 1979: 282-83. Josephus adapts such discipline (*Life* 333).

193. Independently attested by Jn 19:1, although the sequence there differs (Brown 1994: 852). Some argue that Jn 19:1 represents a lesser form of scourging (cf. F. F. Bruce 1980b: 15; Blinzler 1959: 224; Bammel 1984c: 440-41, though Blinzler and Bammel go too far in separating this from the crucifixion historically). Blinzler distinguishes forms of scourging thus: "an inquisitorial torture [Acts 22:24; probably Jos. *War* 4.304], as a death sentence (*flammarum*, primarily a military punishment [Hor. *Sat.* 1.2.41-42], as an independent police chastisement [*Flor.* 61; Jos. *War* 2.269; cf. *Dig.* 48.2.6; Philo *Placc.* 75], and as the introductory stage to execution after the sentence of death [*War* 2.306, 308; 5.449; 7.200, 202; Livy 33.36r (Blinzler 1959: 223)]. But these distinctions may have eluded Matthew's audience anyway (Brown 1994: 851).

194. E.g., Jos. *War* 2.306-8; 5.449; Livy 2.5.8; 9.24.15; 10.1.3; 26.40.13; 33.36; 41.11.8; Appian *R.H.* 3.9.3; Cic. *Verr.* 5.62.162; Dion. Hal. 3.40.3; 5.43.2; 7.69.1; 9.40.3.4; 12.6.7; 20.16.2; 20.17.2; Arrian *Alex.* 3.30.5; Klausner 1979b: 350; cf. Lucian *Dead to Life/Fishermen* 2.

195. One could also be scourged while bound to the cross itself (Dio Cassius *R.H.* 49.22.6), though this may have worked best with the upright stake lacking a crossbeam. Victims were normally stripped naked before being beaten (Longus 2.14).

Theod. 8.5.2; 9.35.2; Goguel 1948: 527; Blinzler 1959: 222); it left skin hanging from the back in bloody strips (Klausner 1979b: 350; Blinzler 1959: 222). Various texts (e.g., Hor. *Sat.* 1.3.119; Cic. *In Defense of Rabirius* 5.15-16; Brown 1994: 851) attest the horror with which this punishment was viewed. Soldiers normally executed this task in the provinces (cf. Suet. *Calig.* 26; Blinzler 1959: 222). Some felt that the *flagellum* was merciful because it so weakened the prisoner as to hasten his death on the cross (Wilkinson 1978: 151). That the Gospels mention but do not describe the practice makes them read more like official reports than rhetorical documents with a heavy element of pathos at this point (Goguel 1948: 527); nevertheless, Matthew's audience would undoubtedly understand the procedure, for floggings and executions were generally public affairs in the Roman Empire.

That Pilate "delivers" Jesus up (27:26) to the soldiers (perhaps foreign auxiliaries) links him to Judas and the chief priests, who had also "delivered" Jesus over (26:48; 27:2-3; cf. Pate 1987: 376); far from escaping responsibility, Pilate forms the next link in the chain of guilt in which members of all involved parties participated.

The World Ridicules God's Son (27:27-44)

Cf. Mk 15:16-32; Lk 23:26-43; Jn 19:2-3, 17-27. Following Jesus to the cross means that disciples follow a road that may quite well cost them their lives physically (16:24); it also means sacrificing their own honor for Christ's along the way. Ridicule often provided the social backdrop of public executions, especially naked crucifixion, which constituted the ultimate form of shame (cf., e.g., Epict. *Disc.* 3.26.22; Cic. *Pro C. Rabirio* 5.10).¹⁹⁶

This section rings with tragicomic irony (as noticed also by early interpreters, e.g., Cyprian *The Good of Patience* 7; Cyril of Jerusalem *Sermon on the Paralytic* 12; *ACCS*, 226-27). The Roman soldiers mocked Jesus' kingship (27:27-31), not for a moment considering the possibility that they were abusing a king greater than any the world had ever known. That Jesus submitted to such abuse reminds the reader that power does not function in the kingdom the way it does in the world (20:25-28). In the next section, Jesus bears public humiliation in front of and from the crowds he had come to save (27:32-40). The soldiers drafted a bystander to suffer with Jesus (27:32), a bystander who performed the role disciples should have been performing (16:24). As Jesus participated with humanity in its suffering under injustice in the world, he summoned his disciples to endure the unjust treatment visited on them for his name's sake (5:10-11). Also, Jesus possibly refused a narcotic meant to dull

196. On the shame of crucifixion, see further Brown 1994: 946-47, and especially Hengel 1977. The "equally negative portrayal" of Roman mockers here with Jewish mockers earlier invalidates the modern "claim that the Gospels excuse the Gentiles but condemn the Jews" (Brown 1994: 877).