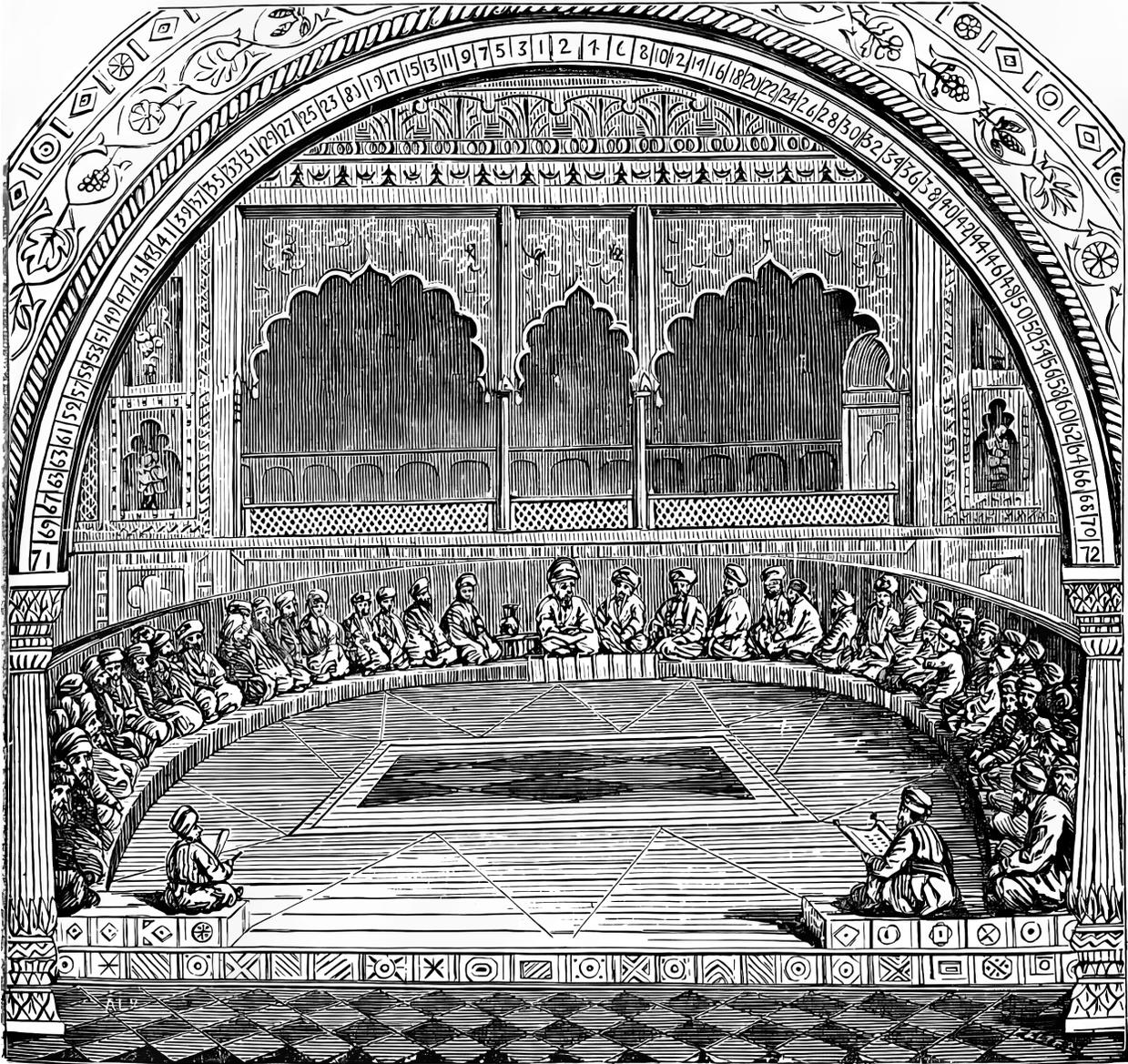


The Sanhedrin



“Paul looked intently at the Sanhedrin and said, ‘Brothers, I have lived my life before God in all good conscience until this day.’” (Acts 23:1 HCSB)

David Padfield

The Sanhedrin

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Abbreviations

For Primary Sources

b.	<i>Babylonian Talmud</i>
m.	<i>Mishnah</i>
t.	<i>Tosefta</i>
y.	<i>Jerusalem Talmud</i>
Ant.	<i>Jewish Antiquities</i> , by Flavius Josephus
Hag.	The tractate <i>Hagigah</i> from the Mishnah or Talmud
J.W.	<i>Jewish War</i> , by Flavius Josephus
Mak.	The tractate <i>Makkot</i> from the Mishnah or Talmud
Mid.	The tractate <i>Middot</i> from the Mishnah
Sabb.	The tractate <i>Shabbat</i> from the Mishnah or Talmud
Sanh.	The tractate <i>Sanhedrin</i> from the Mishnah or Talmud

Translations of the Bible

ASV	American Standard Version (1901)
CEV	Contemporary English Version (1995)
CJB	Complete Jewish Bible (1998)
CSB	Christian Standard Bible (2017)
ESV	English Standard Version (2016)
HCSB	Holman Christian Standard Bible (2003)
KJV	King James Version (1769)
NAB	New American Bible (1970)
NAS	New American Standard (2020)
NET	NET Bible (2019)
NIV	New International Version (2011)
NKJV	New King James Version (1982)
NRSV	New Revised Standard Version (1989)
RSV	Revised Standard Version (1971)
YNG	Young's Literal Translation (1862)

I have tried to follow the guidelines given *The SBL Handbook of Style* as much as possible. However, their handbook has not kept up with electronic media sources as much as I would like, so I have adopted a system where serious students can find my sources without too much trouble. In addition, SBL does not always follow the rules of modern typography, so for the sake of clean graphic design, I have bent a few other rules as well.

What Is The Sanhedrin?

Introduction

- I. If you were to ask most Christians what the *Sanhedrin* was, they would probably tell you that it was the “Supreme Court of the Jews.”
 - A. If you then asked them *how* they knew that, I am afraid that most of them would be stumped for an answer.
 - B. You can understand their confusion when you realize that the word *Sanhedrin* does not even appear in many translations of the Bible (such as the KJV and the NKJV)!
- II. In the Greek New Testament, the word for the *Sanhedrin* (Gr. συνέδριον; *sunedrion*) occurs in passages such as Matthew 5:22, John 11:47, and Mark 14:55.
 - A. The KJV, NKJV, ESV, ASV, and the NET translations of the Bible use the word *council* instead of *Sanhedrin* in these passages.
 - B. The HCSB and the CJB use the word *Sanhedrin* in these verses.
 - C. Most of the time, when the word *sunedrion* is used in the Greek New Testament, it is used in reference to the Great Sanhedrin in Jerusalem.
 - D. However, as we will notice in the next lesson, the word *Sanhedrin* could also be used of a small court found in most Jewish cities, or to the Lesser Sanhedrin, a body composed of 23 men, in Jerusalem.
 - E. As we study the four gospels, we see that both Joseph of Arimathea and Nicodemus were members of the Great Sanhedrin (Mark 15:43; John 3:1).
- III. The Great Sanhedrin in Jerusalem was the highest religious, political, legal, legislative, and judicial body among the Jews during the Second Temple period.
 - A. This body was composed of 71 members, presided over by the High Priest.
 - B. The Sadducees, a sect mainly composed of priests, seemed to have dominated the Sanhedrin, but the Pharisees were also represented (Acts 5:34; 23:1–9).

Discussion

I. Sources Of Information

- A. The New Testament makes frequent contemporary references to the Sanhedrin in the Gospels and the book of Acts.
 1. The Gospel writers lived during the time that the Sanhedrin was a functioning body in Israel.
 2. Due to my understanding of the inspiration of the Scriptures (2 Tim 3:16–17), I accept what these writers say about the Sanhedrin as fact.
- B. The *Mishnah* is a written collection of the oral traditions of the Jews and was first published around AD 200.
 1. The Mishna has an entire tractate dedicated to the rule and procedures of the Sanhedrin—and the tractate is appropriately named *Sanhedrin*.
 2. By the time the Mishnah was written, the Temple in Jerusalem had been destroyed for over 130 years.
 3. The Mishnah consists of six *orders* (Seeds, Festival, Women, Damages, Holy Things, and Purities), and each order contains seven to twelve *tractates*.

4. The tractate *Sanhedrin* discusses the Jewish court systems and the various punishments they administered.
 - a) The first section deals with the court system (*m. Sanh.* 1:1-5:5).
 - b) The second part deals with the death penalty (*m. Sanh.* 6:1-11:6).
 - c) The last section deals with extra-judicial penalties (*m. Sanh.* 9:5-6, 10:1-6).
 - d) The penalties for perjury and the judicial sanctions of banishment (exile) and flogging are discussed in the following tractate, *Makkot*.
 5. “However, it is difficult to determine how far the Mishnah has preserved reliable traditions on the Sanhedrin, for it is now generally agreed that it is reflecting the entirely different situation at Jamnia, not that in Jerusalem before A.D. 70. On the other hand, the Greek sources are more contemporaneous to the time of Jesus and are therefore to be favored in reconstructing the history of the Sanhedrin before A.D. 70.” (Twelftree, “Sanhedrin,” *DfG*, 837)
- C. The *Gemara* is a rabbinical commentary and analysis of the Mishnah itself.
1. When the *Gemara* is included with the text of the Mishnah, the combined book is referred to as the *Talmud*.
 2. The Talmud has 63 tractates and, when printed, contains 2,711 double-sided folios.
 3. The *Jerusalem Talmud* (Talmud Yerushalmi, or Talmud Eretz Yisrael) was compiled by scholars in Israel, primarily from the academies of Tiberias and Caesarea in Galilee, and was published between about AD 350-400.
 4. Since the Jerusalem Talmud was produced in a country under Hellenistic control, it reflects Greek influences in its language and content.
 5. The *Babylonian Talmud* (Talmud Bavli) was published around AD 500 by Jewish scholars in Babylonia.
 6. As might be expected, the Babylonian Talmud quotes mostly Babylonian rabbis, while the Jerusalem Talmud more often quotes Palestinian rabbis.
 7. Since Babylonia was the dominant center of Jewish life from Talmudic times through the beginning of the medieval period, the Babylonian Talmud is generally held to be much more authoritative than the Jerusalem Talmud.
 8. “Sanhedrin deals with the organization of the Israelite government and the courts and punishments administered thereby. The court system is set forth in the Mishnah’s statement of matters (Mishnah tractate Sanhedrin 1:1-5:5), the death-penalty (Mishnah tractate Sanhedrin 6:1-11:6), and extra-judicial penalties (Mishnah tractate Sanhedrin 9:5-6, 10:1-6). The penalties other than capital punishment, that is, perjury (with variable penalties), banishment, and flogging, are set forth in the next tractate, *Makkot*.” (Neusner, *The Babylonian Talmud English Folio*, “Introduction to Tractate Sanhedrin”)
- D. The *Tosefta* is another compilation of the Jewish oral traditions from the same period of the Mishnah (late 2nd century AD).
1. The word *Tosefta* itself literally means “addition.”
 2. This might be an oversimplification, but the *Tosefta* acts as a supplement or addition to the Mishnah, following the same divisions for *sedarim* (“orders”) and *masekhot* (“tractates”).

3. The Talmud often uses the discussions and traditions found in the Tosefta to explain the text of the Mishnah.
 4. The Tosefta is about three times longer than the Mishnah.
- E. The writings of Flavius Josephus (c. AD 37–100).
1. Josephus was a Jewish priest who led a revolt against Roman oppression in Galilee and later became an eyewitness to the siege of Jerusalem.
 2. His name at birth was Joseph ben Mattathias, but many years later (and after becoming a Roman citizen), he adopted the Roman name of Flavius Josephus.
 3. At the fall of Yotapata in AD 67, he was captured by the Romans and held as a prisoner in Caesarea Maritima till AD 69.
 4. He returned to Jerusalem with Titus in AD 70 and had a “ringside seat” at the siege and destruction of Jerusalem.
 5. “Josephus also uses the term for the Jerusalem council (Ant. 14.167–180; Life 62) and for the five districts and councils created in Palestine by Gabinius (Ant. 14.89–91).” (Twelftree, “Sanhedrin,” *DJG*, 836)

II. The History Of The Sanhedrin

- A. Jewish *tradition* claims the Sanhedrin originated in the days of Moses when he appointed seventy elders to assist him (*y. Sanh.* 1:3, 19b; cf. Num 11:16–24).
- B. Jewish writers claim that Ezra reorganized this body after returning from Babylonian exile (Ezra 7:25–26; 10:14).
- C. It is *possible* that the *elders* of Ezra 5:5, 9; 6:7–8, 14; 10:8, and the *rulers* of Nehemiah 2:16; 4:14, 19; 5:7–8; 7:5, made up a body which *resembled* the later Sanhedrin.
- D. “It should be recalled that the Jewish community in Judea at the beginning of the Second Temple period, which consisted of the group of returning Babylonian exiles and attendant remnants of the indigenous population, differed greatly in composition and structure from the community of the First Temple era. Although traces of ancient tribal divisions remained, they were no longer of great significance. Estates were no longer divided as they had been in the past, nor could the priests and Levites settle in all those cities that had once belonged to them. Even the Temple was not constructed exactly in accordance with the First Temple plan, and it lacked numerous items (the most striking omission being the Ark of the Covenant). The regime as a whole had changed; whereas in the First Temple era the monarchic system had prevailed, the focus of power was now gradually shifting from the nobles of royal descent to the High Priest and the Council of Sages, which later developed into the Sanhedrin. All these developments called for hundreds of new ordinances and enactments to regulate cultural and religious life.” (Steinsaltz, *The Essential Talmud*, 41)
- E. “Gabinius (57–55 B.C.), the Roman governor in Syria, divided the nation into five districts with councils (*synedria*) in Jerusalem, Gadara, Amathus, Jericho and Sepphoris (Josephus *Ant.* 14.5.4 §91). In 47 B.C. Caesar overturned this arrangement so that the high priest and the Jerusalem council were responsible for the affairs of the whole nation even though these local councils survived (Josephus *Ant.* 14.10.2 §§192–95).” (Twelftree, “Sanhedrin,” *DNTB*, 1063)

- F. “During the first century the Sanhedrin exerted authority under the watchful eye of the Romans. Generally, the Roman governor allowed the Sanhedrin considerable autonomy and authority. The trial of Jesus, however, shows that the Sanhedrin did not have the authority to condemn people to death (John 18:31). Later, Stephen was stoned to death after a hearing before the Sanhedrin, but this may have been more of a mob action than a legal execution authorized by the Sanhedrin (Acts 6:12–15; 7:54–60).” (Dean, “Sanhedrin,” n.p.)
- G. It should be noted that the word *Sanhedrin* is of Greek origin and that there is no *reliable* evidence of this body existing before the Greek period in Israel.
1. This has prompted many scholars to date the origin of the Sanhedrin to around 300 BC.
 2. “There is no evidence to show that, *previous to the Greek period*, there existed at Jerusalem an aristocratic council claiming to exercise either supreme, or what was substantially supreme, authority and jurisdiction over the whole Jewish nation” (Schürer, *A History of the Jewish People*, 2.1.165).
 3. The Apocrypha mentions “the senate of the nation” (NRSV, NAB) or “the elders of the nation” (KJV) (1 Macc 12:6; cf. 2 Macc 4:44; 11:27).
- H. After the destruction of Jerusalem in AD 70, the Sanhedrin was replaced by the *Bet Din* (Beth Den) at Jabnia, near the Mediterranean Sea (the Jabneh of 2 Chr 26:6).
1. While the High Priest had presided over the Sanhedrin, the Bet Den was presided over by a *Nasi* (president, prince).
 2. By the end of the 2nd century AD, Rome officially recognized this body.
 3. “Amid the siege of Jerusalem an aged pupil of Hillel, Johanan ben Zakkai, fearful lest the carnage should destroy all teachers and transmitters of the oral tradition, escaped from the city, and set up an academy in a vineyard at Yabne, or Jamnia, near the Mediterranean coast. When Jerusalem fell Johanan organized a new Sanhedrin at Jamnia, composed not of priests, politicians, and rich men, but of Pharisees and rabbis—i.e., teachers of the Law. This *Bet Din* or Council had no political power, but most Palestinian Jews recognized its authority in all matters of religion and morals. The patriarch whom the Council chose as its head appointed the administrative officers of the Jewish community, and had the power to excommunicate recalcitrant Jews. The stern discipline of the Patriarch Gamaliel II (*ca.* 100) welded into unity first the Council, then the Jews of Jamnia, then the Jews of Palestine. Under his leadership the contradictory interpretations of the Law transmitted by Hillel and Shammai were reviewed and voted on; those of Hillel were for the most part approved, and were made binding upon all Jews.” (Durant, *Caesar and Christ*, 547)

Conclusion

- I. “Simeon the Righteous was one of the last survivors of the great assembly. He would say: ‘On three things does the world stand: On the Torah, and on the Temple service, and on deeds of loving kindness’” (*m. Avot* 1:2).
- II. Whether by divine origin or political necessity, the Sanhedrin played a significant part in the story of Christ and His apostles.
- III. In our next lesson, we want to examine the various courts of the Jews—starting with the local courts, then moving on to the Lesser Sanhedrin and the Great Sanhedrin.

The Court System In Israel

Introduction

- I. The Great Sanhedrin in Jerusalem was the highest religious, political, legal, legislative, and judicial body among the Jews during the Second Temple period.
- II. However, the word *Sanhedrin* does not always refer to the high court in Jerusalem.
- III. Often, the term Sanhedrin refers to a local council of three men, and on other occasions, it refers to the *Small Sanhedrin*, a court composed of 23 men.

Discussion

I. The Local Sanhedrin

- A. In ancient Israel, villages could have a local court, which could properly be called a *Sanhedrin* (*m. Sanh. 1:6*).
 1. These courts were composed of three men (*m. Sanh. 1:1*).
 2. This court would hear cases involving property damage, theft, damages, and restitution—but not capital cases.
 3. “Property cases are tried by three judges, and capital cases by twenty-three” (*m. Sanh. 4:1; 1:1*).
 4. Cases that involved “an ox which caused death” would not be heard by a local Sanhedrin, but rather before the 23 judges of the Small Sanhedrin (*t. Sabn. 3:1*).
 5. Trials involving property began during the daylight hours and would end at night (*m. Sanh. 4:1*).
- B. In property cases, both litigants selected a judge, and then those two judges selected a third (*m. Sanh. 3:1*).
 1. However, some men would be disqualified from serving as a judge.
 2. For example, close relatives of the litigants are automatically disqualified (*m. Sanh. 3:4*).
 3. “One known to be a friend and one known to be an enemy” could not serve as a judge (*m. Sanh. 3:5*).
 4. Others who could not serve as a witness or a judge include, “(1) he who plays dice; (2) he who loans money on interest; (3) those who race pigeons; (4) and those who do business in the produce of the Seventh Year” (*m. Sanh. 3:3*).
 5. “The eunuch and one who has never had children are suitable for judging property cases but are not suitable for judging capital cases” (*t. Sanh. 7:5*).
 6. Cases heard by the local Sanhedrin were decided by the majority opinion (two out of the three judges had to agree), but the dissenting judge was not allowed to let anyone know that he did not agree with the verdict (*m. Sanh. 3:7*).
 7. “In property cases they decide by a majority of one, whether for acquittal or for conviction, while in capital cases they decide by a majority of one for acquittal, but only with a majority of two [judges] for conviction” (*m. Sanh. 4:1*).

- C. Jesus warned His disciples that they would be handed over to such local judicial bodies (Matt 10:17; cf. Mark 13:9).
1. “Be on your guard; you will be handed over to the *local councils* and be flogged in the synagogues” (Matt 10:17 NIV 2011).
 2. “Be on guard, for there will be people who will hand you over to the *local Sanhedrins* and flog you in their synagogues” (Matt 10:17 CJB).
 3. “Moreover, be constantly on your guard against the aforementioned men, for they shall deliver you over into the power of *judicial tribunals*, and in their synagogue courts of justice they shall scourge you” (Matt 10:17 Wuest).

II. The Small Sanhedrin

- A. The “Small Sanhedrin” (*Sanbedrei Katana*), or “Lesser Sanhedrin,” was composed of 23 men (*m. Sanh.* 1:6).
1. There were two Small Sanhedrins on the Temple Mount in Jerusalem and in almost every sizable city.
 2. “At first there were dissensions in Israel only in the court of seventy in the hewn-stone chamber in Jerusalem. And there were other courts of twenty-three in the various towns of the land of Israel, and there were other courts of three judges each in Jerusalem, one on the Temple mount, and one on the Rampart. If someone needed to know what the law is, he would go to the court in his town. If there was no court in his town, he would go to the court in the town nearest his. If they had heard the law, they told him. If not, he and the most distinguished member of that court would come on to the court which was on the Temple mount. If they had heard the law, they told them. And if not, they and the most distinguished member of that group would come to the court which was on the Rampart. If they had heard, they told them, and if not, these and those would go to the high court which was in the hewn-stone chamber.” (*b. Sanh.* 10:2, 88b)
 3. The purpose of this court was to hear capital cases (*m. Sanh.* 4:1).
 4. This would include cases involving rape, seduction, one “who brings forth an evil name” (*m. Sanh.* 1:1), and bestiality (*m. Sanh.* 1:4).
 5. They would also hear cases involving animals where the owner might also be put to death (*t. Sabn.* 3:1; cf. Exod 21:29).
 6. G. H. Twelftree, in the *Dictionary of New Testament Background*, argues that the Small Sanhedrin did not exist in Jerusalem before AD 70 (*DNTB*, 1062), but contemporary Jewish scholars strongly disagree with him.
- B. At trial, capital cases “begin only with the case for acquittal, and not with the case for conviction” (*m. Sanh.* 4:1).
- C. “In capital cases, they try the case by day and complete it [by] day. In property cases they come to a final decision on the same day [as the trial itself], whether it is for acquittal or conviction. In capital cases they come to a final decision for acquittal on the same day, but on the following day for conviction. (Therefore they do not judge [capital cases] either on the eve of the Sabbath or on the eve of a festival.)” (*m. Sanh.* 4:1)

- D. “No record remains of the proceedings of the Jerusalem Sanhedrin. However, the Mishnah gives details of the judicial procedure of the lesser Sanhedrin of twenty-three, which may reflect procedure of the Jerusalem Sanhedrin before A.D. 70. Members sat in a half-circle so that they could see each other. Before them stood two scribes, one writing down what was said in favor of, and the other what was said against, the accused. Before them sat three rows of students who could participate in noncapital trials (*m. Sanh.* 4:1-4).” (Twelftree, “Sanhedrin,” *DfG*, 839)
- E. “The isolated instance in the life of Herod in which there is evidence of a Jewish *synedrion*, a specific court established for justice and in which there actually was a judicial trial before ‘men (*andres*) of the synedrion,’ was the one before which Herod himself was summoned as a young man. This apparently was an inferior trial court and not the Great Sanhedrin, inasmuch as it is recorded that Herod was summoned as a commoner, while into the Great Sanhedrin were brought only special cases involving high officials.” (Hoenig, *The Great Sanhedrin*, 7)

III. The Great Sanhedrin

- A. The “Great Sanhedrin” in Jerusalem was composed of 71 men (*m. Sanh.* 1:6).
1. The Great Sanhedrin met in the Chamber of Hewn Stones on the Temple Mount (*m. Mid.* 5:4; *b. Sanh.* 10:2, 88b).
 2. Joseph of Arimathea was described as a “council member” (Gr. *bouleutēs*, Mark 15:43; Luke 23:50-53).
 3. This body was also referred to as “the high court” (*m. Sanh.* 11:2).
 4. “They judge a tribe, a false prophet, and a high priest only on the instructions of a court of seventy-one members” (*m. Sanh.* 1:5).
 - a) “The townsfolk of an apostate town have no portion in the world to come...” (*m. Sanh.* 10:4; Deut 13:12-15).
 - b) An apostate town was to be burnt to the ground, left as a heap of ruins, and never built again (*m. Sanh.* 10:6).
 - c) The penalty for being a “false prophet” was death (Deut 18:20).
 - d) It appears that Jesus and the apostles were judged before the Great Sanhedrin because they were accused of being “false prophets.”
 - e) “The office made of hewn stone: there the great Sanhedrin of Israel was in session, and it judged the priesthood. And a priest in whom was found a cause of invalidation dresses himself in black clothing and cloaks himself in a black cloak and departs and goes his way. And he in whom no cause of invalidation was found dresses himself in white clothing and cloaks himself in a white cloak and goes in and serves with his brethren, the priests.” (*m. Mid.* 5:4)
 5. The Mishnah claims that a king would only declare war on the instructions of the Great Sanhedrin (*m. Sanh.* 2:4).
 6. In the days of Moses, it was commanded that the leader of God’s people had to stand before the High Priest, who would inquire of the Lord, and only then go out to war (Num 27:21).
 7. Additions to the Temple courtyard in Jerusalem could only be made upon approval from this body (*y. Sanh.* 16:2, 16b).

8. “Unlike the Small Sanhedrin, it was not merely a judicial institution, but was regarded as the continuation of the *bet din* of seventy sages, which Moses himself had founded. This great law court was the expression of supreme religious authority; its power included the right to declare war, to decide the legality of the enactments of other courts and judicial institutions, and to promulgate new enactments binding on the entire nation. It should be recalled that the area of jurisdiction of the Great Sanhedrin was not limited to one place and extended beyond the borders of the Jewish state. It appointed the judges of the twenty-three-man courts in Jewish centers throughout the world, and its influence encompassed the entire Jewish people.” (Steinsaltz, *The Essential Talmud*, 203–204)
- B. The Great Sanhedrin sat in a semicircle so all of the court members could see each other (*m. Sanh.* 4:3–4).
1. “To allow for the court to be seated during its hearings, half of the chamber was built outside the *Azarah* walls (and thus remained unconsecrated) while the half inside the *Azarah* was consecrated. Both sides had their own entrances which were not centered in the walls but moved off to the corners so that they would not be directly behind the judges.” (Elan, *The Original Second Temple*, 87)
 2. The *Babylonian Talmud* claims that “forty years prior to the destruction of the Temple the Sanhedrin went out into exile from the Temple and held its sessions in a stall [on the Temple mount]” (*b. Sabb.* 15:1, 15a).
- C. The organization of the Great Sanhedrin.
1. “Proof of pure ancestry was required to become a member of the supreme councils, that is the Sanhedrin and any of the criminal courts of 23 members (*M. Sanh.* iv.2; cf. *b. Sanh.* 36b; *b. Kidd.* 76b) which, according to the Mishnah had the right of passing capital sentence. A later source (*j. Kidd.* iv.5, 65d.49) maintains that this right extended to the clerks and bailiffs of the court too.” (Jeremias, *Jerusalem In The Time Of Jesus*, 297–298)
 2. “The presiding leader, or *Nasi*, served alongside the chief magistrate, the *Av Bet Din*, and also with a sage, the *Chakham*, who was an expert in the Bible. The sage provided knowledgeable scholarship for intense study of issues under consideration. These three individuals fulfilled an executive role in the functions of the Great Sanhedrin.” (Young, *Meet The Rabbis*, 54)
- D. While most members of this court belonged to the Jewish sect of the Sadducees, it is wrong to assume that all priests were Sadducees or that all Sadducees were priests.
1. Paul observed this division in the court when he stood before the Great Sanhedrin (*Acts* 23:6).
 2. “In the Sanhedrin there were Pharisees and Sadducees, whose beliefs were often opposed. The Pharisees believed in the minute details of the oral law; the Sadducees accepted only the written law. The Pharisees believed in predestination; the Sadducees believed in free will. The Pharisees believed in angels and spirits; the Sadducees did not. Above all, the Pharisees believed in the resurrection of the dead; the Sadducees did not.” (Barclay, *The Acts of the Apostles*, 192)

3. “The membership of the Sanhedrin was drawn primarily from the priestly nobility; the Sadducees were in the majority or most influential. The high priest was the president and convener. Later, as Pharisees became increasingly popular among the people, they too were included in the number of the council. The presence of the Pharisees is evidenced by the New Testament references to Nicodemus (John 3:1) and Gamaliel (Acts 5:34; cf. 22:3) as members of the Sanhedrin, and by the conflict recorded in Acts 23:6–10. Josephus says that by the first century, the Sadducees, who controlled the Sanhedrin, had to conform to the formulae of the Pharisees or else ‘the people would not tolerate them.’ Even later, scribes and elders became a part of the Sanhedrin. The membership of Joseph of Arimathea shows that the body was not restricted to men from Jerusalem (Luke 23:50). We do not know how members were selected; the lack of a democratic process of popular election is one of the major differences between the Jewish council and those of Hellenistic cities.” (Scott, *Jewish Backgrounds of the New Testament*, 94)

IV. The Jurisdiction Of The Great Sanhedrin

- A. “Almost all agree that the Sanhedrin established the calendar for religious observance, which greatly influenced not only the Temple worship, but also impacted the large Jewish communities living outside the land of Israel in the Diaspora. The Sanhedrin calculated the leap years, established the new moons, and set the dates for the appointed festivals of the sacred calendar.” (Young, *Meet The Rabbis*, 49)
- B. “For neither Josephus nor the Gospels in speaking of the Sanhedrin report any of its decisions or discussions referring to the priests or to the Temple service, or touching in any way upon the religious law, but they refer to the Sanhedrin exclusively in matters connected with legal procedure, verdicts, and decrees of a political nature; whereas the Sanhedrin in the hall of hewn stone dealt, according to the Talmudic sources, with questions relating to the Temple, the priesthood, the sacrifices, and matters of a kindred nature. Adolf Blüchler assumes indeed that there were in Jerusalem two magistracies which were entirely different in character and functions and which officiated side by side at the same time. That to which the Gospels and Josephus refer was the highest political authority, and at the same time the supreme court; this alone was empowered to deal with criminal cases and to impose the sentence of capital punishment. The other, sitting in the hall of hewn stone, was the highest court dealing with the religious law, being in charge also of the religious instruction of the people (*Sanh.* xi. 2–4).” (Lauterbach, “Sanhedrin,” *The Jewish Encyclopedia*, XI.42)

- C. “In Jerusalem sat the Sanhedrin, which was in origin and effect the first authority in the land, and so its competence extended throughout world Jewry. At least it was so ideally; and although the enforcement of its decisions outside Judaea was difficult, its reputation as the highest authority guaranteed it the ear of world-wide Jewry. Acts 9.2 tells of Paul’s letters for the synagogue at Damascus, which contained orders to seize Christians there and deliver them to the Sanhedrin. Acts 28.21 says that the Jews of Rome had received no written instructions concerning Paul from Judaea. The Sanhedrin’s greatest influence was in Judaea, for after Judaea became a Roman province in AD 6, the Sanhedrin was its chief political agency. A committee of the Sanhedrin was in charge of finance in the eleven Jewish toparchies (*Bḥ* 3.54ff.) into which the Romans had divided the land. Furthermore, the Sanhedrin was at that time the first communal court of justice in the province, and finally it was the highest Jewish court of law in all Judaea.” (Jeremias, *Jerusalem In The Time Of Jesus*, 74)
- D. “Nor indeed is Judea destitute of such delights as come from the sea, since its maritime places extend as far as Ptolemais: it was parted into eleven portions, of which the royal city Jerusalem was the supreme, and presided over all the neighboring country, as the head does over the body. As to the other cities that were inferior to it, they presided over their several toparchies...” (Josephus, *J. W.* 3:53-54)
- E. “The jurisdiction was wide at the time of Christ. It exercised not only civil jurisdiction according to Jewish law but also criminal jurisdiction in some degree. It had administrative authority and could order arrests by its own officers of justice (Mt. 26:47; Mk. 14:43; Acts 4:1ff.; 5:17ff.; 9:2). It was empowered to judge cases which did not involve capital punishment (Acts 4-5). Capital cases required the confirmation of the Roman procurator (Jn. 18:31), though the procurator’s judgment was normally in accordance with the demands of the Sanhedrin, which in Jewish law had the power of life and death (Jos., *Ant.* 14.168; Mt. 26:66).” (Thompson, “Sanhedrin,” 1060-1061)
- F. By the time Jesus began His ministry, the Romans had taken away the right of the Great Sanhedrin to inflict the death penalty (John 18:31)

Conclusion

- I. From the beginning of the nation of Israel, God wanted them to be a nation governed by the rule of law (Exod 23:6-8).
- II. In theory, Jewish leaders sought to be fair and just in their administration of the law, but, as we will see in the following lessons, they often failed to live up to their high ideals.

Legal Procedures In The Sanhedrin

Introduction

- I. In our last lesson, we observed how God wanted the nation to be governed by the rule of law (Exod 23:6–8).
- II. The courts were to refrain from showing “partiality in judgment” (Deut 1:17).
- III. The Mishnah goes into great detail in explaining the types of crimes subject to capital punishment—it also has a wide variety of lesser punishments available.
- IV. Often, the Mishnah is in perfect harmony with Old Testament law, and sometimes it acts as an explanation of how Biblical laws were carried out.

Discussion

I. Corporal Punishment

- A. *Flogging* was often referred to as “forty stripes” (*m. Mak.* 1:3; Deut 25:2–3).
 1. Jesus warned His disciples that they might have to endure flogging (scourging) by the synagogues (Matt 10:17; 2 Cor 11:24).
 2. The Jewish scourge did not contain the pieces of metal, bone, or glass that the Roman scourge had.
 3. Flogging was usually reserved for perjurers and false witnesses (*m. Mak.* 1:2).
 - a) R. Meir taught that perjurers should be “smitten eighty times, on the count of, You shall not bear false witness against your neighbor (Ex. 20:13), and on the count of You shall do to him as he had conspired to do (Dt. 19:19)” (*m. Mak.* 1:3).
 - (1) This reference to Exodus 20:13 is from the Jewish Bible.
 - (2) In English Bibles, the passage would be Exodus 20:16.
 - b) Perjurers would also have to pay a fine or restitution, as determined by a different court.
 - c) However, “Perjured witnesses in a capital case are put to death only at the conclusion of the trial” (*m. Sanh.* 1:6).
 - d) The punishment for perjurers or those who gave false testimony was “never declared” before the trial was over (*t. Sanh.* 6:6).
 4. Others eligible for flogging included: “He who has sexual relations with (1) his sister, (2) the sister of his father, (3) the sister of his mother, (4) the sister of his wife, (5) the wife of his brother, (6) the wife of the brother of his father, (7) a menstruating woman, (8) a widow in the case of a high priest, (9) a divorcée or a woman who has performed the rite of removing the shoe with an ordinary priest, (10) a mamzer girl and a (11) Netin girl with an Israelite, (12) an Israelite girl with a Netin or with a mamzer.” (*m. Mak.* 3:1)

5. Other individuals who could be flogged were: “(1) an unclean person who ate food in the status of Holy Things; (2) he who enters the Temple unclean, (3) he who eats forbidden fat, blood, remnant of a sacrifice left overnight, meat of a sacrifice rendered invalid by the improper intention of the officiating priest, or unclean [sacrificial meat]; (4) he who slaughters an animal and offers it up outside of the Temple; (5) he who eats leaven on Passover; (6) and he who eats or who does an act of labor on the Day of Atonement; (7) he who prepares anointing oil like the anointing oil of the Temple, (8) he who prepares incense like the incense of the Temple, or (9) he who anoints himself with anointing oil; (10) he who eats carrion or terefah meat, forbidden things, or creeping things.” (*m. Mak.* 3:2)
 6. Also subject to flogging was one who “eats first fruits over which one has not made the required declaration” (*m. Mak.* 3:3).
 7. An individual “who imparts uncleanness to a Nazirite” could also be flogged (*t. Mak.* 4:10).
 8. “A woman who took a vow as a Nazir but nonetheless went around drinking wine and contracting corpse uncleanness—lo, this one receives forty stripes” (*m. Nazir* 4:3).
 9. And finally, you could be flogged if you shaved your head, rounded the corners of your beard, got a tattoo, drank wine while under a Nazirite vow, or wore clothing of mixed materials (*m. Mak.* 3:5–8).
 10. The procedure for flogging was very well defined (*m. Mak.* 3:12–14).
 11. If the man who administered the flogging “added even a single stripe and the man died, lo, this one is sent into exile on his account” (*t. Mak.* 5:12).
- B. *Sending one into exile* was usually reserved for one guilty of manslaughter.
1. This one had *accidentally* taken the life of another, and usually through neglect (*m. Mak.* 2:1).
 - a) For example, a man might be rolling his roof with a roller, and it fell on someone and killed him.
 - b) Or, he might have been climbing down a ladder and accidentally killed someone.
 - c) “He who throws a stone into the public domain and it committed homicide—lo, this one goes into exile” (*m. Mak.* 2:2).
 - d) “This is the governing principle: In any case in which one has the power to say, ‘He killed knowingly,’ he does not go into exile. And if he has the power to say, ‘He did not kill knowingly,’ lo, this one goes into exile.” (*m. Mak.* 2:3)
 2. Those exiled would be sent into one of the cities of refuge mentioned in the Old Testament (Deut 19:1–10; Num 35:13–15; Josh 20:7–9).
 - a) There were no circumstances in which an exiled person was allowed to leave a city of exile.
 - b) The only exception was at the death of the High Priest when those who were once exiled were allowed to return home (Num 35:25).

II. Capital Punishment

- A. A person could only be put to death on the testimony of two or three witnesses (*m. Mak.* 1:7; cf. Deut 17:6).
1. However, “R. Yose says, ‘Under no circumstances is one put to death unless both witnesses against him have given warning to him...’” (*m. Mak.* 1:9).
 2. We also learn that “a sanhedrin should not listen to the testimony through the intervention of a translator” (*m. Mak.* 1:9).
- B. The death penalty was intended to be a rare event.
1. The Mishnah says that “a sanhedrin which imposes the death penalty once in seven years is called murderous” (*m. Mak.* 1:10).
 2. Some rabbis said that they could never impose the death penalty.
 3. However, Rabban Simeon b. Gamaliel claimed that such a position “would multiply the number of murderers in Israel” (*m. Mak.* 1:10).
- C. Trials were to begin with arguments for the acquittal of the accused.
1. “In property cases they begin [argument] with the case either for acquittal or for conviction, while in capital cases they begin only with the case for acquittal, and not with the case for conviction” (*m. Sanh.* 4:1).
 2. In the Lesser Sanhedrin, if the vote for guilt was twelve in favor and eleven opposed, the accused would be acquitted.
 3. “Your verdict of acquittal may be on the vote of a majority of one, but your vote for guilt must be by a majority of two” (*m. Sanh.* 1:6).
 4. “In capital cases they come to a final decision for acquittal on the same day, but on the following day for conviction. (Therefore they do not judge [capital cases] either on the eve of the Sabbath or on the eve of a festival)” (*m. Sanh.* 4:1).
 5. “They would go off in pairs and would not eat very much or drink wine that entire day, and they would discuss the matter all that night. And the next day they would get up and come to court. The one who favors acquittal says, ‘I declared him innocent [yesterday], and I stand my ground and declare him innocent today.’ And the one who declares him guilty says, ‘I declared him guilty [yesterday] and I stand my ground and declare him guilty today.’ The one who argues in favor of guilt may [now] argue in favor of acquittal, but the one who argues in favor of innocence may not now go and argue in favor of guilt.” (*m. Sanh.* 5:5)
 6. After a trial, if the accused were found *innocent*, they would be sent home.
 7. However, if they were found *guilty*, they would postpone the pronouncement of judgment till the following day (*m. Sanh.* 5:5).

III. Modes Of Execution For Capital Crimes

- A. Most Bible students are familiar with stoning as a form of punishment inflicted in the Bible, but ancient Jewish courts had other methods of execution open to them.
- B. “Four modes of execution were given over to the court [in order of severity]: (1) stoning, (2) burning, (3) decapitation, and (4) strangulation” (*m. Sanh.* 7:1).
- C. *Stoning* (Exod 19:13; Lev 20:27; Deut 22:24; Josh 7:25) was reserved for certain crimes listed in the Mishnah (*m. Sanh.* 7:4–8:11).
1. A man who has sexual relations with his mother, the wife of his father, his daughter-in-law, another man, or with a cow (Exod 22:19; Lev 20:11–17).
 2. A woman who had intercourse with an ox.
 3. One guilty of adultery (Lev 20:10–12; Deut 22:22).
 4. One who blasphemes (Lev 24:14–16, 23; cf. Matt. 26:65–66).
 - a) An individual was guilty of blasphemy “only when he will have fully pronounced the divine Name” (*m. Sanh.* 7:5).
 - b) When the judges heard the blasphemy for themselves at trial, they would “stand on their feet and tear their clothing, and never sew them back up” (*m. Sanh.* 7:5).
 5. One who is guilty of idol worship (Exod 22:20; Deut 13:6–11; 17:2–7).
 6. One who gives of his seed to Molech (cf. Lev 20:1–5).
 7. One who has a familiar spirit (cf. Lev 20:27).
 8. One who is a soothsayer (Deut 18:10–11; Lev 20:27).
 9. One who profanes the Sabbath (Exod 31:14; 35:2; Num 15:32–36).
 10. One who curses his father or his mother (Exod 21:17).
 11. One who has sexual relations with a betrothed maiden (*t. Sanh.* 10:9; cf. Deut 22:23–24).
 12. One who beguiles others, or a whole town, to idolatry (Deut 13:1–5).
 13. A sorcerer (Exod 22:18).
 14. A stubborn and incorrigible son (*m. Sanh.* 8:1–7; cf. Deut 21:18–21; Ezek 18:1–18).
 - a) The child was held accountable from the point they reached puberty.
 - b) “And a minor is exempt, since he has not yet entered the scope of the commandments” (*m. Sanh.* 8:1).
 - c) For the first offense, the son is warned before three judges, then flogged (*m. Sanh.* 8:4).
 - d) For his second offense, he is judged before the Small Sanhedrin and subject to the death penalty—but the three judges who heard his first case must also be present.
- D. *Burning* was reserved for...
1. A man who has sexual relations with both a woman and her daughter (*m. Sanh.* 9:1; cf. Lev 18:17; 20:14).
 2. A priest’s daughter who committed adultery (cf. Lev 21:9).
- E. *Decapitation with a sword* was reserved for...
1. A murderer (*m. Sanh.* 9:1; Lev 24:17; Num 35:16–21, 29–34).
 2. The townsfolk of an apostate town (Deut 13:12–15).

- F. *Strangulation* was reserved for...
1. One who “stole a sacred vessel” (*m. Sanh.* 9:6; cf. Num 4:7).
 2. “A non-priest who served in the Temple” (*m. Sanh.* 9:6; cf. Num 18:7).
 3. One who hits his father and his mother (*m. Sanh.* 11:1; Exod 21:15).
 4. One who steals an Israelite (cf. Exod 21:16, Deut 24:7).
 5. An elder who defies the decision of a court (cf. Deut 17:12).
 6. A false prophet (Deut 13:1–5; 18:20).
 7. A prophet who prophesies in the name of an idol (Deut 18:20).
 8. One who has sexual relations with a married woman (Lev 18:6–20; Deut 22:22).
 9. Those who bear false witness against a priest’s daughter, or one who has sexual relations with her.

IV. The Stoning Of A Murderer

- A. Once the accused was found guilty of murder, they would take him out to the place of stoning “outside the camp” (*m. Sanh.* 6:1; cf. Lev 24:14; cf. Heb 13:13).
1. On the way to the place of stoning, a herald would go before the condemned.
 2. “And a herald goes before him, crying out, ‘Mr. So-and-so, son of Mr. So-and-so, is going out to be stoned because he committed such-and-such a transgression, and Mr. So-and-so and Mr. So-and-so are the witnesses against him. Now anyone who knows grounds for acquittal—let him come and speak in his behalf!’” (*m. Sanh.* 6:1).
 3. This helps us understand Isaiah 53:8, “And who will declare His generation?”
- B. When the condemned was about fifteen feet from the place of stoning, he is admonished to confess his guilt, “For whoever confesses has a share in the world to come” (*m. Sanh.* 6:2).
- C. When the condemned is six feet away from the place of stoning, he was disrobed, for, as the sages say, “A man is stoned naked, but a woman is not stoned naked” (*m. Sanh.* 6:3).
- D. Finally, one of the witnesses would shove the condemned into a pit that was “twice the height of a man” (*m. Sanh.* 6:4; cf. 7:4–8:7).
1. The intent in pushing the person into the pit was to have them land “face up.”
 2. This practice can be seen in Luke 4:28–29, when angry members of the synagogue at Nazareth led Jesus “to the brow of the hill on which their city was built, that they might throw Him down over the cliff.”
 3. If the victim died from the fall, the execution is finished.
 4. If not, another one of the witnesses would begin to “stone” the individual.
 5. If the individual is still alive, then “stoning him is [the duty] of all Israelites, as it is said, The hand of the witnesses shall be first upon him to put him to death, and afterward the hand of all the people (Dt. 17:7)” (*m. Sanh.* 6:4).
- E. After the condemned individual has died, he was then hung on a tree (post).
1. “They drive a post into the ground, and a beam juts out from it, and they tie together his two hands, and thus do they hang him” (*m. Sanh.* 6:4).
 2. This “hanging on a tree” reminds us of Christ (Gal 3:13; cf. Deut 21:23; Acts 5:30; 10:39; 13:29; 1 Pet 2:24).

3. However, the body must not be left out overnight, for “if he is left overnight, one transgresses a negative commandment on his account, as it is said, His body shall not remain all night on the tree, but you will surely bury him on the same day, for he who is hanged is a curse against God (Dt. 21:23)” (*m. Sanh.* 6:4).
4. The body of the deceased could not be buried “in the burial grounds of his ancestors. But there were two graveyards made ready for the use of the court, one for those who were beheaded or strangled, and one for those who were stoned or burned.” (*m. Sanh.* 6:5)
5. The relatives of the deceased were allowed to grieve, but only in private (*m. Sanh.* 6:6).

Conclusion

- I. The people of Israel had lofty standards of justice, and it seems that, according to the Mishnah, the courts placed great emphasis on the rights of the accused.
- II. However, as we will note in our next lesson, they threw the lofty ideals of justice out the window at the trial of Christ.

The Great Sanhedrin And Jesus

Introduction

- I. In our last lesson, we observed how ancient Israel had lofty standards of justice, and it seems that her courts placed great emphasis on the rights of the accused.
- II. In this lesson, we will notice how the Great Sanhedrin trampled on those lofty ideals of justice at the trial of Christ.
- III. “Of the sixty thousand-odd books said to have been written on the life of Jesus in the last century alone, not many paid particular attention to his trial, as if the story of it were not really part of the story of his life. Nor were many books written on the trial itself, and of those concerned with investigation and description of the judicial proceedings against Jesus, only a few were written by lawyers and legalistically. This is indeed surprising. No trial in the history of mankind has had such momentous consequences.” (Cohn, *The Trial and Death of Jesus*, xi)
- IV. Since Jesus was regarded as a “false prophet,” He had to be tried before the Great Sanhedrin since the Small Sanhedrin could not hear such cases.
- V. “They judge a tribe, a false prophet, and a high priest only on the instructions of a court of seventy-one members” (*m. Sanh.* 1:5).

Discussion

I. His Arrest In The Garden

- A. From the day Lazarus had been brought back from the grave, the Jewish leaders had “plotted to put Him to death” (John 11:47-53).
 1. Here you have the high priest, who served as the presiding officer of the court, along with other members of the court deciding that Jesus had to die!
 2. From this point on, does anyone think that Jesus was going to get a fair hearing before the Great Sanhedrin?
- B. On the Tuesday before His death, when Jesus “came into the temple, the chief priests and the elders of the people confronted Him as He was teaching” (Matt 21:23; cf. Mark 11:27; Luke 20:1).
 1. This day is often called “the day of controversy,” for, on that day, Jesus put the religious leaders in Jerusalem to silence.
 2. Under the leadership of Caiaphas, the Great Sanhedrin has already plotted to have Jesus killed (Matt 26:3-5).
 3. Judas Iscariot went to the chief priests and temple police and agreed to betray Jesus for 30 pieces of silver (Luke 22:3-6; Matt 26:14-16).
- C. On the Thursday night before His death, Jesus partook of His last Passover meal with His apostles (Matt 26:20; Mark 4:17-18; Luke 22:14).
 1. During the supper, Jesus pointed out that Judas Iscariot would betray Him (Matt 26:21-25).
 2. Judas then abruptly leaves the Upper Room and apparently tells the Sanhedrin that he has been discovered (John 13:30).

3. As they ate the Passover meal, Jesus instituted the Lord's Supper (Matt 26:26–29; 1 Cor 11:23–26).
 4. Afterward, Jesus gave His farewell discourse to His apostles in the Upper Room (John 14:1–31).
 5. At the end of this discourse, He told the apostles, “Arise, let us go from here” (John 14:31).
 6. As Jesus walked the streets of Jerusalem with His apostles, He gave them another discourse (John 15:1–16:33).
 7. After this “walking discourse,” and just before crossing over the Book Kidron, Jesus made an intercessory prayer for them (John 17:1–26).
- D. After crossing through the Kidron Valley, illuminated by a full moon, they enter the Garden of Gethsemane (John 18:1; Mark 14:32).
1. While in the garden, Jesus asked His Father to take away “the cup” of suffering He was about to endure (Matt 26:36–42).
 2. “And while He was still speaking, behold, Judas, one of the twelve, with a great multitude with swords and clubs, came from the chief priests and elders of the people” (Matt 26:47).
 3. Jesus was arrested in the garden by a large group of civil and religious authorities (John 18:2–12; Matt 26:47–56; Mark 14:43–50; Luke 22:47–53).
 4. Four groups of authorities came to the garden to arrest Jesus.
 - a) The Levitical police (“temple police” John 18:3 HCSB).
 - b) The “chief priests and elders of the people” (Matt 26:47).
 - c) Servants of the High Priest (Matt 26:51).
 - d) At least some portion of a Roman cohort assisted (John 18:3, 12).
 - e) “Every conceivable preparation had been made for this arrest: the crowd of temple guards ready for any wicked enterprise their cruel masters might plan; the Roman soldiers to give security and legality; the swords and staves for warfare, if any unexpected uprising of Zealots in His defense should threaten to thwart their plan; Judas, the traitor, to make sure that no mistake was made in the identity; lanterns and torches to give light if dark corners must be searched; a pre-arranged sign that was to be both the means of recognition and the signal for immediate action; the chief priests leading the mob; the high priests in the court rooms rehearsing suborned witnesses.” (Foster, *Studies in the Life of Christ*, 1236)
 5. Jesus made the point that He had been teaching “daily in the temple” (Luke 22:53; Mark 14:48–49), yet they did not arrest Him during daylight hours.
 6. Those familiar with the American “criminal justice system” are amazed to see that from the time of His arrest in the Garden, Jesus had six legal hearings (three before the Jews and three more before the Romans) and was convicted, sentenced, and executed—in less than eight hours!

II. The Hearing Before Annas

- A. Jesus undergoes a preliminary hearing before Annas (John 18:12–14, 19–23).
 1. Annas (Luke 3:2; Acts 4:6) had served as high priest from AD 6 to 15 (Josephus, *Ant.* 18.26).
 2. Five of his sons (Eleazar, Jonathan, Theophilus, Matthias, and Annas), as well as his son-in-law (Caiaphas; cf. John 18:13), also served as high priests (Josephus, *Ant.* 20.197–198).
 3. Like politicians of our day, he retained his title long after he left office—which explains how Luke 3:2 can speak of the time when “Annas and Caiaphas were high priests.”
 4. Though Annas was no longer in office, he was still a powerful and influential “behind the scenes” figure.
 5. “In bringing Jesus to Annas, therefore, the Jews were probably seeking the wise counsel of the most influential religious figure of the day” (Foreman, *Lexham Geographic Commentary*, 485).
 6. Apparently, the Roman soldiers were allowed to return to their barracks, for their work was done.
 7. Annas wouldn’t want any witnesses to these proceedings—especially those who could report back to Pilate!
- B. As Jesus was interrogated, He asked Annas to produce the witnesses who had evidence against Him (John 18:21).
- C. During this hearing, Jesus was struck on the face (John 18:22; cf. Acts 23:2).
 1. In ancient days, a strike on the cheek functioned as a severe insult, and God’s servants sometimes experienced this (1 Kgs 22:24; 2 Chr 18:23).
 2. “Striking a captive was certainly against Jewish law. This act shows how abusive and uninterested in any form of Jewish legality Annas is; his interest in the case is political, not legal.” (Keener, *John*, 2A.179)

III. At The House Of Caiaphas

- A. After a preliminary hearing, “Annas sent Him bound to Caiaphas the high priest” (John 18:24; cf. Matt 26:57; Mark 14:53; Luke 22:54).
 1. This event took place at the “high priest’s house” (Luke 22:54), not in the court rooms on the Temple Mount.
 - a) According to Josephus, the full name of the high priest was Joseph Caiaphas (*Ant.* 18.35, 95).
 - b) He was appointed high priest about AD 18 and served until AD 36 or 37.
 - c) Aside from Josephus, very little is known of the life of Caiaphas.
 - d) It is very possible that Annas and Caiaphas both lived in the same palatial mansion.
 2. On the eastern slope of Mount Zion, just outside of the walls of the Old City of Jerusalem, sits the Church of Saint Peter in Gallicantu.
 - a) The property is owned by a French religious order called The Augustinians of the Assumption.
 - b) The church takes its name from the Latin word *Gallicantu*, which means “the crowing of the rooster.”

- c) According to the Pilgrim of Bordeaux, in his *Itinerarium Burdigalense*, this was the location of the mansion of Caiaphas.
 - d) “On this side one goes up Sion, and sees where the house of Caiaphas the priest was, and there still stands a column against which Christ was beaten with rods.” (Pilgrim of Bordeaux, *Itinerary from Bordeaux to Jerusalem*, 23)
 - e) The Pilgrim of Bordeaux was an anonymous pilgrim from present-day Bordeaux, France, who journeyed to the Holy Land around AD 333 and 334, just twenty-one years after Constantine legalized Christianity.
 - f) His writings constitute the earliest travel journal to the Holy Land.
- B. Conducting a trial in a capital case at night was prohibited, for “In capital cases, they try the case by day and complete it by day” (*m. Sanh.* 4:1).
- C. From the gospel record, it appears that during the trial of Jesus, the practice of beginning the trial with arguments for the acquittal of the accused did not take place (*m. Sanh.* 4:1).
- D. While in the house of Caiaphas, “the chief priests, the elders, and all the council sought false testimony against Jesus to put Him to death” (Matt 26:59).
1. From Matthew’s account, it appears that many members of the Sanhedrin were present at the house of Caiaphas—maybe a group consisting primarily of the Sadducees.
 2. Under the law, two witnesses were required in capital cases (Deut 17:6; 19:15).
 3. Make sure you understand the whole picture—here is a case where the *judges* seek witnesses!
 4. “For many bore false witness against Him, but their testimonies did not agree” (Mark 14:56–59).
 5. Under the law of Moses, the penalty for false witnesses in a capital case was execution (Deut 19:16–21).
- E. Caiaphas put Jesus under oath and demanded that He tell them if He was the Son of God (Matt 26:63).
1. Jesus responded by saying, “It is as you said” (Matt 26:64).
 2. His reference to Himself as being “the Son of Man” could only be understood as a claim to being the Messiah (cf. Dan 7:13–14; Ps 110:1–2).
 3. Caiaphas tore his clothing when he perceived that Jesus was guilty of “blasphemy” (Matt 26:65).
 4. Under the Law of Moses, blasphemers were to be put to death (Lev 24:16).
 5. According to the Law of Moses, the high priest was forbidden by law to tear his clothing (Lev 10:6; 21:10).
 6. However, according to the Mishnah, once blasphemy has been uttered in court, “the judges stand on their feet and tear their clothing, and never sew them back up” (*m. Sanh.* 7:5).
 7. The Babylonian Talmud goes into detail explaining why the garments must be torn: “All the same are the one who actually hears [the blasphemy] and the one who hears it from the one who heard it. Both are liable to tear their garments. But the witnesses are not liable to tear their garments, for they already did so at the moment when they heard the original blasphemy.” (*b. Sanh.* 7:5, 60A)

8. According to the Mishnah, the court voted starting with the junior members, one by one, so they would not be influenced by the more senior members (*m. Sanh. 4:2*).
 9. However, at the trial of Jesus, the High Priest announced the verdict and claimed that no other input is required!
 10. Those “scribes and elders” who were present in the house of Caiaphas find that Jesus deserving of death for the crime of blasphemy (Matt 26:66).
- F. During this mockery of a trial, our Lord was again struck, beaten, spat upon, and mocked (Matt 26:67–68) while blindfolded (Mark 14:65; Luke 22:64).
- G. “We should also note that what otherwise appears to have been outrageous behavior by the Sanhedrin at Jesus’ trial may in fact have been another test for Messiahship. Following his acknowledgment that he was the Messiah, they blindfolded and struck him, and demanded that he identify who had struck him (Mark 14:61–65). These actions appear to be based on an old interpretation of Isa. 11:2–4, according to which the Messiah could judge by smell without the need of sight. Identifying who had struck him while he was blindfolded would presumably prove Messiahship.” (Scott, *Jewish Backgrounds of the New Testament*, 322)
- H. In the courtyard of the high priest’s house, Peter denied the Lord three times (Matt 26:58–75; Mark 14:54–72; Luke 22:54–62; John 18:15–27).

IV. Condemned By “The Whole Council”

- A. Very early on Friday morning, Jesus was *formally* condemned by the Sanhedrin (Matt 27:1).
1. “The minute that the Sanhedrin could legally assemble, they did so because they wanted to hurry this up before the populous could get wind of what was happening. It is probably close to 5 A.M. Normally the Sanhedrin did not assemble until after the morning sacrifice at 9 A.M., but they cannot wait that long this day. This is not a normal day. The morning and the evening sacrifice this day will be the person of the Lord Jesus Christ Himself.” (Lawrence, *The Six Trials of Jesus*, 102)
 2. Mark tells us “the chief priests held a consultation with the elders and scribes and the whole council” plotted to put Jesus to death (Mark 15:1).
 3. The HCSB speaks of the “whole Sanhedrin” (Mark 15:1).
 4. Luke tells us that this part of the trial took place in the formal meeting place of the Sanhedrin (Luke 22:66).
 5. According to the Mishna, it was forbidden to have a *trial* for a capital case and the *conviction* on the same day.
 6. “In capital cases they come to a final decision for acquittal on the same day, but on the following day for conviction. Therefore they do not judge capital cases either on the eve of the Sabbath or on the eve of a festival.” (*m. Sanh. 4:1*)
 7. The same law also prohibits having a trial “on the eve of the Sabbath,” which was precisely what was done at the trial of Jesus!

- B. Once again, Jesus is asked if He is the Messiah (Luke 22:66–71).
1. And, once again, Jesus referred to Himself as “the Son of Man,” which is a reference to Daniel 7:13–14.
 2. Out of the 83 times the phrase “Son of Man” is used in the four gospels, this will be the last time that Jesus utters these words.
 3. The response from the Sanhedrin was immediate (Luke 22:71).
- C. Jesus had been condemned to death by the “whole Sanhedrin” (Mark 15:1 HCSB), but they lacked the authority to carry out the death sentence (John 18:31).
1. “*It was taught*: Forty years before the destruction of the Temple the right to judge capital cases was withdrawn...” (*y. Sanh.* 1:1, 18a).
 2. “The anti-Semite Roman commander Sejanus, working through Pilate, deprived the Sanhedrin of its jurisdiction over capital crimes, with the result that the Sanhedrin had to abandon the Great Hall of Hewn Stone in the temple court and move as a body to the market of Annas on the temple mount. We see the results of this change a year or so later when the Sanhedrin was compelled to come to Pilate seeking the death penalty in the case of Jesus Christ.” (Boice, *Christ and Judaism (John 5–8)*, 350)
 3. They bound Jesus and led Him to the Praetorium to stand trial before Pontius Pilate (Matt 27:2; Mark 15:1; Luke 23:1; John 18:28).
 4. “The authority of the Sanhedrin to adjudicate capital crimes during the first century A.D. has been the focus of much research and debate. Prior to this time the Sanhedrin, like other supreme courts in the ancient world, clearly possessed such authority. But afterward the power of the sword appears to have lain exclusively in Roman hands. The real situation of the first century reflects a period of legal ambiguity, in which both Roman and Jewish leaders competed for ultimate control. On the one hand, key sources attest to a gradual increase in Roman claims to try and execute capital crimes (Josephus, *Antiquities*, 18.1.1; *Wars*, 2.8.1).” (Walton, *Archaeological Study Bible*, 1821)
- D. After trials before Pilate and Herod, Jesus was finally condemned to death on a Roman cross (Matt 27:26; Mark 15:15; Luke 23:24–25; John 19:16).
- E. Jesus was condemned and crucified under Roman law, but it is interesting how Jewish law and tradition were trampled on at His death.
1. According to the Mishnah, once the accused was found guilty, they would take him to the place of stoning “outside the camp” (*m. Sanh.* 6:6; cf. Lev 24:14).
 2. This reminds us of the admonition, “Therefore let us go forth to Him, outside the camp, bearing His reproach” (Heb 13:13).
 3. On the way to the place of execution, a herald would go before the condemned, reading the genealogy of the condemned.
 4. “And a herald goes before him, crying out, ‘Mr. So-and-so, son of Mr. So-and-so, is going out to be stoned because he committed such-and-such a transgression, and Mr. So-and-so and Mr. So-and-so are the witnesses against him. Now anyone who knows grounds for acquittal—let him come and speak in his behalf!’” (*m. Sanh.* 6:1).
 5. This helps us understand Isaiah 53:8, “And who will declare His generation?”

- F. The Babylonian Talmud makes an incredible reference to Jesus and His death.
1. “On the eve of the Passover Yeshu was hanged. For forty days before the execution took place, a herald went forth and cried, ‘He is going forth to be stoned because he has practiced sorcery and enticed Israel to apostasy. Any one who can say anything in his favor, let him come forward and plead on his behalf.’ But since nothing was brought forward in his favor he was hanged on the eve of the Passover! Ulla retorted: Do you suppose that he was one for whom a defense could be made? Was he not a Mesith [enticer], concerning whom Scripture says, Neither shalt thou spare, neither shalt thou conceal him (Deu. 13:9)? With Yeshu however it was different, for he was connected with the government [or royalty, i.e., influential].” (*b. Sanh.* 6:1, 43a)
 2. While most of this passage is contradicted by the New Testament, it does contain a few slivers of truth worthy of note.
 - a) First, it admits to the existence of Jesus.
 - b) It admits that He was “hanged” (cf. Gal 3:13; Deut 21:23; Acts 5:30).
 - c) It admits that He died on “the eve of the Passover.”
 3. Concerning the claim that He had influential friends, Schäfer makes this observation: “Since Jesus had friends in high places, the Jews took extra precautions before executing him: they went beyond the letter of the law so none of his powerful friends could accuse them of executing an innocent man” (Schäfer, *Jesus In The Talmud*, 65)

Conclusion

- I. At the trial of Jesus, we see at least six violations of Jewish law.
 - A. He was tried at night.
 - B. He was tried in the home of the high priest.
 - C. He was tried on the eve of the Sabbath.
 - D. His trial began with arguments for conviction rather than an acquittal.
 - E. He was convicted on the testimony of contradictory witnesses.
 - F. His verdict was handed down on the same day as His trial.
- II. “The God of Abraham, Isaac, and Jacob, the God of our fathers, glorified His Servant Jesus, whom you delivered up and denied in the presence of Pilate, when he was determined to let Him go. But you denied the Holy One and the Just, and asked for a murderer to be granted to you, and killed the Prince of life, whom God raised from the dead, of which we are witnesses.” (Acts 3:13–15)
- III. As we will notice in our next lesson, this would not be the last time the Great Sanhedrin bent the rules in an attempt to stop the message of Jesus.

The Sanhedrin And The Early Church

Introduction

- I. In our last lesson, we examined the three Jewish trials of Jesus.
 - A. The hearing before Annas, the former high priest (John 18:12-14, 19-23).
 - B. The hearing at the home of Caiaphas, the current high priest (John 18:24).
 - C. The formal condemnation of Christ before “the whole council” (Mark 15:1).
- II. In this lesson, we will note the early church’s growth and see how the Christians often stood before the Great Sanhedrin in Jerusalem.

Discussion

I. Peter And John

- A. In the early days of the church, “Peter and John went up together to the temple at the hour of prayer” (Acts 3:1).
 1. There, at “the gate of the temple which is called Beautiful” (probably the Nicanor gate), they meet a man who had been lame since birth (Acts 3:2).
 2. The man had been lame for forty years (Acts 4:22).
 3. Filled with compassion, they invoke the name of Jesus, and the man was immediately healed (Acts 3:3-7).
 4. Then the newly healed man entered the temple courts for the first time in his life and praised God for his healing (Acts 3:8-10).
 5. With the healed man still clinging to them, Peter and John go to Solomon’s Porch (*Solomon’s Colonnade* or *Solomon’s Portico*) (Acts 3:11).
 6. Peter then preached a sermon concerning the life and work of Jesus of Nazareth (Acts 3:12-26).
- B. Peter’s sermon caught the attention of “the priests, the captain of the temple, and the Sadducees” (Acts 4:1-2).
 1. The “captain of the temple” was known as the *sagan*, and, in the temple hierarchy, he was second in rank (right behind the high priest).
 2. He was also in charge of the “temple police” (Acts 4:1 HCSB).
 3. The temple police were composed of Levites who kept order on the temple mount (cf. 1 Chr 9:26-27; 2 Chr 35:15).
 4. Peter and John were put in custody overnight because the Great Sanhedrin did not meet at night (Acts 4:3; *m. Sanh.* 4:1).
 5. On the night before our Lord’s death, Peter claimed he was willing to go “both to prison and to death” for Jesus (Luke 22:33), but he failed (Luke 22:57-61).
 6. Now, encouraged by the resurrection and the events on the day of Pentecost, Peter boldly stood his ground.
 7. Even after the arrest of the apostles, the church continued to grow (Acts 4:4).

- C. The following day, Peter and John were brought before the Great Sanhedrin, possibly in the Chamber of Hewn Stone, and asked by whose authority they had healed the lame man (Acts 4:5–7, 15).
1. Peter responded by giving credit to “Jesus Christ of Nazareth” (Acts 4:8–12).
 2. The Great Sanhedrin was impressed by the courage and conviction of Peter and John, even though they had not been trained in the Rabbinic schools and held no official teaching positions (Acts 4:13–14).
 3. They could not deny that a miracle had taken place, but, to prevent the spread of the gospel, they decided to “severely threaten” the apostles (Acts 4:16–17).
 4. After listening to their threats, they respectfully tell the Sanhedrin that they “cannot but speak the things which we have seen and heard” (Acts 4:19–21).
 5. After leaving the council chambers, Peter and John join their brethren in prayer and thanksgiving to God (Acts 4:23–33; cf. Ps 146:6; Ps 2:1–2).
 6. Their prayer also requested that God would give them boldness to speak His word and “that signs and wonders may be done through the name of Your holy Servant Jesus” (Acts 4:29–30).
- D. After the unfortunate incident with Ananias and Sapphira (Acts 5:1–11), the apostles go back to teaching and preaching in Solomon’s Porch (Acts 5:12).
1. As the number of disciples increased, people from neighboring cities brought the sick to be healed by the apostles (Acts 5:14–16).
 2. Seeing the growth of the church, the Sadducees, “filled with jealousy,” had the apostles arrested and put into “the common prison” (Acts 5:17–18).
 3. “In addition to Herod’s prison on the west side of the city and a prison in the fortress of Antonia, the Sanhedrin had a place of incarceration either in the temple or below the building where it met...” (Arnold, *John, Acts*, 2B.255).
 4. That night, “an angel of the Lord opened the prison doors” and told Peter and John to go to the temple and “speak to the people all the words of this life” (Acts 5:19–20).
 5. It is somewhat ironic, but an angel of God freed the apostles—and the Sadducees did not believe in angels (Acts 5:19; cf. Acts 22:8).
 6. The following morning, when the Sanhedrin sent for the apostles, they found out that they were no longer in the prison, which had been well guarded, but were back on the temple mount preaching (Acts 5:21–25).
- E. Fearful of creating a public disturbance, the temple police brought the apostles back to the Sanhedrin “without violence” (Acts 5:26).
1. The high priest reminded the apostles that they had been given a strict order to not teach anymore in the name of Jesus (Acts 5:27–28).
 2. In one of the best-known statements of the Bible, Peter responded by saying, “We ought to obey God rather than men” (Acts 5:29–30).
 3. Many on the court “were furious and plotted to kill” the apostles (Acts 5:33).

- F. On this occasion, the apostles were spared thanks to the wise advice of a Pharisee named Gamaliel (Acts 5:34–39).
1. Gamaliel was one of the best-known sages among the Pharisees and had been a teacher of the apostle Paul (Acts 22:3).
 2. Lightfoot claims Gamaliel was the 35th “receiver of the traditions” (Lightfoot, *A Commentary on the New Testament from the Talmud and Hebraica*, 4.52).
 3. “In later rabbinical tradition Gamaliel I was identified as the grandson of Hillel and the son of Simeon. He was the first to hold the title *Rabban* for his role as president of the Sanhedrin, and also had the nickname *Ha-Zaken* (meaning ‘the Elder’) for authoring many legal ordinances while on the court. His fame is remembered in the Mishnah: ‘When Rabban Gamaliel the elder died, the glory of the Torah ceased, and purity and abstention perished’ (*Sotah* 9.15).” (Currid and Chapman, *ESV Archaeology Study Bible*, on Acts 5:34)
 4. “Rabbinic literature pictures Gamaliel as the grandson of the great Hillel and the *nāsī*’ (pharisaic leader) of the Sanhedrin (*Šabb.* 15a). The honorific title ‘the Elder’ was bestowed upon him (*Sotā* 9:15), as it was upon his father and grandfather. He was the first of only seven in all of rabbinic history, however, to be distinguished *Rabban* (‘our teacher/master’). He may thus be understood as the greatest living authority and most revered figure in all of Judaism ca. A.D. 20–50. Gamaliel was even consulted by royalty concerning matters of Jewish law (*Pesah.* 88b). Though some dispute his status, he clearly possessed significant authority (Acts 5:34), enough to persuade the Sanhedrin to spare the apostles (v. 40).” (Nunnally, “Gamaliel,” 481)
 5. “Nearly all the priests were Sadducees. Their leader, Caiaphas, had the apostles arrested and brought before the Sanhedrin (Acts 5:17–21). He wanted to punish them severely, but Rabban Gamaliel the Elder, who represented the Pharisees, argued convincingly in favor of the apostles. He noted that the Romans had suppressed many messianic movements that soon grew weak and disappeared. If this new movement was from God, he argued, they should not fight it. Rather they should wait and see if God blessed it.” (Young, *Meet The Rabbis*, 51)
- G. The Sanhedrin agreed with the wise counsel of Gamaliel, had the apostles beaten, and then let them go (Acts 5:40).
1. This beating or flogging was often referred to as “forty stripes” (*m. Mak.* 1:3; Deut 25:2–3), and Jesus had warned His disciples that they might have to endure such punishment (Matt 10:17; cf. 2 Cor 11:24).
 2. With blood still flowing from their wounds, “they departed from the presence of the council, rejoicing that they were counted worthy to suffer shame for His name” (Acts 5:41).
 3. Choosing to obey God rather than men, “they did not cease teaching and preaching Jesus as the Christ” (Acts 5:42).

II. Stephen

- A. Stephen was one of seven men chosen by the disciples to take care of the “daily distribution” to the needy widows in Jerusalem (Acts 6:1–6).
 1. He is described as a man “full of faith and power, (who) did great wonders and signs among the people” (Acts 6:8).
 2. In the course of his preaching, he disputed with Jews from the “Synagogue of the Freedmen” (Acts 6:9–10).
 3. This synagogue was composed primarily of Jews who had been freed from slavery in North Africa, Cilicia, and Asia (modern Turkey).
 4. These men were so enraged by Stephen’s preaching that they induced others to claim that Stephen had spoken blasphemy (Acts 6:11–14).
 5. Blasphemers were to be put to death by stoning (Lev 24:16; *m. Sanh.* 7:5).
- B. Stephen was brought before the Great Sanhedrin (Acts 6:12, 15), presided over by the high priest (Acts 7:1).
 1. The high priest allowed Stephen to reply to the charges made against him, and he gave a marvelous summary of the life and work of Jesus Christ—and their complicity in the death of “the Just One” (Acts 7:2–53).
 2. Stephen’s sermon was cut short as enraged court members “gnashed at him with their teeth” (Acts 7:54).
 3. “The idiom *ground their teeth at him* is quite meaningless in many languages. In fact, the impression may simply be of some ludicrous activity. In some languages, therefore, another idiom with equivalent meaning is employed, for example, ‘their hearts were very hot against him,’ ‘their faces burned against him,’ or ‘their hearts were very angry.’” (Newman and Nida, *A Translator’s Handbook on the Acts of the Apostles*, on Acts 7:54)
 4. Stephen claimed that he saw “the heavens opened and the Son of Man standing at the right hand of God” (Acts 7:56).
 - a) The phrase “the Son of Man” is a reference to Jesus and could only be understood as a claim to Him being the Messiah (Dan 7:13–14; Ps 110:1–2).
 - b) Jesus had made this claim Himself, and it resulted in His condemnation by the Great Sanhedrin (Luke 22:66–71).
 5. To keep themselves from becoming defiled by Stephen’s “blasphemy,” the court members “screamed at the top of their voices, covered their ears, and together rushed against him” (Acts 7:57 HCSB).
 - a) “V. 57 suggests that the audience believes they have heard blasphemy, for the idea that a human being could be at the right hand of God in heaven, especially a crucified manual worker from Galilee, was unthinkable. Thus they cover their ears, but then also spontaneously rush forward against Stephen and drag him out of the city and stone him. The stoning makes clear that they thought Stephen was blaspheming.” (Witherington, *The Acts of the Apostles*, 276)

- b) “The scene is almost comical. Dignified men are shouting at the top of their voices, and at the same time they are putting fingers in their ears to block the noise around them. But these men are venting their anger by shouting and are indicating their refusal to hear Stephen by covering their ears. As judges they forget to pass the guilty verdict, so that the trial itself becomes meaningless.” (Kistemaker, *Exposition of the Acts of the Apostles*, 279–280)
- 6. Stephen was cast (thrown) out of the city and stoned to death (Acts 7:58).
 - a) Capital punishment had to be done “outside the camp” (*m. Sanh.* 6:1; cf. Lev 24:14).
 - b) Blasphemers were to be put to death by stoning (Lev 24:16; *m. Sanh.* 7:5).
- C. Since the Romans had taken away the right of capital punishment from the Jews (John 18:31; *y. Sanh.* 1.1, 18a), this execution had to have been a mob action.
 - 1. As in the case of our Lord, the trial did not begin with arguments for his acquittal (*m. Sanh.* 4:1).
 - 2. In their haste, no vote was taken on his guilt or innocence (*m. Sanh.* 1:6).
 - 3. In another violation of the law, Stephen was tried and convicted on the same day (*m. Sanh.* 4:1).
 - 4. A herald did not go before Stephen reading his genealogy (*m. Sanh.* 6:1).
 - 5. According to the Mishnah, they were to strip the criminal before executing him, but here, Stephen’s accusers strip themselves, probably so they could hurl the stones with greater force (*m. Sanh.* 6:3).
 - 6. “Roman rule forbade executions without the governor’s consent, but they could not prevent lynchings...” (Keener, *The IVP Bible Background Commentary*, on Acts 26:9–10).

III. James

- A. There are four men in the New Testament by the name of James.
 - 1. James, the son of Zebedee (Matt 4:21; Mark 1:19; Luke 5:10).
 - 2. James, the son of Alphaeus (Matt 10:3; Mark 3:18; Luke 6:15)
 - 3. James, the father of the Apostle Judas {not Iscariot} (Luke 6:16).
 - 4. James, the half-brother of Jesus (Matt 13:55; Mark 6:3).
- B. During the Lord’s earthly ministry, His brothers were not believers (John 7:3–5).
 - 1. Paul mentioned a post-resurrection appearance by Jesus to James (1 Cor 15:7).
 - 2. After the resurrection and ascension of Jesus, His brothers are said to have been with the Twelve and the other believers in Jerusalem (Acts 1:14).
 - 3. After his conversion, Paul went to Jerusalem and met with Peter, but “saw none of the other apostles except James, the Lord’s brother” (Gal 1:19).
 - 4. About twenty years after the establishment of the church, James was at the “Jerusalem conference” with Peter and Paul (Acts 15:13–21).
 - 5. Several years later, “James, and all the elders” met Paul on his return to Jerusalem (Acts 21:17–18).

- C. James was apparently put to death by the Sanhedrin a few years before the destruction of Jerusalem.
- D. Josephus claims that Ananus, the high priest, “assembled the Sanhedrin of judges, and brought before them the brother of Jesus, who was called Christ, whose name was James, and some others, [or, some of his companions]; and when he had formed an accusation against them as breakers of the law, he delivered them to be stoned...” (Josephus, *Ant.* 20.200)

Conclusion

- I. Jesus had warned His disciples that they would be put on trial for their faith (Matt 10:17; cf. Mark 13:9).
- II. In our next lesson, we will see how Paul, the renowned student of Gamaliel, stood before the Great Sanhedrin.

Paul And The Sanhedrin

Introduction

- I. As Jesus had predicted, His disciples were often brought before Jewish councils and suffered greatly for His cause (Mark 13:9).
- II. In the early days of the New Testament church, Christians were often brought before the Great Sanhedrin in Jerusalem.
 - A. Peter and John were beaten by the Sanhedrin (Acts 5:40).
 - B. Stephen died as a result of mob action after speaking to the court (Acts 7:58).
 - C. James was sentenced to death by this court (Josephus, *Ant.* 20.200).
- III. The Apostle Paul, the famous rabbi who trained “at the feet of Gamaliel” (Acts 22:3), had frequent interactions with Jewish judicial bodies.
 - A. Many years after his conversion to Christ, Paul said that various Jewish authorities had scourged him on five separate occasions (2 Cor 11:24).
 - B. *Scourging* was often referred to as “forty stripes” (*m. Mak.* 1:3; Deut 25:2-3).
 - C. Scourging was usually reserved for perjurers and false witnesses (*m. Mak.* 1:2).
- IV. In this lesson, we want to see how the Great Sanhedrin treated Paul.

Discussion

I. Paul’s Appearance Before The Great Sanhedrin

- A. Near the end of Paul’s third missionary journey, he told the Ephesian elders that he was going to Jerusalem, “not knowing the things that will happen to me there, except that the Holy Spirit testifies in every city, saying that chains and tribulations await me” (Acts 20:22-23).
 1. On his trip back to Jerusalem, several brethren warned Paul about the dangers facing him (Acts 21:11-12).
 2. When Paul finally made it to the holy city, he met with James and the elders in Jerusalem and told them what “God had done among the Gentiles through his ministry” (Acts 21:17-19).
 3. After informing Paul about how many Jews were purposefully misrepresenting what Paul had taught, he was advised to visibly participate in a Nazirite vow, as specified in the Law of Moses (Acts 21:23-24; cf. Num 6:1-21).
 4. Paul followed the advice and participated in the purification rites of four men who had taken the Nazirite vow (Acts 21:26).
 5. However, some Jews from the Roman province of Asia “stirred up the whole crowd and laid hands on him” (Acts 21:27) and publicly accused him of bringing Gentiles into the temple, thus defiling the holy place (Acts 21:28-29).
 6. The whole city of Jerusalem was “disturbed,” and Paul was dragged out of the temple, and the temple doors were shut (Acts 21:30).

7. “The *sagan*, or chief of the Levite temple guard, may have ordered the doors at the Court of Women shut to keep out other intruders or to keep the violence certain to ensue from spilling into the temple proper; bloodshed violated a sanctuary.” (Keener, *The IVP Bible Background Commentary: New Testament*, 393)
 8. A riot ensued, and when the news of this reached the Roman tribune, “He immediately took soldiers and centurions, and ran down to them” (Acts 21:32).
 - a) On the northwest corner of the temple mount stood the Fortress Antonia, which housed a permanent Roman garrison.
 - b) Roman soldiers could look down and observe the crowds on the temple mount from the towers on the fortress walls.
 9. Paul was bound in chains, and when the tribune could not ascertain what was going on, he ordered that Paul be taken into the barracks in the Fortress Antonia for interrogation (Acts 22:33–34).
 10. After clarifying who he was, the tribune granted Paul permission to address the Jewish mob (Acts 21:40).
- B. While standing on the stairs leading up to the fortress Antonia, Paul preached his famous “sermon on the stairs,” where he explained his orthodox upbringing and subsequent conversion to Christ (Acts 22:1–21).
1. At the end of Paul’s sermon, he mentioned how Christ commissioned him to preach to the Gentiles (Acts 22:21).
 2. At the mention of the word “gentiles,” the crowd gave an immediate, violent response (Acts 22:22).
 3. As the Jewish mob “cried out and tore off their clothes and threw dust into the air, the commander ordered him to be brought into the barracks, and said that he should be examined under scourging...” (Acts 22:23–24).
 4. Paul avoided the scourging after the Roman tribune learned of Paul’s status as a Roman citizen (Acts 22:25–29).
 5. To find out the cause of the previous days riot, the tribune ordered the Sanhedrin to convene and brought Paul before them (Acts 22:30 HCSB).
- C. As Luke records it after the Great Sanhedrin had assembled, the first one to speak was Paul, and he began by saying, “Men and brethren, I have lived in all good conscience before God until this day” (Acts 23:1).
1. The high priest and chief officer of the court, Ananias, ordered that Paul be struck on the mouth—probably to indicate the court’s disapproval of what he had just said about having a clean conscience (Acts 23:2).
 2. Ananias served as high priest from AD 47–59 (Josephus, *Ant.* 20.103).
 3. Paul had not yet been charged with any crime, let alone convicted!
 4. Paul responded by calling the high priest a “whitewashed wall” (i.e., a hypocrite) who had violated the law (Acts 23:3).
 5. The law of Moses prohibited unjust treatment (Lev 19:15; Deut 1:16).
 6. In Paul’s response, it might have been that he did not realize the man speaking to him was the high priest or that Paul was implying that the man was not *acting* like the high priest.

7. Ananias would not have been wearing his official robes since he was not performing his ritual duties in the temple.
 8. Josephus tells us that when Fadus became procurator of Judea (AD 44-46), he ordered that the high priest “should lay up the long garment and the sacred vestment, which it is customary for nobody but the high priest to wear, in the tower of Antonia, that it might be under the power of the Romans...” (Josephus, *Ant.* 20:6).
- D. Paul observed that the council was made up of Sadducees and Pharisees and declared that he was a Pharisee (Acts 23:6).
1. As several translations of the Bible indicate, Paul *already knew* the court’s composition (Acts 23:6 NIV-II, CJB, YNG, REB).
 - a) The *Pharisees*, a minority party in the court, believed in angels, spirits, and the resurrection to come (Acts 23:8).
 - b) The *Sadducees* rejected any belief in angels, spirits, or the resurrection.
 2. Paul then divided the court by claiming that he is a Pharisee and was being judged because of his hope in the resurrection (Acts 23:6).
 3. The Pharisees ended up supporting Paul (Acts 23:9).
 - a) “From the Pharisaic standpoint, if Paul were being condemned for being consistent with his doctrine of the resurrection, then it is natural that the Sadducees want him convicted and likewise natural that the Pharisees and Sadducees should oppose each other on this matter. Later Pharisaic reports declare that the Sadducees would have no share in the world to come, because they did not believe in it. Pharisees, who believed in angels and afterlife, could allow that Paul had a revelation from some spirit.” (Keener, *The IVP Bible Background Commentary: New Testament*, 399)
 - b) “Sadly, New Testament scholars have been slow to recognize how the Pharisees at times supported the community of believers against the persecution of the Sadducees. The Great Sanhedrin was by no means a kangaroo court that obeyed the dictates of a single individual or group. Rather, the Sanhedrin appears in the literature as a representative body of different factions, in which the rich diversity of views held by the common people received a voice that could be heard in the deliberations of the great council meetings. A majority vote could determine action on a particular issue.” (Young, *Meet The Rabbis*, 53-54)
 4. The friction in the courtroom was so great that the Roman tribune had to take Paul away lest he be “pulled to pieces” (Acts 23:10).
 5. Paul was rescued by the Roman soldiers and taken into the barracks.

II. The Plot On Paul’s Life

- A. The night after Paul was placed in the barracks, the Lord comforted Paul and told him that he would testify of Christ in Rome (Acts 23:11).
 1. The Lord did not tell Paul exactly *how* this would take place.
 2. However, that story is told in the remaining chapters of Acts.

- B. While Paul was still in the custody of the Romans, a threat was made upon his life—the Jewish leaders wanted to kill him on his way to the meeting place of the Sanhedrin (Acts 23:12–15).
1. “After Paul was arrested in Jerusalem, the Roman commander asked the council to examine Paul to decide what was Paul’s crime (Acts 22:30; 23:28). Paul identified himself as a Pharisee who was on trial for his hope of resurrection. This involved the council in a debate of the divisive issue of the resurrection (Acts 23:1–9). The chief priests and elders were part of a plot to have Paul assassinated as he was led to another hearing before the council (Acts 23:13–15,20).” (Dean “Sanhedrin,” n.p.)
 2. “The meeting place of the Sanhedrin was in the center of the city at the *liškat haggazuît* (the ‘Chamber of Hewn Stone’), just west of the southwestern portion of the temple wall. Josephus calls this place the *Xystos*. It was approximately a quarter-mile from the Antonia Fortress. The group of forty have planned to ambush Paul at some strategic point between the two locations. This was a bold plan since Paul would be escorted by Roman soldiers. The conspirators are obviously prepared to kill one or more of the soldiers to get to Paul.” (Arnold, *John, Acts*, 2B.447)
- C. When Paul’s sister’s son learned of this plot, he told Paul (Acts 23:16).
1. Paul summoned one of the centurions and asked him to take the young man to the tribune (Acts 23:17).
 2. The man told the tribune about the plot on Paul’s life and how it was to be executed on the way to the council chambers of the Sanhedrin (Acts 23:20–21).
 3. Knowing that such a plan would involve an attack on a Roman citizen and Roman soldiers, Claudius Lysias sent nearly half of his available forces to guard Paul and escort him safely to Caesarea (Acts 23:23–33).
 4. When Paul arrived in Caesarea, Felix, the Roman governor, met with Paul and told him that he would preside over a legal hearing once Paul’s accusers arrived—and Paul was to be kept in Herod’s Praetorium until then (Acts 23:34–35).

III. Hearing Before Felix At Caesarea

- A. Five days after Paul’s arrival in Caesarea, “Ananias the high priest came down with the elders and a certain orator named Tertullus” (Acts 24:1).
1. The “elders” in this passage would consist of members of the Great Sanhedrin.
 2. In all likelihood, Tertullus was a Gentile lawyer.
 3. “After five days the high priest Ananias came down with some elders and an *attorney* named Tertullus...” (Acts 24;I NET).
- B. Tertullus began his speech with flattering words for Felix and then accused Paul of three crimes (Acts 24:2–8).
1. He accused Paul of being “a creator of dissension among all the Jews throughout the world.”
 2. He accused him of being a “ringleader of the sect of the Nazarenes.”
 3. He also claimed that Paul had “tried to profane the temple.”

- C. Paul's speech was brief and honest (Acts 24:10–21).
 - 1. He denied all of the charges and then proved he was a faithful Jew who worshipped the God of his fathers and believed all that was “written in the Law and the Prophets” (Acts 24:14).
 - 2. Paul also pointed out that his original accusers were not present at this hearing but that many members of the Sanhedrin who were present at his trial in Jerusalem were.
- D. Felix decided to postpone making any decision until Claudius Lysias, the Roman tribune in Jerusalem, could be present (Acts 24:22).
 - 1. While Paul was being held at Caesarea, he was granted liberty and allowed to have friends visit him (Acts 24:23).
 - 2. Some days later, Paul was given the opportunity to preach the gospel of Christ to Felix and his wife, Drusilla (Acts 24:24–26).
 - 3. Two years later, when “Porcius Festus succeeded Felix,” Paul was still being held as a prisoner (Acts 24:27).
- E. After Festus became governor, he traveled to Jerusalem and met with “the high priest and the chief men of the Jews” (Acts 25:1–2).
 - 1. The Jewish leaders petitioned Festus to have Paul brought back to Jerusalem, with the intent of ambushing Paul on the road (Acts 25:3).
 - 2. Festus declined and determined that Paul would stay in Caesarea.
 - 3. After arriving in Caesarea, Festus ordered Paul to be brought before him while Jews from Jerusalem “stood about and laid many serious complaints against Paul, which they could not prove” (Acts 25:6–7).
 - 4. Paul was asked if he would be willing to return to Jerusalem and be judged by Festus (Acts 25:9).
 - 5. Paul exercised his right as a Roman citizen to have his case adjudicated by Caesar himself—in this case, he would stand before Nero (Acts 25:10–12).
 - 6. The rest of the book of Acts documents Paul's long and arduous journey to Rome.

IV. Was Paul A Member Of The Great Sanhedrin?

- A. One scholar commented about Paul being a member of the Great Sanhedrin by saying, “This is not impossible, but it seems very unlikely” (Witherington, *The Acts of the Apostle*, 742).
- B. The one item that makes some people believe that Paul was a member of the Sanhedrin was his statement that when Christians were put to death, he “cast his vote against them” (Acts 26:10).
 - 1. “Against some interpretations, Paul's ‘vote’ does not mean that he was a member of the Sanhedrin. Paul was undoubtedly too young to have been a member (7:58), and ‘casting a vote’ was a frequent figurative expression in Greek for giving approval or making a decision (cf. 22:20).” (Walton and Keener, *NIV Cultural Backgrounds Study Bible*, comments on Acts 26:10)

2. “When Paul says that he cast his vote against those he was persecuting (26:10), this simply means that he approved of their death, not that he was a member of the Jewish ruling council (the Sanhedrin). He was too young at this point in his life to be a member of the Sanhedrin.” (Arnold, *John, Acts*, 2B.464)
 3. “Against some scholars, it is extremely unlikely that Paul was a member of the Sanhedrin. Granted, he came from a wealthy family; but it was also a Hellenist family, and most of the elders of the Sanhedrin came from aristocratic Judean (and very often priestly) families. He was too young (7:58) to hold such a respected position and was probably not yet married, and his occasions of being forced to boast about his background do not list this qualification.” (Keener, *Acts: An Exegetical Commentary*, 4.3506–3507)
 4. “His statement that he cast his vote against those who were put to death (26:10b) has led some to conclude that he was a member of the Sanhedrin, where such a vote may have been taken. But he was too young to be a member of the Sanhedrin at that time. Rather, it signifies that Paul was one of the major leaders in the campaign against Christianity and that he was actively involved in prosecuting Christians.” (Fernando, *Acts*, 595)
 5. “But would Paul have been a member of that august body to have actually ‘voted against’ Christians who had been brought before it? It is doubtful, not only on account of his probable age at the time, but also because of his apparently obscure origins. The Sanhedrin was an assembly of aristocrats, composed of men of mature years and influence. It is just possible, of course, that he had won a place in their ranks on sheer ability, but it is safer to assume that ‘voted against’ means simply that he ‘approved,’ the expression used in 22:20.” (Williams, *Acts*, 417)
 6. “The record shows so many contacts of Paul with the Sanhedrin that, if he had been one of the members, that fact would undoubtedly have been stated. It would have been too pertinent to have been passed over in silence in 7:58–8:3; 9:1, etc.; 22:3–5, and elsewhere. This lone remark about Paul’s voting is too slender a support to suffice as a basis for so great a fact. With that falls the thought of his marriage.” (Lenski, *The Interpretation of The Acts of the Apostles 14–28*, 1033)
 7. It might be that the King James version of Acts 26:10 says it best, “...and when they were put to death, I gave my voice against them.”
- C. When people ask about Paul being a member of the Sanhedrin, they are usually ignorant that there were many sanhedrins in Israel (local sanhedrins in the villages and Lesser Sanhedrins scattered throughout the land).
- D. Under normal circumstances, Paul would have been way too young to be a member of the Great Sanhedrin.
1. When we are introduced to Paul at the stoning of Stephen, he was referred to as “a young man named Saul” (Acts 7:58).
 2. While Luke paints Paul as a “young man,” the Sanhedrin was composed of the “elders” of Judaism (cf. Num 11:16).
 3. As a “young man,” Paul received his commission from “all the council of the elders” (Acts 22:5–6; 9:14; 26:10–11).

4. The Tosefta claims that before a man could be elevated to sit in the Great Sanhedrin, he first had to be made a judge in his own town, then “they promote him and seat him on the Temple mount, and from there, they promote and bring him up to the Rampart, and from there, they promote and bring him up to the chamber of the hewn stones” (*t. Hag. 2.9*).
 5. Once a man made it to the Chamber of Hewn Stones, he was not automatically made a sitting member of the court but had to progress through the three rows of “disciples” first.
 6. “And three rows of disciples of sages sit before them. Each and every one knows his place. [If] they found need to ordain [a disciple to serve on the court], they ordained one who was sitting in the first row. [Then] one who was sitting in the second row joins the first row, and one who was sitting in the third row moves up to the second row. And they select for themselves someone else from the crowd and set him in the third row. [The new disciple] did not take a seat in the place of the first party [who had now joined in the court] but in the place that was appropriate for him [at the end of the third row].” (*m. Sanh. 4:4*)
- E. Paul lacked a few other qualifications to sit on the court.
1. From what we can glean from the New Testament, Paul appears to have never been married, yet men without children could not sit on the court.
 2. “Childless men or aged persons were also disqualified from serving on such courts, since, as the Talmud said, ‘they have forgotten the sorrow of raising children,’ and therefore might be more eager to apply the strict letter of the law than to consider the motives and emotions of the defendant.” (Steinsaltz, *The Essential Talmud*, 203)
 3. Pharisees on the court had to be scribes, yet, Paul’s manual occupation was that of a tent maker (Acts 18:1–3).
 4. “Apart from the chief priests and members of patrician families the scribe was the only person who could enter the supreme court, the Sanhedrin. The Pharisaic party in the Sanhedrin was composed entirely of scribes. This Sanhedrin, we reflect, was not merely a court of government, but primarily one of justice. Now the knowledge of scriptural exegesis was the determining factor in judicial decisions. Add to this the great influence that the Pharisaic group in the Sanhedrin had managed to gain in its administrative activity, and we can appreciate the importance of the scribes’ privilege in forming part of the court of seventy-one.” (Jeremias, *Jerusalem In The Time Of Jesus*, 236–237)
- F. It should be noted that when Paul gave his pedigree, he never mentioned being a member of the high court—or even a lower court (Phil 3:4–6).
- G. In addition, there is no evidence that any ancient writer claimed or even suggested that Paul was a member of the court.

- H. If Paul was indeed a member of the Great Sanhedrin, then you must be willing to accept all of the following presuppositions:
1. He was married and had children.
 2. By occupation, he was also a scribe.
 3. He had to have sat on three different lower courts and then progressed through the ranks of the disciples of the sages to sit on the Sanhedrin itself, all while still being what Luke calls “a young man.”
 4. All ancient writers were ignorant of his position on the court.
 5. Or, possibly, the Great Sanhedrin overlooked *all* their requirements and then voted for a young Hellenistic Jew to be elevated to the court.

Conclusion

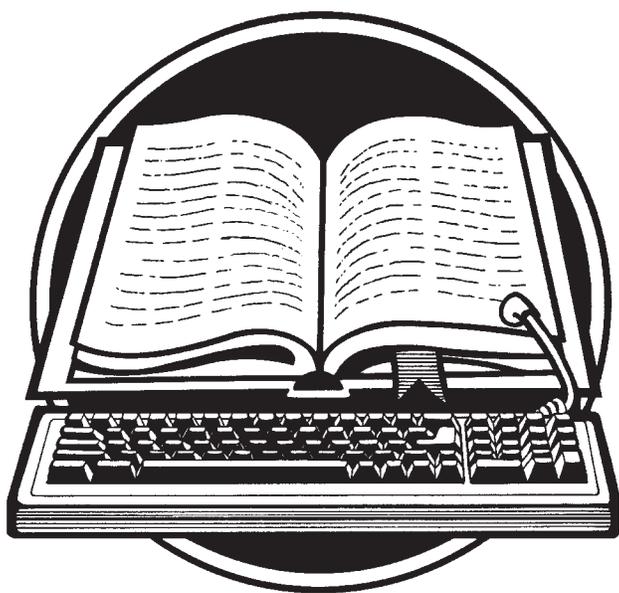
- I. The Great Sanhedrin played a significant part in the story of Christ, His apostles, and the growth of the early church.
- II. As powerful as the Great Sanhedrin was, it could not stop the growth of the church.
- III. We are reminded of the wise counsel Gamaliel gave to the Sanhedrin concerning the preaching of the apostles, “if this plan or this work is of men, it will come to nothing; but if it is of God, you cannot overthrow it” (Acts 5:38–39).

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