



SSPX



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Jesus and the Sanhedrin

The trial of Jesus before Annas and Caiphas is part of the narration of Christ's passion. During this trial, several of the laws of Jewish juridical proceedings were violated. During this talk, I will give particular emphasis to two points: the first, to show the purity of the Jewish legal system. The second emphasis is to indicate the hatred of many of the Jewish leaders against Jesus, which moved them to break even the most sacred laws in order to condemn Him. This will be done by enumerating some of the laws which were broken in this trial. There were more laws violated than those I discuss here, but for this conference, I will give only six.

This will not be pleasant, for it will show human nature at its worst: when we hate someone, what lengths we might be prepared to go to in order to achieve our ends.

From the gospels, we can put together an overview of the events. When Jesus was arrested, he was first brought before Annas, the former High Priest, to be examined. After examination, Jesus is led to the palace of the high priest, where Caiphas and the Sanhedrin were gathered. Here, numerous false witnesses are called before the Sanhedrin to give testimony against Jesus. Finally, Christ was condemned to death, on the charge of blasphemy. The next morning, the Sanhedrin reconvened and formally condemned Jesus in an attempt to make the previous evening's procedures seem legal.

This is a brief summary of Our Lord's night trial, but tonight, we will go behind the scenes, and more deeply into the system of Jewish law in Jesus' time, to help us appreciate the injustice that Our Lord suffered.

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Letter from the Chaplain

Dear Tertiaries,

In many of our priories, a holy week mission is given to the faithful to bring to a close the days of lent and to prepare spiritually for the Sacred Triduum. This year at Queen of Angels Priory in Dickinson, TX, a three-day mission was given Holy Monday through Wednesday. There was a different priest preaching each evening. The article of this issue of Sursum Corda is the sermon given by Fr. Christopher Brandler on the Night Trials of Jesus after he was arrested in the garden of Olives. The points he makes are interesting and provide a solid perspective to understanding the events. I hope you find the article as interesting as I did.

Many tertiaries have inquired about the retreat which is to be made every two years. There are aged members now among the Tertiaries, who have not the ability to travel for retreats. One such member said to me: I can no longer be a tertiary because I cannot fulfill all the requirements. This is not the case. Our aged members are a treasure for the Society and the Third Order. Simply maintain the spirit and contribute with your prayers. Other members have asked about specific retreats for tertiaries. While this may be an advantage for tertiaries, it is not a requirement they attend a Third Order Retreat. The Founder said attend a retreat every two years, he did not say specifically this

or that retreat. Lastly, with the difficulty of traveling during the past year, tertiaries should be encouraged to get their retreat in this year if they missed last year. There are numerous retreats being offered, not only at the retreat centers, but also in other places like Winona, Sanford, St. Louis, etc.

There are many applications to the Third Order at the moment. I am sure this is due to the words of our Superior General supporting the Third Order. This is very exciting news for the Society. I would simply remind newly promised postulants to return the copy of the postulancy promise. Many have made this first step in the Third Order but have not yet sent back the copy of the certificate. These copies are returned to me so that I can keep the registry of members up to date and accurate.

I wish all of you a blessed Easter season.

In Christ,
Fr. Adam Purdy

There is a well-known prophecy of Isaias, which states the Messiah would be silent before his accusers:

*... silent like a lamb before his shearers,
and He did not open His mouth. (Is. 53:7)*

Isaias did not mean to say that Jesus did would say nothing at all at his trial. In fact, Christ spoke rather insistently, as we shall see. What Isaias meant was that Jesus offered no arguments in His own defense, nor did He seek to vindicate His rights, at least not directly. It is amazing to watch Our Lord's response to His legal rights being swept under the rug of religious hypocrisy.

The House of Annas

Let us first look at John's gospel account. In chapter 18, we will walk onto the estate of Annas and through the torch-lit courtyard of Caiphas to watch what actually happened.

In John 18:12-13, we read:

Then the band and the tribune, and the servants of the Jews, took Jesus, and bound him: And they led him away to Annas first, for he was father-in-law to Caiphas, who was the high priest of the that year.

As to be clear, the Roman cohort was present, as well as the tribune (Roman commander), and the officers of the Jews. They together arrest Jesus, binding him, and leading him to the house of Annas.

This text informs us that instead of taking Jesus to the current high priest, they first went to the wealthy estate of Annas. Evidently, Annas had arranged for this. He had served as the high priest some 20 years earlier, yet still had control of religious affairs in Jerusalem. Annas controlled the temple system, the selling of sacrificial animals, the money changing, the exorbitant rates of exchange, as well as bribes and illegal fees. Jewish historians, in fact, commonly referred to the temple as the *Mall of Annas* or *Annas' Market Place*. Annas had become enormously wealthy off of the people of Israel. Then, Jesus pulled off the mask! He had publicly called *Annas' Market Place* a *den of thieves*, exposing and condemning the corruption of religion in His own nation. We can see why Annas wanted to see Jesus first, in order to ensure his revenge.

In John 18:19 we see that Annas questions Jesus. Annas is referred to as the high priest, even though Caiphas was actually serving the role of high priest. The reason is because once a man served as high priest, he retained the title for the rest of his life. Only at John 18:24 does Annas send Jesus off to Caiphas.

So, Annas wanted to get at Jesus; this man who had caused him so much heartburn. Look at John 18:19-20.

The high priest (meaning Annas) then questioned Jesus about His disciples, and of his doctrine. Jesus answered him, I have spoken openly to the world; I always taught in synagogue, and in the temple, whither all the Jews resort; and in secret I have spoken nothing.

These are loaded words once we understand that Annas is proceeding in an illegal manner. According to Jewish law and due process, as we will see later, holding a midnight inquisition was illegal, and Annas was supposed to call witnesses. Jesus is effectively saying:

Listen, Annas, everything I said, I said out in the open and in the light of day; you, on the other hand, do your dealings in the darkness.

You can imagine everyone tuned in now! You can

picture the men in this room who knew they were corrupt, who knew Annas was an embezzler that had probably treated everyone around him with contempt. Everyone in this room had been bought and paid for by Annas. He owned the nation – one did not cross this old man and survive! St. John continues in 18:22,

When He (Jesus) had said this, one of the officers standing nearby struck Jesus, saying: Is that the way You answer the high priest?

Put yourself into a modern courtroom. What would happen if an accused criminal talked back to the judge, and the bailiff turned and punched the criminal in the face? No judge would let that happen in his courtroom. If it did, the bailiff would be held in contempt – he would have a trial all by himself in the near future. But this did not happen here with Jesus' trial! (This will be the basis for other irregularities, as a side note).

Illegal Trial

Recall that Judas was bribed to betray Jesus in the absence of the crowds who favored Him. The plan was to seize Jesus in the dark of night, sentence Him just before sunrise (to make everything appear legal), transport Him to Pilate, stir up a mob of people to condemn Him, and crucify Him in the morning before those who supported Him were aware. Take a quick look at the circumstances of Jesus' arrest, trial, and conviction: It is all *illegal*.

Any trial may be dismissed as a mistrial, or illegal, if there is prejudice against the individual being tried on the part of those participating. The accused must be given full recourse of law to be able to present his side sufficiently. Jesus, however, was both arrested and tried by those prejudiced against Him and was not allowed opportunity to present His case. Further, His judges were the same individuals who bribed Judas! Surely one cannot say these people were impartial! In addition, Jesus was arrested secretly at night and was not formally charged of any offense. Judas simply pointed out Jesus, and a crowd arrested Him. There was no legal basis for this.

In his book *Criminal Jurisprudence of the Ancient Hebrews*, Samuel Mendelsohn (Jewish author) states:



The testimony of an accomplice (in this case, Judas) is not permissible by Rabbinic law... and no man's life, nor his liberty, nor his reputation can be endangered by the malice of the one who has confessed himself a criminal.

Since Judas accepted a bribe from a judge, certainly Judas would be considered a criminal. And since Jesus' judges bribed Judas, they would be considered criminals as well. This alone should have led to a mistrial!

Most of us are familiar with the procedure of criminal investigations. The accused person is arrested, arraigned before a committing magistrate, specifically accused, and formally tried. He may, and

he generally does, appeal to a higher court if he is convicted. All these things take time, possibly weeks or months between the later stages of the procedure. But above all, the procedure is strictly regulated by law, and any serious deviation is not merely an irregularity but is meant to protect the accused from unfair treatment before the law.

As a side note: we must be aware of the fact that the Hebrew system of jurisprudence was a matter of national distinction. The Jews prided themselves on their legal system; most of all, their Supreme Court – the Sanhedrin. The Sanhedrin, sometimes referred to as the Senate or the Council of the elders, was composed of seventy-one men. There were twenty-three priests, twenty-three scribes, twenty-three

elders, the appointed high priest by the Romans, and the true high priest, who would serve for life. Yet through the course of this trial, at least six principles of Hebrew law relating to due process were intentionally broken in the Sanhedrin's hell-driven desire to crucify Jesus. Let me give these as we go beneath the surface in this scene.

First Broken Law

Trials were not to be held secretly at night, but publicly during the day.

After the brief exchange, in which Jesus exposed Annas' corruption, John writes in 18:24:

... Annas sent Him bound to Caiphas the high priest.

The gospel of St. Matthew (26:57) gives more details:

But they holding Jesus led him to Caiphas the high priest, where the scribes and the ancients were assembled. ... And the chief priest and the whole council sought false witness against Jesus, that they might put him to death.

This gathering is in the middle of the night. The seventy-one have gathered, with the exception of Annas who is back at his home nursing his ego and guilty conscience. Let us picture the scene! These



are the leading men of Israel – the members of the Supreme Court – coming by torchlight in the middle of the night to the house of Caiphas. In the cover of darkness, these men will try a man who had still not even been indicted. Why? Their single, compelling desire was to crucify Him.

According to the Talmud, the Sanhedrin is forbidden from convening between the time of the evening and morning sacrifice. In the book *Jesus Before the Sanhedrin*, M.M. Lemann states:

...no session (including a preliminary examination) of the court could take place before the offering of the morning sacrifice.

Furthermore, as stated in *Institutions de Moise*, by J. Salvador:

An accused man was never subjected to private or secret examination.

The Sanhedrin court illegally held its trial before sunrise.

Annas' preliminary examination of Jesus resulted in no evidence. But instead of dismissing the case, the Sanhedrin proceeded to hold an illegal court.

Mendelsohn reveals why it was illegal:

Criminal cases can be acted upon by the various courts during the daytime only, and by the Lesser Sanhedrins from the close of the morning sacrifice till noon, and by the Great Sanhedrin till evening.

The Jewish *Mishna* states:

Let a capital offense be tried during the day but suspend at night.

Moses Maimonides explains why trials are to be held during the daylight:

The reason why the trial of a capital offense could not be held at night is because...the examination of such a charge is like the diagnosing of a wound—in either case a more thorough and searching examination can be made by daylight.

Convicting someone of a crime punishable by death was serious business. It required those deciding the fate of the accused to be at their best mental state, which is hardly true in the early hours of the morning.

Second Broken Law

The accused was never to be required to speak.

The Hebrews prided themselves in defending and upholding the rights of the accused. They never forced the accused to speak but gave them the right to be defended. This law had already been broken by Annas, who demanded that Jesus explain His teachings. Yet, whenever questioned, as it related to providing any self-defense, the Lamb stood silently. Notice in Matthew (26:63) when Caiphas addresses Jesus:

And the high priest rising up, said to him: Answerest thou nothing to the things which these witness against thee? But Jesus held his peace. And the high priest said to him: I adjure thee by the living God, that thou tell us if thou be the Christ the Son of God.

This was the silence of innocence; the silence of integrity; the silence of unwavering trust in the

Father, who had handed Him this cup of suffering on our behalf. Jesus was willing to drink this cup. Look at the Savior. He was right – but He was being wronged. And He kept silent even though these judges were desperate to end the trial before dawn. This only revealed their depravity. So the judges try to drum up witnesses. This leads me to the third violation of Hebrew law.

Third Law Broken

Two witnesses were to come forward and agree on the charges.

The two witnesses had to agree on every point. Under normal procedures, the witnesses would present their evidence. Each would be questioned separately to ensure their testimony was correct.

Perhaps you heard the story about the three high school students who decided to skip school for an hour or two. When they came back to school, they told the principal they had had a flat tire. The principal immediately sent them to three different corners of his office, gave each of them a piece of paper and a pen, and said: *Now each of you write down which tire it was – front or rear? left or right?*

It is required that the testimony of the witness agree. Moreover, according to Jewish law, there were never any prosecutors in Hebrew court. The witnesses served as prosecuting attorney and the Sanhedrin served as the defense. Also, the witnesses were



reminded that if they lied, they would be required to pay the penalty that the accused would have received. This was their way of handling perjury.

Let us look at Matthew 26:59.

And the chief priests and the whole Council sought false witness against Jesus, that they might put him to death:

The almost comical thing is that this Council cannot find even two men who can lie consistently. Where do you get reliable witnesses in the middle of the night? The gospel according to St. Mark (14:56) records:

We heard him say, I will destroy this temple made with hands, and within three days I will build another not made with hands. And their witness did not agree.

In spite of this glaring fact, the Supreme Court was pressing for a verdict.

Based on the above, the indictment against Jesus was false. In the book *Life and Times of Jesus the Messiah*, Alfred Edersheim (19th century Jewish Biblical scholar, later convert to Christianity) states: *the Sanhedrin did not, and could not, originate charges.* But as we saw, the Sanhedrin did so in the case against Jesus.

In a correctly conducted procedure, the evidence of the leading witnesses constituted the charge. But with Jesus, no witnesses were present at the outset of the proceedings, and therefore no charges could be made. With Jesus, those in opposition to Him, including those who would be in the court, simply arrested Him. Only then did they start looking for witness – false ones!

Fourth Broken Law

Not only was the condemned to be allowed by the Sanhedrin to remain silent, but he also was never required to have to incriminate himself in any way.

The condemned was never to be asked to testify against himself. Our country has adopted this same right for the accused. We call it, *pleading the Fifth*. Even our courts today have special considerations against self-incrimination. Hebrew law allowed Jesus to remain silent, which Matthew 26:63 says He did. However, it is at this moment that Caiphas violates another principle of Hebrew law. He stands and takes the position of prosecuting attorney and does something very unusual; it is actually his last chance before dawn!

And the high priest rising up, said to him... I adjure thee by the living God, that thou tell us if thou be the Christ, the Son of God.

Caiphas places Jesus under oath; he set due process aside and effectively, asked Jesus to incriminate Himself. Jesus could have remained silent. This was an illegal requirement. It is only now, at this moment that Jesus speaks. Just as He helped the soldiers arrest Him, He will now help the Sanhedrin condemn Him. Observe how this courtroom drama reveals the determined love and passion of Christ to bear our sins in His own body and go to His Cross!

Jesus saith to him: Thou hast said it. Nevertheless I say to you, hereafter you shall see the Son of man sitting on the right hand of the power of God and coming in the clouds of heaven.

Caiphas acting as prosecutor demands an answer. You have said it Caiphas. I am the Christ, the Son of God. Then Jesus adds the prophecy of Daniel (7:13-14) applying it to Himself:

I beheld therefore in the vision of the night, and lo, one like the son of man came with the clouds of heaven and came even to the Ancient of days: and they presented him before him. And he gave him power, and glory and a kingdom... his power is an everlasting power that shall not be taken away: and his kingdom that shall not be destroyed.

Jesus asserts he is the One who has the right hand of divine authority. Before the Sanhedrin, our Lord says: *I am going to come again and judge the world as God Incarnate.*

Do you know what Jesus was doing when He finally spoke? He was giving them all the information they wanted and needed to condemn Him for blasphemy. These men tore their clothes and took a unanimous vote calling for His death.

Fifth Broken Law

The death penalty was to be determined only after a day of fasting and not before and annual feast.

Jewish records reveal that none of the seventy-one members of the Sanhedrin would eat or drink anything during a trial. This symbolized that the Supreme Court would be agonizing over the future of

a man condemned to die. However, for this Sanhedrin, the verdict is immediate. The high priest called for a vote and, as Matthew 26:66 records, they all voted without hesitation:

*What think you? But they answering, said:
He is guilty of death.*

The Sanhedrin illegally convened to try a capital offense on a day before an annual Sabbath. The trial concluded in one day.

Again, reading from the **Mishna**, we learn:

A criminal case resulting in the acquittal of the accused may terminate the same day on which the trial began. But if a sentence of death is to be pronounced, it cannot be concluded before the following day.

Forcing a trial to last longer than one day allows time for witnesses in support of the accused to come forth. Of course, Jesus' court did not want any such witnesses to manifest themselves, so they ended it quickly. The *Mishna* reveals why:

They shall not judge on the eve of the Sabbath, nor on any festival.

In *Martyrdom of Jesus*, Isaac Wise, a Jewish Rabbi, provides decisive evidence:

No court of justice in Israel was permitted to hold sessions on the Sabbath or on any of the seven biblical Holy Days. In cases of capital crime, no trial could be commenced on Friday or the day previous to any Holy Day, because it was not lawful either to adjourn such cases longer than overnight, or to continue them on the Sabbath or Holy Day.

Jesus, however, was arrested on Passover evening in A.D. 31, which is the day before the First Day of Unleavened Bread—an annual Holy Day!

*What think you? But they answering, said:
He is guilty of death.*

Sixth Broken Law

A unanimous vote to condemn made by the court would allow the accused to go free.

A unanimous vote is what is sought after in our Western procedure, but the Jewish custom was that a unanimous vote implied the lack of critical thinking. The rabbis taught that if the court voted unanimously to condemn someone to death, then there was an obvious lack of mercy. So a unanimous vote of the

Sanhedrin immediately allowed the prisoner to go free. This was not the case for Jesus. Look at what actually happened next, according to the following verses.

Then did they spit in his face and buffeted him: and others struck his face with the palms of their hands, saying: prophesy unto us, O Christ, who is he that struck thee.

Mark (14:65) adds:

... they blindfolded Him and ... beat Him with their fists.

Can you imagine the Supreme Court of the United States condemning a criminal to die, and then, robes and all, descending upon the accused and spitting in his face, blindfolding him, and with bitter anger and hatred, punching him with their fists?

The Supreme Court of Israel degenerated into a crude, vicious mob of seventy-one men – spitting, hitting, cursing, and mocking. Who were the real blasphemers this day? Who were the accused before God? The Sanhedrin and the nation they represented!

Conclusion

Can we still see and hear this Prisoner? He faced such grave injustice. Why does it still go on even today? The servant is not greater than the Master. Faithful Christians will be unjustly persecuted and forced to suffer for the name of Jesus, but has Our Lord not shown us the way? It is easy to lose courage, humanly speaking, for Our Lord's enemies are extremely powerful. But the power of Our Lord's love and mercy wins out in the end.