Jesus Before Pilate: What's Wrong with This Picture?

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See Also: *The Judas Brief* (Pereset Press, 2014).

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Despite many interesting and intriguing differences among the gospels in their respective accounts of what happened when Jesus came before Pilate, they all share a common template. In each version:

- the Jews bring Jesus to Pilate;
- he briefly inquires of Jesus if he is the King of the Jews;
- Jesus does not give a "yes" or "no" answer;
- Pilate determines that Jesus should be set free;

- Jews demand that Pilate release Barabbas instead;
- Pilate repeatedly asks the Jews to allow him to let Jesus go;
- the Jews repeatedly deny his request , vehemently shouting that Jesus be crucified;
- unable to convince the Jews that Jesus should be released he succumbs to their demands and orders Jesus executed for claiming to be King of the Jews.

It is probably this scene more than any other which is responsible for almost two thousand years of Christian pogroms, murders, tortures and persecutions of the Jewish people. Sadly, the gospel accounts are at complete odds with the available historical data about the relationship between Pilate and the Jews. The evidence suggests that the gospel accounts are wrong, that if there is any historical core to this story then Pilate never intended to release Jesus and Jews had nothing to do with Pilate's decision to have Jesus crucified.

In the present paper I will look at the most significant extra-biblical evidence regarding the relationship between Pilate, the priesthood, and the Jews; review some of the chief challenges to this evidence; and then examine some narrative anomalies in the gospel accounts. Because a full discussion of the pros and cons would necessitate far more space than I can fit into a brief overview, I will attempt

to provide at least enough information to make clear what the problems are. For a full and more detailed treatment of the issues and the arguments for and against I refer you to my book-length study "The Judas Brief."

Perhaps the most important piece of evidence that we have, as close to an eyewitness account as history allows, is a letter from King Agrippa (grandson of Herod the Great) to the emperor Gaius (better known as Caligula), which includes the description of an incident that occurred during Pilate's administration. That portion of the letter relating to Pilate is preserved by Philo of Alexandria in a letter he wrote to the emperor Claudius. All the parties involved were adult contemporaries of Pilate. Let me put the events in chronological and political context.

In 36 C.E. Pilate was removed from office on charges that he murdered a Jewish (Samaritan) prophet and his followers and sent to Rome to appear before the emperor Tiberius to answer the charges. (See below.) At about the same time as Pilate headed to Rome, Tiberius died and was replaced by Gaius, who ruled until about 41 C.E. Agrippa was the grandson of Herod the Great and a wealthy dilettante who had been educated as a child with Gaius and the two remained best of friends. Tiberius had actually incarcerated Agrippa over some pro-Gaius remarks Agrippa had made.

When Gaius assumed the throne he freed Agrippa and appointed him king over one of the non-Judean territories that had formed part of the kingdom of Herod the Great. Shortly after Gaius became emperor he decided to place a statue of Jupiter in the Jerusalem temple, to the great shock and dismay of the Jewish people and Agrippa. The latter wrote the letter in question in order to dissuade Gaius from going forward with this plan. Because of Agrippa's deep concern and the close friendship between the two, Gaius eventually relented.

When Gaius died Agrippa became, for all practical purposes, the campaign manager for Claudius and was chiefly responsible for making him emperor in about 41 C.E. In appreciation, Claudius appointed Agrippa king over all of the territory once ruled by Herod the Great and then added some additional lands, making Agrippa the king over what may have been the most extensive Jewish kingdom in history, including those of David and the Maccabees.

Philo of Alexandria, the Jewish philosopher, lived in Egypt but had close ties to the Jewish community in Jerusalem and to the Roman elite. When Gaius became emperor, anti-Jewish attacks became rampant in the city and tolerated by the Roman governor there. Philo led a delegation to see seek relief from Gaius and while in Rome he learned of the emperor's plans for the Jerusalem temple. Agrippa was also there and Philo appears to have been present for much of the give and take between the emperor and the king.

Upon the enthronement of Claudius Philo wrote a letter to the new emperor urging him to conduct a more generous policy towards the Jews than his predecessor did. In that letter, commonly known as "On the Embassy to Gaius," Philo reproduces what he claims to be part of the letter sent by Agrippa to Gaius. Agrippa was obviously still alive and in a position if called upon to confirm or deny the validity of Philo's copy. The original would have been in the Roman archives and available to Claudius if he wanted it. Pilate was probably still available to be questioned about the charges should anyone have raised an issue about them.

The incident described in the letter can be called the "Golden Shields" affair. According to the letter, Pilate erected some golden shields on the wall of Herod's Palace in Jerusalem as a dedication to the emperor Tiberius. The content of what was on the shield is not disclosed but it proved offensive to the Jews of the city. They asked the four sons of Herod the Great, "who were in no respect inferior to the kings themselves, in fortune or in rank" as well as some other descendants of Herod and a group of magistrates to intervene on their behalf.[1]

The delegation included the most powerful and influential Jews among the Jewish people, and the Herodians would have had close relationships with the emperor. One of the four sons of Herod would have been Herod Antipas, the ruler

[1] Yonge, C. D. with Philo of Alexandria. (1995). *The works of Philo: complete and unabridged* (p. 784). Peabody, MA: Hendrickson.

of Galilee. It is likely that among the magistrates would have been the High Priest Caiaphas, who by virtue of his title was the head of the civil government and the main Jewish court, the Sanhedrin, before which Jesus may have been brought for trial.[2]

Quoting from Agrippa, Philo says that Pilate continuously refused to change his decision because "he was a man of a very inflexible disposition, and very merciless as well as very obstinate."[3] Desperate, the people cried out,

> Do not cause a sedition; do not make war upon us; do not destroy the peace which exists. The honour of the emperor is not identical with dishonour to the ancient laws; let it not be to you a pretence for heaping insult on our nation. Tiberius is not desirous that any of our laws or customs shall be destroyed. And if you yourself say that he is, show us either some command from him, or some letter, or something of the kind that we, who have been sent to you as ambassadors, may cease to trouble you, and may address our supplications to your master.[4]

The Jewish response, wrapped in polite and gracious diplomatic language, dropped a bombshell on Pilate. Unless he could legally justify his actions through a

[2] John's gospel dissents from the other gospels in that it does not have Jesus appear before the Sanhedrin.
[3] Yonge, C. D. with Philo of Alexandria. (1995). *The works of Philo: complete and unabridged* (p. 784). Peabody, MA: Hendrickson.
[4] Yonge, C. D. with Philo of Alexandria. (1995). *The works of Philo: complete and unabridged* (p. 784). Peabody, MA: Hendrickson.

directive from Rome, they would take their complaint directly to the emperor, who would almost certainly endorse the Jewish appeal. A threat such as this from royal intimates of the emperor should shake up any governor under normal circumstances and Pilate had additional concerns.

> But this last sentence exasperated him in the greatest possible degree, as he feared least they might in reality go on an embassy to the emperor, and might impeach him with respect to other particulars of his government, in respect of his corruption, and his acts of insolence, and his rapine, and his habit of insulting people, and his cruelty, *and his continual murders of people untried and uncondemned, and his never ending, and gratuitous, and most grievous inhumanity* (emphasis added).[5]

This passage makes clear what Pilate's image was like among the Jewish people at a time virtually contemporaneous with his rule. He must have had a cruel reputation to extend the description to such horrific lengths. Still, though Pilate was "acquainted with the firmness of Tiberius on these points," [6] he refused to back off any of his decisions and give in to pressure from even the highest and most powerful Jewish leaders in the entire Roman realm. The delegation appealed

[5] Yonge, C. D. with Philo of Alexandria. (1995). *The works of Philo: complete and unabridged* (p. 784). Peabody, MA: Hendrickson.
[6] Yonge, C. D. with Philo of Alexandria. (1995). *The works of Philo: complete and unabridged* (p. 784). Peabody, MA: Hendrickson.

directly to Tiberius and the emperor wrote back, "commanding him [Pilate] immediately to take down the shields and to convey them away from the metropolis of Judaea to Caesarea."[7] It is very likely that this incident stands behind Luke's claim that Pilate and Herod Antipas were enemies prior to the arrest of Jesus.[8]

It should be emphasized here that the purpose of alluding to this incident in Agrippa's letter was not to attack Pilate but to contrast how the emperor Tiberius acted towards a relatively minor offense against Jewish law as compared to the far greater offense that his successor, Gaius, had proposed. Agrippa was concerned solely with stopping the statue form being erected in the Temple, and Philo was concerned with influencing Claudius by contrasting the offensive behavior of Gaius with the benign attitudes of Tiberius.

In addition to Agrippa's letter, we have substantial evidence from the Jewish historian Josephus who wrote two books that covered in part Pilate's era in Jerusalem, *Jewish Antiquities* and *The Jewish War*. Josephus was born at about the time that Pilate was removed from office. Josephus was a member of a prominent family from the priesthood, well-educated, and by the age of thirty served as a general in the Jewish war against Rome. As such, he grew up in an environment where the deeds of Pilate were fresh in the minds of several generations of Jews

[7] Yonge, C. D. with Philo of Alexandria. (1995). *The works of Philo: complete and unabridged* (p. 784). Peabody, MA: Hendrickson.
[8] Luke 23:12.

who lived through Pilate's administration and were still alive to provide witness. This scholarly Jew would have been very familiar with what leading Jews thought of the Roman governor.

Josephus reports on three specific incidents that are relevant to our discussion. There is a fourth incident in which the trial of Jesus before Pilate is mentioned, known as the *Testimonium Flavianum*, but it is widely considered either a partial or complete Christian forgery so I won't go into it here. Arguments about its validity are complex and lengthy and I discuss much of the material in issue in my "The Judas Brief."

The first incident is the matter of the "Military Standards." Josephus has two versions of the story, one in *War* 2.9, 2-3 and the other in *Antiquities* 18.3.1, 55-59. Under cover of night Pilate ordered Roman Soldiers to go into Jerusalem carrying military standards that had an image of Caesar on them. This was a substantial violation of Jewish law against iconic images and something that no Roman had ever done before.[9] That Pilate ordered it done at night shows that he knew it was objectionable. In *Antiquities* Joseph says that Pilate wanted to "abolish the Jewish laws."[10]

When the citizens learned what he had done "multitudes" of Jews went to Pilate's headquarters in Caesarea to petition for the withdrawal of the standards. At

[9] *Antiquities,* 18.3.1, 56.
[10] *Antiquities*, 18.3.1, 55.

the first request Pilate refused. In *War* Josephus says that upon that ruling the Jews fell to the ground and lay prostrate for five days.[11] On the sixth day Pilate sent word that he would render a decision. At first he had the soldiers hidden out of sight.[12] When the Jews refused to leave, Pilate gave a sign and the soldiers emerged and surrounded the Jews, their weapons at the ready. He then announced that the Jews "should be cut in pieces, unless they would admit of Caesar's images."[13]

Upon hearing this Jews fell to the ground and exposed their necks, declaring that they would rather die than see their laws violated.[14] Although Josephus says that Pilate was impressed with this display of piety and ordered the standards removed, Pilate was obviously caught in a public relations nightmare of his own making.

He knew the Jews were in the right and they engaged in no unlawful conduct. They even agreed to submit to Pilate's decree, except that Pilate thought that they would accept his invitation to disperse and they chose the other option, to allow Pilate to execute a large number of law-abiding Jews from the country's elite. Even Pilate realized that this would be political suicide and that he would be blamed for creating a political crisis, especially given that he was in the wrong. In

[11] *War,* 2.9,2, 171.
[12] *Antiquities,* 18.3.1, 57.
[13] *War,* 2.9.3, 173.
[14] *War,* 2.9.3, 174.

this incident we see how Pilate proposed the direct threat of mass slaughter to bully his opponents into submission.

In another incident reported by Josephus, known as the "Aqueduct Affair," we see an expansion of this tactic. Again, Josephus has two versions of the story, one in *War* 2.9.4 and the other in *Antiquities* 18.3.2. The Romans, using money provided from the Temple treasury, were building an aqueduct. For some reason not clearly expressed there was opposition to this project. Pilate, on his way to Jerusalem, learned that there might be some protests. So, he ordered several soldiers to disguise themselves as civilians, keeping weapons under their clothing and carrying cudgels.[15] If anyone in the assembled crowd were to start heckling him, upon a signal, the soldiers were to savagely beat the fellow, making it look like local Jews were upset with the criticism. Although this was a tactic designed to ferret out critics and suppress dissent, it got out of hand. The Roman soldiers, upon getting the word, went on a wilding, bludgeoning many Jews to death. Many more died when they were trampled by frightened panicked crowds fleeing the scene.

The third incident in Josephus's triptych describes the death of a Samaritan prophet and Pilate's removal from office. It appears in *Antquities* 18.4.1-2. Samaria was an independent Jewish nation that rejected the Jerusalem-centered Temple tradition. They had their own versions of the Books of Moses that justified Samaria

[15] *War,* 2.9.4, 176.

as the center of Israelite polity. Samaria lay between Judea and Galilee and was apparently part of Pilate's administrative domain.

According to Josephus's account, a revered Samaritan prophet said that he would go up Mount Gerizzim, the holy mountain of the Samaritans, and dig up sacred vessels placed there by Moses. Large crowds gathered in preparation for the trip up the mountain and many were armed. Pilate sent a military force in to slaughter the gathered Samaritans and ordered the troops to hunt down and kill any who escaped. The prophet appears to have been among the dead although Josephus doesn't specifically say he was killed.

The Samaritan legislature petitioned the governor of Syria, who had oversight authority over Pilate, and accused him of murder. They argued that they were not armed for revolution but for self-defense as Pilate had previously initiated violence against them. Their defense apparently carried some weight and the Syrian governor removed Pilate from office and "ordered Pilate to go to Rome to answer before the emperor to the accusation of the Jews."[16] Upon Pilate's removal the Syrian governor went to Jerusalem and the people greeted him as a great hero.[17] As a partial atonement for Pilate's brutal reign, he eliminated some of the

[16] *Antiquities*, 18.4.2, 89.
[17] *Antiquities*, 18.4.3, 90..

crushing taxes the governor had imposed.[18] That Pilate disappears from the public record suggests that he didn't fare very well at his inquiry.

Luke adds one additional incident that is not clearly explained. "At that very time there were some present who told him [i.e., Jesus] about the Galileans whose blood Pilate had mingled with their sacrifices."[19] This certainly sounds like a monstrous act on Pilate's part, a great offense to Jews that seems to have remained in the popular memory. But unfortunately, we have no further details about what happened and why.

The evidence above clearly depicts a Pilate who is obstinate and violent and who doesn't care what Jews think of him or what they want. If he gives an order he backs it forcefully, even if the opposing parties disagree for good reasons. He was a man who, among the many accusations against him, had no qualms about executing people without trials or evidence. He was ultimately removed from office for slaughtering a beloved Jewish prophet and his followers. This looks nothing like the Pilate of the gospels. Not even Herodian monarchs, let alone a Jewish High priest, could convince Pilate to back off a decision once it has been made.

While I have discussed issues directly related to Pilate, there are some other historical matters that have direct bearing on his authority. First, the High Priest

[18] *Antiquities*, 18.4.3, 90..
[19] Luke 13:1.

was appointed by the Roman governor, who could remove him at will. Second, the governor kept possession of the High Priest's sacred vestments that needed to be worn for special ceremonial occasions and could withhold them from the High Priest if he was unhappy with the man's loyalty. In fact, one of the first things the Syrian governor did after removing Pilate from office was to return the vestments back into the hands of the priests.[20] Third, the High Priest and his political faction were members of the Sadducee class and had little support or influence among the general population. They had very little popular or political leverage.

Caiaphas served as High Priest throughout Pilate's entire ten-year reign. He was appointed to the position eight years earlier by the previous governor, Gratus. Raymond Brown has observed that Pilate was the only Governor who didn't remove a High Priest from office whereas Gratus removed four High Priests in rapid succession prior to appointing Caiaphas and this, he suggests, shows that there was a stable government under Pilate, which in turn, he further suggests, indicated reasonably good relations with the Jewish people.[21] Actually, it only shows a stable relationship between Pilate and the High Priest without defining what that relationship was.

That Caiaphas managed to please Gratus for eight years, after the governor disposed of four High Priests in very short order, suggests obsequious pandering to

[20] *Antiquities*, 18.4.3, 90..
[21] Brown, R. E., *Death of the Messiah*, 1994, New York; London: Yale University Press, 410.

an extraordinary degree. That Caiaphas maintained his position under a volatile and obstinate governor such as Pilate confirms such a conclusion. Caiaphas was a man who apparently did nothing that would give any governor cause to suspect his loyalty or to remove him from office. It is telling that when the Syrian governor removed Pilate he also removed Caiaphas, suggesting a clean sweep of two highly unpopular figures within the Jewish community, Pilate and his puppet.[22]

Caiaphas was a member of the Sadducee class, a movement of little popularity that represented mostly upper class interests. Although the gospels all omit this fact, presumably to heap blame on the Pharisees, Luke lets it slip in his follow-up, Acts.[23] The Sadducee class was so unpopular that, even given their control over the priesthood and the civil government, they were considered so severe as judges that they had to yield in their rulings to the more compassionate Pharisees, champions of the poor. Josephus observed that in their judicial capacity the Sadducees had to "addict themselves to the notions of the Pharisees, because the multitude would not otherwise bear them."[24]

Faced with a large array of data points that, *if accepted*, undercut the historical credibility of the Pilate episode, a number of responsible scholars have attempted to offer additional historical evidence that would lend credibility to the gospel accounts. The most serious and effective argument relies on a quotation

[22] *Antiquities*, 18.4.3, 90..
[23] Acts 4:1, 4:6, 5:17.
[24] *Antiquities*, 18.1.4, 17.

from the Roman historian Tacitus. At *Annals 4.6* he writes about Tiberius, the emperor at the time of Pilate's administration,

> [H]e was also careful not to distress the provinces by new burdens, and to see that in bearing the old they were safe from any rapacity or oppression on the part of the governors. Corporal punishments and confiscations of property were unknown."

This citation has been deeply woven into the fabric of the historical counter-attack by gospel scholars. Critics of the Agrippa letter point out that Pilate served for ten years. If he were the horrible person described in that correspondence he would been in violation of Tiberius's decrees and removed from office. That he remained in office suggests that there was no cruel behavior towards the population. Either Agrippa's letter was a deliberately misleading attempt to ingratiate himself with Gaius for personal advantage or Philo's copy of the letter must have been a reworked biased account to enhance whatever argument he was trying to make.

On the surface this is a strong argument but under examination it is easily refuted. I'll put aside the issues of undocumented motives and invented alterations and simply place Tacitus's statement in context. The setup comes in *Annals 4.1*. Tacitus says that in the ninth year of Tiberius's reign, which falls in 23 C.E, "fortune turned disruptive" and "the emperor himself became tyrannical—*or gave*

tyrannical men power (emphasis added).” Tacitus was citing the benevolent behavior described above as an example of the sort of good things Tiberius had done *prior* to his political transformation. And in *Annals 4.7*, immediately after telling us about the good things Tiberius used to do, he says, “that year [23 C.E.] brought with it the beginning of a change for the worse in Tiberius’s policy.”

To be clear then, Tiberius’s good policies ended in 23 C.E. and he began to appoint *tyrannical men* to power. Pilate received his appointment from Tiberius in 26 C.E. Far from contradicting Agrippa’s brutal description of Pilate, Tacitus provides indirect (but not specific) corroboration of the horrific charges against the Roman governor. One gets the impression (perhaps mistaken) that many years ago some biblical scholar ripped this Tacitus quote out of context and scholars continued to use it without ever bothering to read what Tacitus actually wrote.

Corroborating Tacitus’s account is his contemporary, the Roman historian Suetonius, who wrote that after Tiberius retired to Capri [in the year 26 C.E.] he never removed any prefect [technically Pilate was a prefect] or provincial governor.[25] This was not meant as a compliment.

A second interesting argument that has been made is that the reprimand of Pilate by Tiberius during the Golden Shields affair chastened Pilate and made him far more amenable to Jewish concerns. There are some problems with this defense.

[25] Suetonius, *Tiberius*, 41.

First, we don't know when in the course of Pilate's reign the Golden Shields affair took place. Pilate became governor in 26 C.E. Most scholars would place the date of Jesus' death between 30 and 33 C.E. Pilate remained in office until 36 C.E. Therefore we don't know whether the Golden Shields affair happened before the death of Jesus or after. Agrippa's letter indicates that enough time had elapsed into Pilate's administration such that he had already acquired a substantial record of abuses and executions. This suggests that at least some number of years into Pilate's governorship had already passed. Jesus could have been one of those persons executed without trial.

Second, even if the Golden Shields affair happened before Jesus was arrested, there is no evidence of any softening of Pilate's attitude towards the Jews. So such a change in attitude is purely speculative. On the other hand, we have significant evidence that Pilate remained a brutal homicidal antagonist to the Jews down to his final days as governor.

As noted above, the cause of Pilate's removal from office was the accusation of murdering a Samaritan prophet and his followers as well as conducting an ongoing military effort to attack the Samaritan prophet and his followers. The Samaritans were orthodox Jews who vehemently disagreed with the Jerusalem-centered tradition of the Judean Jews. Whether historically correct or not, the Samaritans claimed to be the descendants of the northern kingdom of Israel that

split off from the Davidic kingdom of Judah. They followed the Five Books of Moses but had a different version than the Jerusalem community. In their traditions Mount Gerizzim in Samaria, not Mount Sinai, was where Moses handed down the law.

Pilate's vicious assault on the Samaritan Jews suggests anything but a softening of his obstinate manner. It would seem to be a knockout blow to any attempt to establish a benign Pilate submitting to Jewish arm-twisting. So efforts are made to simply dismiss the incident by saying Pilate's actions against the prophet weren't such a bad thing and that we are giving it too much weight. The highly respected Raymond Brown writes that Pilate's order to wipe out the Prophet and his followers and to hunt down and kill any escapees, "does not seem reckless and one wonders of [sic] Vitellius's promptness in removing him was disinterested responsibility."[26]

In other words, Vitellius might have had some other motive for removing Pilate than just a disinterested concern over mass slaughter. Brown is unclear as to what part of mass murder and hunting down Jews for summary execution without trial he considers "reasonable." There is also the matter that if Pilate was sent to be tried before the emperor and such behavior was "reasonable," it should have led to

[26] Brown, R. E., *Death of the Messiah*, 1994, New York; London: Yale University Press, 704.

an easy acquittal; one wonders why the Syrian governor would risk his career over such an unreasonable accusation.

Brown's foolish argument here (and he is one of the most widely respected scholars on the Passion accounts), I think, demonstrates how devoid of substance the attempt to rehabilitate Pilate remains. There are some other arguments raised here and there but they are of lesser weight than what I have already discussed. Space prohibits any further discussion not only of the arguments already mentioned but of any of the others that have been offered. Again, I refer you to my book "The Judas Brief" for more detailed discussion.

While the evidence above presents what I believe is a clear and overwhelming argument that the Pilate of the gospels is not the Pilate of history, we also have some elements within the gospel accounts that appear to create further doubt as to the historical credibility of the Pilate scene. For the purpose of this part of the analysis I will assume for the sake of argument that Pilate and the High Priest were on friendly terms.

According to the gospel accounts, there are actually two different prisoners before Pilate whose release was being considered, Jesus and Barabbas. Matthew says the second man was named "Jesus Barabbas."[27] Mark and Luke say Barabbas

[27] Matthew 27:16.

led an insurrection and that people died as a result of the rebellion;[28] Matthew calls him "notorious;[29] and John calls him a bandit, although the underlying Greek word might also apply to a rebel.[30] In the course of the story, Pilate has to choose between releasing the one or the other and the Jews allegedly demand he release Barabbas.

The most reasonable translation of the Aramaic name Barabbas is "Son of the Father." This suggests some form of messianic title that falls into a continuum between Jesus as "son of man" and Jesus as "Son of God." Barabbas had just led some sort of insurrection, according to the gospels, that led to deaths, very probably among the Roman soldiers who had to put down the revolt.

Among those gathered around the forum we should find 1) Roman soldiers charged with keeping order and who would have been furious over the suggestion that a violent revolutionary who led an assault against Roman troops should be released; 2) revolutionary followers of Barabbas, who may have seen him as a messianic king but not necessarily as a supernatural being; 3) a number of Jews who contributed to Jesus' popularity and perhaps the apostles; and 4) the High Priest's coterie. It's hard to imagine a scenario where a group of Jews called for the release of Barabbas and at least some of the Roman soldiers wouldn't have cried out in response, "Barabbas Never!"

[28] Mark 15:7; Luke 23:19.
[29] Matthew 27:16.
[30] John 18:40.

Even if you believe that Pilate had become some sort of chastened governor anxious to help his newly minted associate, the High Priest, how likely is it 1) that the High Priest and his coterie would demand the release of a violent anti-Roman revolutionary, who would be as much or more of a threat to their authority than Jesus would be and 2) that Pilate, in an act that would shatter the morale of his troops, would consent to such a release? I would place the odds of either event somewhere between zero and none. There is, however, one group that would demand the release of Barabbas and that would be his followers. So if anyone shouted out to release Barabbas it would be his militant followers, not the chief priests and their coterie.

There is no way under those circumstances that Pilate would release Barabbas. Yet, he does. This element of the story is clearly designed to not only falsely blame the Jewish authorities for pressuring Pilate not to release Jesus but to make them look even worse by demanding the release of a violent revolutionary.

Another major problem is the manner in which Pilate addresses the crowd in order to get permission to release Jesus. In Mark and John Pilate asks the Jewish authorities if they want him to release the King of the Jews.[31] Who could Pilate possibly be addressing here? There are two groups before him who might consider one of the prisoners to be king of the Jews and one group militantly opposed to that

[31] Mark 15:9; John 18:39.

designation. The pro-king groups would be the followers of Jesus and the followers of Barabbas. If Pilate ever offered a choice between the two, one should realistically imagine a shouting match between the two factions calling out on behalf of their respective heroes. Opposed to releasing a "king of the Jews" would be the Jewish authorities who, from the gospel perspective, would see such a person as a threat to their authority.

Now, if Pilate was truly trying to convince the Jewish authorities to let him release Jesus, there is no way he would rub their faces in the figurative mud by asking them to release the king of the Jews. It would be an insult designed to encourage the rejection of such an offer. It is precisely because the Jews reject Jesus as king of the Jews that they are allegedly there in the first place. So, if not asking the Jewish authorities for permission, to whom is Pilate speaking?

If there is any historical core to Pilate asking this question, the odds are he is addressing either Jesus' followers or Barabbas's followers, and his use of the term "king of the Jews" is meant to be highly sarcastic and cruel, gloating. He would never release a non-Roman-endorsed "king of the Jews." That's not how Romans rule.

Matthew, interestingly, has a different version of this request.

> So after they had gathered, Pilate said to them, "Whom do you want me to release for you, Jesus Barabbas or Jesus who is called the Messiah?" [32]

Matthew's use of "Messiah" instead of "king of the Jews" doesn't change anything as far as the interaction between Pilate and the crowd. "Messiah" means "king of the Jews." But the wording of the phrase is interesting. The issue isn't as obvious in English and Matthew may have missed it in Greek. But to the Aramaic-speaking Jews before Pilate, what they would have heard is "Shall I release for you Jesus the son of the Father or Jesus the anointed one." In the listeners' minds, this may only have been a difference in titles rather than of persons. In Matthew's telling, the crowd could think (although that is probably not what Matthew wanted to convey) that calling for the release of "Jesus the son of the Father" was nothing more than a call to release "Jesus the son of man." But again, it would not be what Pilate would say to the Jewish authorities if he was trying to win them over.

Luke on the other hand may have understood the problem. Luke never has Pilate say anything about releasing a "king" or "messiah." In his version, the Jewish authorities directly accuse Jesus before Pilate of claiming to be "the

[32] Matthew 27:17.

Messiah, a king,"[33] and he has the governor publicly declare that he found Jesus innocent of all charges brought by the authorities.[34]

The last issue I want to address here is the question of why Jesus is in front of Pilate in the first place. The Jews had their own local government and it was responsible for enforcing Jewish law. In the synoptic accounts the Jewish Sanhedrin found Jesus guilty of blasphemy. That charged carried a penalty of death by stoning. Why were they going to Pilate to have Jesus executed. As Mark's High Priest says, "Why do we still need witnesses? You have heard his blasphemy! What is your decision?"[35] At this point, the council condemned Jesus as deserving death.[36] So, why is there a need to go to Pilate?

Perhaps aware of this very serious question, John attempts an answer. In his version Pilate tells the Jews to take Jesus and try him under their own law.[37] The Jews respond, "We are not permitted to put anyone to death."[38] The difficulty here is that the Jewish response is not true. Jews had authority to hand down capital sentences. To get around this, it is usually argued that John only meant that they couldn't execute anyone during the holiday, which would be true. But it doesn't explain why the Jewish authorities didn't simply wait until after the holidays to

[33] Luke 23:2.
[34] Luke 23:14.
[35] Mark 14:63-64.
[36] Mark 14:64.
[37] John 18:31.
[38] John 18:31.

carry out the sentence, when the massive crowds and opportunity for protests were greatly diminished. As Mark alleged, they didn't want to arrest him during the festival because of the crowds.[39] By publicly committing themselves to the execution of Jesus before the very crowds they were trying to avoid, they undercut their own stealth strategy.

John, however, perhaps unintentionally, may have given away the game. He has no blasphemy trial, nor any actual trial proceeding where Jesus is present. According to John, despite any of the earlier conflicts between Jesus and the authorities, the reason that the Jewish authorities wanted to put Jesus to death was because "If we let him go on like this, everyone will believe in him, and *the Romans will come and destroy both our holy place and our nation* (emphasis added)." Let me make clear what John says here. The Romans wanted Jesus dead because he was too popular and Rome threatened violence if he wasn't eliminated from the scene; the Jews acted only to appease Rome. This does not suggest a scenario where Pilate wanted Jesus to go free.

Cementing this conclusion is a much underappreciated clue in John that commentators try to whisk away. Among those who came to arrest Jesus was "*a detachment of soldiers* together with police from the chief priests and the Pharisees

[39] Mark 14:2.

(emphasis added).”[40] The police are from the Jewish authorities. Whom are the soldiers from? The Jewish authorities had no army, just local police to enforce the local law.

Many commenters on this passage note that the language implies a “cohort,” a Roman military unit that could number as many as eight hundred men. Care is often taken to try to say that this couldn’t have been a Roman military unit, because it wouldn’t support the gospel accounts of a Jewish conspiracy. One commentator says that the same language was used of Jewish troops. But Judea didn’t have military troops. The only people in the region with “cohorts” were the Romans and possibly Herod Antipas, ruler of Judea who had his own army because he was functionally a king. But it is unlikely that Herod would have brought such a large military unit into Judea, where he had no legal authority. That leaves Roman soldiers involved in the arrest of Jesus.

Taking this passage together with John’s earlier notice that Rome would destroy the Temple and the nation if Jesus wasn’t stopped, what becomes clear is that the arrest of Jesus was triggered by Roman concerns and Romans aided in the arrest. It was the Romans who wanted Jesus executed, not the Jews. This should not be too surprising from a literary perspective if we accept the gospel charges that there had just been a violent uprising under Barabbas, which would have

[40] John 18:3.

caused Pilate to be concerned about anyone with a large following claiming its leader was a king. Note also here that Barabbas was in Roman custody, not Jewish custody.

Whatever historical core, if any, lies behind the story of Jesus before Pilate, based on the historical evidence and the internal narrative flaws, the gospel scene in which Pilate tries to release Jesus over Jewish objections and ultimately yields to their demands has to be considered completely fictional. It was the Romans who wanted Jesus executed. Pilate didn't want to release him and the governor didn't succumb to any Jewish pressure.

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