

Pentwater Bible Church

Gospel of Mark

Message 58

June 14, 2015



The Crowning with Thorns by Gerard van Honthorst cir. 1662

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The Book of Mark

Message 58

Events Preceding the Crucifixion-The Illegal Trial

June 14, 2015

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Jesus Taken to the House of the High Priest by Arent de Gelder Cir. 1715

THE ILLEGAL TRIAL

Mark 14:43-65

⁴³ And immediately, while he yet spake, cometh Judas, one of the twelve, and with him a great multitude with swords and |clubs|, from the chief priests and the scribes and the elders. ⁴⁴ And he that betrayed him had given them a token, saying, Whomsoever I shall kiss, that same is he; take him, and lead him away safely. ⁴⁵ And as soon as he was come, he goeth straightway to him, and saith, Master, master; and kissed him. ⁴⁶ And they laid their hands on him, and took him. ⁴⁷ And one of them that stood by drew a sword, and smote a servant of the high priest, and cut off his ear. ⁴⁸ And Jesus answered and said unto them, Are ye come out, as against a thief, with swords and with |clubs| to take me? ⁴⁹ I was daily with you in the temple teaching, and ye took me not: but the scriptures must be fulfilled. ⁵⁰ And they all forsook him, and fled. ⁵¹ And there followed him a certain young man, having a linen cloth cast about his naked body; and the young men laid hold on him: ⁵² and he left the linen cloth, and fled from them naked.

⁵³ And they led Jesus away to the high priest: and with him were assembled all the chief priests and the elders and the scribes. ⁵⁴ And Peter followed him afar off, even into the palace of the high priest: and he sat with the servants, and warmed himself at the fire. ⁵⁵ And the chief priests and all the council sought for witness against Jesus to put him to death; and found none. ⁵⁶ For many bare false witness against him, but their witness agreed not together. ⁵⁷ And there arose certain, and bare false witness against him, saying, ⁵⁸ We heard him say, I will destroy this temple that is made with hands, and within three days I will build another made without hands. ⁵⁹ But neither so did

their witness agree together. ⁶⁰ And the high priest stood up in the midst, and asked Jesus, saying, Answerest thou nothing? what is it which these witness against thee? ⁶¹ But he held his peace, and answered nothing. Again the high priest asked him, and said unto him, Art thou the Christ, the Son of the Blessed? ⁶² And Jesus said, I am: and ye shall see the Son of man sitting on the right hand of power, and coming in the clouds of heaven. ⁶³ Then the high priest rent his clothes, and saith, What need we any further witnesses? ⁶⁴ Ye have heard the blasphemy: what think ye? And they all condemned him to be guilty of death. ⁶⁵ And some began to spit on him, and to cover his face, and to buffet him, and to say unto him, Prophecy: and the servants did strike him with the palms of their hands (KJV).

THE RELIGIOUS AUTHORITIES APPROACH

Mark 14:43

⁴³ And immediately, while he yet spake, cometh Judas, one of the twelve, and with him a great multitude with swords and |clubs|, from the chief priests and the scribes and the elders (KJV).

Before anyone arrived an angel from Heaven arrived to comfort Jesus from the intense agony He was undergoing (Luke 22:44-46). The agony itself that He experienced is described; *He began to be sorrowful, and very heavy*. The pain or torment that he was experiencing was coming from within; he troubled Himself (John 11: 33). Jesus' sorrow was so strong His pores secreted a substance like blood (Luke 22: 44). ¹ He probably was experiencing the condition described in medicine as Hematidrosis, which is the excretion of blood or blood pigment in the sweat. It may occur when a person is suffering extreme levels of stress, for example, facing his or her own death. Leonardo da Vinci described a soldier who sweated blood before battle, and when men were unexpectedly given a death sentence. The degree of sorrow signifies such a sorrow as a weight of lead upon his spirits. Now was fulfilled, the Messianic Psalm 22:14, where it is stated, *I am poured out like water, my heart is like wax, it is melted (KJV)*.

While Jesus was addressing Peter, James, and John for sleeping and then asking them to continue to sleep Judas appeared with an armed mob of Romans as well as the chief priests, scribes and the elders. Consider who is arriving beside the betrayer Judas. The Romans, chief priests, scribes and the Sanhedrin (elders). Even though the Romans had occupied Israel since the siege in 63 B.C. they allowed the standing government to conduct the affairs of state. The only activities for which the Romans sought to be involved were the collection of taxes and capital punishment. They maintained oversight in the death sentences so as to control potential riots, which would impair the Pax Romana (Peace of Rome) they sought to preserve.

The Sanhedrin (elders) was the High Court of Justice, the Supreme tribunal of the Jews, and was known to number seventy-one members. They sat as judges in Israelite trials having legislative, executive and judicial powers. They constituted the national parliament as well as the other branches of government known to modern western governmental bodies. Their principle laws came from the Torah (first five books of the Bible), the rabbinic law known as the Talmud and the Mishnah. This group violated all their laws to arrest, charge, try and execute Jesus. It is important to see how people driven by envy and threatened will embrace hatred so strong that it surpasses

¹ Holoubek, JE, "Blood, sweat and fear, A classification of Hematidrosis." *Journal of Medicine* 1996, 27 (3-4): 115-33. PMID 8982961

their own stated values. These men clearly embraced the fleshly activities described in Galatians chapter five.

Galatians 5:17-21

¹⁷ For the flesh lusteth against the Spirit, and the Spirit against the flesh: and these are contrary the one to the other: so that ye cannot do the things that ye would. ¹⁸ But if ye be led of the Spirit, ye are not under the law. ¹⁹ Now the works of the flesh are manifest, which are these; Adultery, fornication, uncleanness, lasciviousness, ²⁰ idolatry, witchcraft, hatred, variance, emulations, wrath, strife, seditions, heresies, ²¹ envyings, murders, drunkenness, revellings, and such like: of the which I tell you before, as I have also told you in time past, that they which do such things shall not inherit the kingdom of God (KJV).

Violation One

Even *before* Jesus' trial began the law was broken because His arrest was illegal. The Jewish law prohibited any part of a legal proceeding in capital offenses to take place at night, and Jesus was arrested at night.

"A capital offense must be tried during the day and suspended at night" (Mishnah in "Sanhedrin" Vol.1)

THE SIGN OR TOKEN

Mark 14:44-45

⁴⁴ And he that betrayed him had given them a token, saying, Whomsoever I shall kiss, that same is he; take him, and lead him away safely. ⁴⁵ And as soon as he was come, he goeth straightway to him, and saith, Master, master; and kissed him (KJV).

The token or sign that the Jews needed to signalize the moment to arrest Jesus would be a kiss. Judas had told the crowd to arrest the man to whom he would greet with a kiss. After they saw this they would lead Him away under guard. This was a Sanhedrin arrest not a Roman arrest. Jesus had not violated any Roman laws. Roman soldiers were there in case there was a riot. Judas pointed Jesus out through the common mid-eastern greeting of a kiss. This was not to identify Jesus but to certify that the one he kissed was Jesus as Judas had agreed to be His formal accuser in the trial and this was the legal process of certifying the relationship between the accuser and defendant for trial purposes.

THE APPREHENSION

Mark 14:46-49

⁴⁶ And they laid their hands on him, and took him. ⁴⁷ And one of them that stood by drew a sword, and smote a servant of the high priest, and cut off his ear. ⁴⁸ And Jesus answered and said unto them, Are ye come out, as against a thief, with swords and with clubs to take me ⁴⁹ I was daily with you in the temple teaching, and ye took me not: but the scriptures must be fulfilled. (KJV)?

They did not arrest Jesus in the Temple all week as He was teaching, healing, and confronting the Jewish authorities and to a lesser extent the Herodians. Even though they wanted to apprehend Him they feared the people and a riot during the day (Mark 14:19).

They instead in violation of their own laws came at night under the influence of the prince of darkness Satan himself. Jesus is then seized and it is anything but an orderly arrest based upon proper legal authorization. Mark does not identify the sword bearer but John's gospel does (John 18:10-11). It was Peter who drew the sword *and smote a servant (Malchus) of the high priest, and cut off his ear*. Peter was probably trying to cut off Malchus' head and missed displaying the fidelity to Jesus he stressed earlier that night. Luke records that Jesus miraculously healed the ear (Luke 22:51). John further goes on to describe Jesus' words to Peter, "*Put up thy sword into the sheath: the cup which my Father hath given me, shall I not drink it?*" In other words Jesus declares these events as foreordained and must proceed.

Then Jesus said to them, "*Are ye come out, as against a thief, with swords and with |clubs| to take me?*" Jesus did not resist them but offered a protest for the excessive display of armed force they brought against Him. He said they acted as though they came out against an armed robber. He was not an insurrectionist who acted in hiding but a recognized religious teacher. Every day that week He appeared openly among them in Jerusalem teaching (Mark 11:17) in the temple courts (Mark 11:11) but they did not arrest Him (Mark 12:12; 14:1-2). Arresting Him like a criminal at night in a secluded place showed their cowardice and uncaring attitude toward their own law. More importantly it clearly demonstrated that they did now know who He really was. But this happened because *the scriptures must be fulfilled* (Psalms 22:7-8, 14, 16-17; Isaiah 50:6, 53:3, 7-9, 12).

THE ELEVEN FLEE IN FEAR

Mark 14:50

⁵⁰ *And they all forsook him, and fled (KJV).*

Just hours earlier they all swore to never deny Him led by Peter's affirmation of willingness to die with Him. Now in the heat of the moment they all leave Him. Judas betrays Jesus and the eleven desert Him.

THE YOUNG MAN FLEES

Mark 14:51-52

⁵¹ *And there followed him a certain young man, having a linen cloth cast about his naked body; and the young men laid hold on him: ⁵² and he left the linen cloth, and fled from them naked (KJV).*

Only Mark's gospel offers this event, which gave, rise to the tradition that it probably was Mark himself that he described. Mark is the young man who also abandoned his mission work when the going got tough (Acts 13:13; 15:38). Later Barnabas brought him back into the mission (Acts 15:39), and Paul finally accepted him again (2 Timothy 4:11). Mark seems to be saying, "I ran away, too!" John Mark the author, Simon Peter the primary source shows a strong emphasis in this Gospel on discipleship failure and renewal. Peter and Mark both were involved in this. So it seems that this young man was about to be seized by the authorities too until they tried to grab him and

only managed to get his nightshirt while he fled away naked. Therefore all of Jesus' followers left Him to the men who hated Him.

CAIAPHAS QUESTIONS JESUS

Mark 14:53

⁵³ *And they led Jesus away to the high priest: and with him were assembled all the chief priests and the elders and the scribes (KJV).*

Violation Two

Jesus before Caiaphas was illegal because the Law stated, "*Be not a sole judge, for there is no sole judge but One.*" (Mishnah, in "*Pirke Aboth*" IV 8)

"An accused man must never be subjected to private or secret examination, let in his perplexity, he furnish damaging testimony against himself." (Salvado in, "*Institutions de Moise*" pp. 365-366). The high priest's private examination of Jesus was illegal even though the others.

Jesus trial before the Jewish authorities included a preliminary hearing before Annas (John 18:12–14, 19–24) the former high priest (high priest AD 6-15) then an arraignment before Caiaphas (high priest AD 18-37) and the Sanhedrin at night (Matthew 26:57–68; Mark 14:53–65). Caiaphas was the first to recommend Jesus' death to "save the nation (John 11:49-50)." John alone records the private interrogation, testifying: "*The high priest then asked Jesus of His disciples and of His doctrine* (John 18:12-24)." This interrogation, first by Annas the former high priest and then Caiaphas was illegal because it took place at night and was by a sole judge even though *the chief priests and the elders and the scribes* were there with Caiaphas. After Annas' preliminary hearing Jesus was then taken to Caiaphas the current high priest's home.

PETER STAYS NEARBY

Mark 14:54

⁵⁴ *And Peter followed him afar off, even into the palace of the high priest: and he sat with the servants, and warmed himself at the fire (KJV).*

Although all had fled Peter and perhaps John too returned to the place where Jesus was taken (John 18:15). The high priest's home was walled and gated with a courtyard. Here someone had lit a fire to warm themselves. Around it were guards and servants. Peter was warming his hands too.

Jesus' Six Trials	
Religious Trials	
Before Annas	John 18:12–14
Before Caiaphas	Matthew 26:57–68
Before the Sanhedrin	Matthew 27:1–2
Civil Trials	
Before Pilate	John 18:28–38
Before Herod	Luke 23:6–12
Before Pilate	John 18:39–19:6

AT THE HIGH PRIESTS PALACE

Mark 14:55-56

⁵⁵ *And the chief priests and all the council sought for witness against Jesus to put him to death; and found none.* ⁵⁶ *For many bare false witness against him, but their witness agreed not together (KJV).*

Violation Three

The indictment against Jesus was illegal because the Law stated, "*The entire criminal procedure of the Mosaic Code rest upon four rules: certainty in the indictment; publicity in the discussion; full freedom granted to the accused; and assurance against all danger of errors of testimony*" (Salvador in, "*Institutions de Moise*" p.365) "*The Sanhedrin could not originate charges; it could only investigate those brought before it*" (Edersheim in, "*Life and times of Jesus the Messiah*" Vol. I. p.309)

"The only prosecutors were the witnesses in the crime. The witnesses constituted the charge. There was no formal indictment until these witnesses spoke in the public assembly. When they spoke, and the evidence of two agreed together, it formed the legal charge, libel, or indictment." (Mendelsohn in "*The Criminal Jurisprudence of the Ancient Hebrews*," p.110)

The form of the indictment was illegal. Under Hebrew justice there was no grand jury. Leading witnesses presented charges. In addition to naming a specific crime, the indictment must allege the precise acts of the accused, which constitute the specific crime. Nearly every detail of Jesus' trial violates the rules for capital cases prescribed in the Mishnah. The Sanhedrin short-circuited procedures and violated the law, in order to expedite Jesus' execution. Josephus, in fact, records a similar trial in A.D. 62 when the high priest Ananus convened a rump (a meeting held after a larger meeting) session of the Sanhedrin in order to secure the death of James, brother of the Lord.²

The Sanhedrin was "looking for" evidence against Jesus (v. 55); the Greek word "looking for" is *zētein* and it always implies negative intent. Here the intent to condemn Jesus. The prisoner's record, however, provides no grounds for accusation (v. 55), and the Sanhedrin must resort to

² Josephus, *Ant.* 20.200–203. Likewise D. Flusser, *Jesus* (Jerusalem: Magnes Press, 1997), 146–47,

false testimony. The “many” false witnesses were coerced to testify to the determination of the Sanhedrin to dispatch Jesus. Jewish law demanded at least two corroborating witnesses in capital cases (Numbers 35:30; Deuteronomy 17:6; 19:15). They brought many witnesses but they are contradicted each other.

WITNESSES ARE FOUND

Mark 14:57-59

⁵⁷ And there arose certain, and bare false witness against him, saying, ⁵⁸ We heard him say, I will destroy this temple that is made with hands, and within three days I will build another made without hands. ⁵⁹ But neither so did their witness agree together (KJV)

Finally they found some witnesses to testify against Jesus with a lie regarding what Jesus had said about the Temple. They twisted what Jesus had said about His death and resurrection. If He had truly said anything about the material Jewish Temple the Romans would have charged Him with a capital crime. These witnesses could also not agree amongst themselves.

CAIAPHAS INTERVENES

Mark 14:60-62

⁶⁰ And the high priest stood up in the midst, and asked Jesus, saying, Answerest thou nothing? what is it which these witness against thee? ⁶¹ But he held his peace, and answered nothing. Again the high priest asked him, and said unto him, Art thou the Christ, the Son of the Blessed? ⁶² And Jesus said, I am: and ye shall see the Son of man sitting on the right hand of power, and coming in the clouds of heaven (KJV).

Caiaphas was getting frustrated with the whole process which although highly illegal was not getting to any usable charge against Jesus. So he they now tries to coerce Jesus to incriminate Himself. They had tried and failed on many occasions to trap Jesus but were unable to do so with their trick questions. Caiaphas demands that Jesus answer His accusers and explain the accusations made against Him, but Jesus *held his peace, and answered nothing*. Jesus simply would not respond to nonsense (Isaiah 53:7). Now the proceedings came to a halt. Caiaphas seemed to switch tactics looking for a chargeable offense. He point blank asked Jesus, “*Art thou the Christ, the Son of the Blessed?*”

Even though the authorities were violating the Law Jesus would not. He did not answer the first question but He will answer the second one. Jesus was put under oath (Matthew 26:63), which forced Jesus to answer under the Mosaic Law (Leviticus 5:1). Jesus would be forced to incriminate Himself by answering question two which was related to the Law.

Violation Four

The condemnation sentence was pronounced against Jesus by the Sanhedrin and was founded upon His uncorroborated confession.

The Law stated, "*No one can bring an accusation against himself. Should a man make confession of guilt before a legally constituted tribunal, such confession is not to be said against him unless properly attested by two witnesses.*" (Maimonides in "Sanhedrin" IV p 2)

"No attempt can be made to lead a man on to self-incrimination. Moreover, a voluntary confession on his part is not admitted in evidence, and therefore, not competent to convict him, unless a legal number of witnesses minutely corroborate his self-accusation." (Mendelsohn in "Criminal Jurisprudence of the Ancient Hebrews" p.133).

Jesus was convicted and condemned to death on legally inadmissible evidence. It was at first sought to condemn Him to death on legally inadmissible evidence, on the charge of sedition, *"but their witness agreed not altogether"* (Mark 14:56). But, instead of releasing Jesus, the judges, in total disregard of the law, turned to the accused and asked, *"Answerest thou nothing? what is it these witness against thee? But He held His peace and said nothing"* (Mark 14:60). By remaining silent Jesus was invoking the right against self-incrimination. Caiaphas insisted that Jesus incriminate Himself. So Jesus in accordance with the Law in Leviticus 5:1 Jesus responded to Caiaphas's question as Jesus' deity. Jesus said, *"And Jesus said, I am: and ye shall see the Son of man sitting on the right hand of power, and coming in the clouds of heaven."* Jesus simply tells them who He is affirming Psalm 110:1 as the Son of Man sitting at God's right hand and coming on clouds refers to Daniel 7:13-14; Acts 1:9-11; Revelation 19:11.

CAIAPHAS HEARS ENOUGH

Mark 14:63-65

*⁶³ Then the high priest rent his clothes, and saith, What need we any further witnesses?
⁶⁴ Ye have heard the blasphemy: what think ye? And they all condemned him to be guilty of death. ⁶⁵ And some began to spit on him, and to cover his face, and to buffet him, and to say unto him, Prophecy: and the servants did strike him with the palms of their hands (KJV).*

By tearing his clothes, Caiaphas showed that he regarded Jesus' admission as blasphemy. To him, Jesus' words dishonored God by claiming rights and powers belonging exclusively to God alone (Mark 2:7). His expression of horror and indignation was all symbolism, which was required of the high priest whenever he heard blasphemy. Since Jesus' self-incriminated Himself there was no need for more witnesses. The Mosaic Law prescribed death by stoning for blasphemy (Leviticus 24:15-16). Without further investigation the high priest called for a verdict from the Sanhedrin. Since there were no objections they all condemned Him (Mark 10:33) as worthy of death. With this admission and faked expression of indignation by Caiaphas some members began to hit Him after they blindfolded Him. They spit on Him, struck Him with the palms of their hands and challenged Him to prophesy since He claimed to be the Messiah.

NEXT WEEK: MARK: PETER'S DENIAL AND CHRIST BROUGHT BEFORE PILATE.

Please call or e-mail with any questions or comments

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