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David W. Chapman / Eckhard J. Schnabel

The Trial and Crucifixion of Jesus

Texts and Commentary

Mohr Siebeck

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Preface

The significance of Jesus' death is apparent from the space that Matthew, Mark, Luke, and John devote to the passion narrative, from the emphasis of many speeches in the Book of Acts, and from the missionary preaching and the theology of the Apostle Paul, who asserts that when he preaches the gospel, he proclaims nothing "except Jesus Christ and him crucified" (1 Cor 2:2). The significance of Jesus' death is recognized by historians, who view Jesus' trial as one of the most famous criminal cases of antiquity (see CORNELIUS HARTZ, *Tatort Antike. Berühmte Kriminalfälle des Altertums*. Mainz: Zabern, 2012). And the significance of Jesus' death on the cross is apparent from the history of Christian theology, piety, and art (see JOHANN ANSELM STEIGER / ULRICH HEINEN, eds., *Golgotha in den Konfessionen und Medien der Frühen Neuzeit. Arbeiten zur Kirchengeschichte 113*. Berlin: De Gruyter 2010), not least on account of the Lord's Supper or Eucharist, which regularly focuses the attention of Christians on Jesus' death. The significance of Jesus' death is connected, certainly in the texts of the New Testament, with the historical details of Jesus' trial and crucifixion. Exegetical discussions of Jesus' trial and death have employed biblical (Old Testament) and extra-biblical texts in order to understand the events during the Passover of A.D. 30 that led to Jesus' execution by crucifixion. The purpose of our book is to publish the primary texts that have been cited in the scholarly literature as relevant for understanding Jesus' trial and crucifixion. The texts in Part 1 deal with Jesus' trial / interrogation before the Sanhedrin, the texts in Part 2 with Jesus' trial before Pontius Pilatus, and the texts in Part 3 with crucifixion as a method of execution in antiquity. The sequence of texts follows a chronological order where possible.

Each Part and sub-section will have brief introductions. For each document, we provide the original text and a translation. The translations are our own, unless otherwise indicated (Old and New Testament texts are taken from the NRSV). In an age in which the study of Greek, Hebrew, and Latin are regarded by some as gratuitous, we unapologetically present Greek, Hebrew, and Latin texts, convinced that any truly serious study of antiquity requires analyzing documents in their original languages. Globalization should not be confused with linguistic imperialism where everything is reduced to English but should be taken as an opportunity to learn, master, and use the languages

of other cultures with as much ease as is possible in a lifetime. The major editions and translations of the primary sources are listed in the bibliography. The commentary will describe the literary context and the purpose of each document in context before clarifying details and commenting on its contribution to Jesus' trial and crucifixion. The commentary will refer only to the most relevant and more recent discussions in the secondary literature; completeness is neither possible nor desirable in a collection of texts. The careful reader may notice slightly different criteria for source selection between the sections on the trial of Jesus and the section on crucifixion. This is because our selection of source material has been influenced by the various kinds of questions that have engaged contemporary scholarship. Scholarly treatments of crucifixion frequently present a general depiction of crucifixion in the Roman world, with secondary application to the specifics of Jesus' death. Thus the goal in Part 3 will be to include a vast array of sources from throughout the ancient world that report or discuss crucifixion and penal suspension. Meanwhile, academic study on the trial of Jesus has typically focused on specific questions concerning the degree to which the Gospels' trial narratives cohere with first-century Jewish and Roman legal practices and other historical data. This necessitates a selection of sources that is more driven by specific questions arising from the legal procedures reportedly employed in Jesus' trial.

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David W. Chapman
Eckhard J. Schnabel

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Part 1

The Jewish Trial before the Sanhedrin

The most important discussion of Jesus' trial in the 20th century by a Jewish author was the study of JEAN JUSTER on the Jews in the Roman Empire. He argued that the Sanhedrin in Jerusalem, the highest Jewish court before A.D. 70, had the right to indict Jews who were accused of capital charges and to execute capital punishment.¹ HANS LIETZMANN, in his *Akademieabhandlung* of 1931 on Jesus' trial, used Juster's conclusions to argue that Mark's depiction of Jesus' trial before the Sanhedrin (Mark 14:55–65) cannot be accepted as historical.² Lietzmann believed that if Jesus had indeed been tried by the Sanhedrin and indicted on capital charges, he would have been stoned. Since Jesus was crucified according to Roman law, he was neither tried nor condemned by the Sanhedrin. While skepticism concerning the historicity of a Sanhedrin trial continues to find support, JOSEF BLINZLER,³ AUGUST STROBEL,⁴ RUDOLF PESCH,⁵ RAYMOND BROWN,⁶ ERIKA HEUSLER,⁷ MONIKA

¹ JEAN JUSTER, *Les Juifs dans l'empire romain. Leur condition juridique, économique et sociale* (2 vols.; Paris: Geuthner, 1914), 2:132–45. EMIL SCHÜRER, *The History of the Jewish People in the Age of Christ (175 B.C. – A.D. 135)* (revised by G. Vermes, F. Millar, M. Black, and M. Goodman; Edinburgh: T & T Clark, 1973–1987), 2:261, argues the same point.

² HANS LIETZMANN, *Der Prozess Jesu*, in *Sitzungsberichte der preussischen Akademie der Wissenschaften Nr. XIV* (Berlin: Verlag der Akademie der Wissenschaften in Kommission bei Walter de Gruyter, 1931) = HANS LIETZMANN, *Der Prozess Jesu*, in *Kleine Schriften II* (Texte und Untersuchungen 68; Berlin: Akademie-Verlag, 1958), 251–263.

³ JOSEF BLINZLER, *Der Prozeß Jesu* (Vierte, erneut revidierte Auflage; orig. 1951; repr., Regensburg: Pustet, 1969); the translation by Isabel and Florence McHugh is based on the shorter 2nd German edition 1951: JOSEF BLINZLER, *The Trial of Jesus* (Cork: Mercier, 1959).

⁴ AUGUST STROBEL, *Die Stunde der Wahrheit. Untersuchungen zum Strafverfahren gegen Jesus* (WUNT 21; Tübingen: Mohr Siebeck, 1980).

⁵ RUDOLF PESCH, *Das Markusevangelium* (2 vols.; orig. 1976–1977; repr., HThK 2; Freiburg: Herder, 1980), 2:442–43.

⁶ RAYMOND E. BROWN, *The Death of the Messiah: From Gethsemane to the Grave. A Commentary on the Passion Narratives in the Four Gospels* (2 vols.; Anchor Bible Reference Library; London: Chapman, 1994), 1:553–60.

⁷ ERIKA HEUSLER, *Kapitalprozesse im lukanischen Doppelwerk. Die Verfahren gegen Jesus und Paulus in exegetischer und rechtshistorischer Analyse* (NTA 38; Münster: Aschendorff, 2000), 8–46, 239–43, who argues that Luke 22:66–23:25 corresponds to the *accusatio* in the *ordo* of Roman criminal trials (discussed in *ibid.* 218–38).

SCHUOL⁸ and others⁹ argue that there was a trial or examination of Jesus by the high priest and the Sanhedrin and that the Jewish authorities share the legal responsibility for Jesus' conviction with Rome. Recent investigations of the legal situation in Roman provinces, in particular in Judea, have suggested that an interrogation of Jesus by the Sanhedrin, convened *ad hoc* by the high priest, is historically plausible when we understand the episode not as a formal trial but as an investigation in which the members of the Sanhedrin had a consultative function.¹⁰ F. WIENACKER suggests that due to the messianic implications of the *seditio* charge, the Roman prefect temporarily yielded the preliminary investigation to the Sanhedrin under Caiaphas, a procedure that neither robbed the sentence and execution of the character of a Roman trial nor called into question the monopoly of Roman capital punishment.¹¹

The documents presented in Part 1 have been cited by various scholars as relevant for understanding the Gospel narratives of Jesus' trial / interrogation before the Sanhedrin. The texts are grouped into seven areas: (1) Annas and Caiaphas, the two high priests who were present during Jesus' interrogation by the Sanhedrin; (2) the jurisdiction of the Sanhedrin in the early first century A.D.; (3) capital cases in Jewish law, including stipulations concerning the interrogation of witnesses; (4) interrogation of witnesses; (5) blasphemy in Jewish law; (6) seducers of the people (*mesit, maddiah*) in Jewish law; (7) the charge of sorcery; (8) the abuse of prisoners in Jewish sources; and (9) the transfer of court cases.

1.1 Annas and Caiaphas, High Priests

The Gospel accounts of Jesus' interrogation before the transfer to Pilate mention two Jewish leaders: Annas and Caiaphas. Annas is mentioned for the first time in Luke's dating of the ministry of John the Baptist: "In the fifteenth year of the reign of Emperor Tiberius, when Pontius Pilate was governor of

⁸ MONIKA SCHUOL, *Augustus und die Juden. Rechtsstellung und Interessenpolitik der kleinasiatischen Diaspora* (SAG 6; Frankfurt: Antike, 2007), 188–89, 198–99.

⁹ Cf. DIETER KRIMPHOVE, "Wir haben ein Gesetz ...!" Rechtliche Anmerkungen zum Strafverfahren gegen Jesus (2. völlig bearbeitete Auflage; orig. 1997; repr., *Ius Vivens B: Rechtsgeschichtliche Abhandlungen* 5; Münster / Berlin: LIT, 2006), 37–188.

¹⁰ Cf. GUIDO O. KIRNER, *Strafgewalt und Provinzialherrschaft. Eine Untersuchung zur Strafgewaltspraxis der römischen Statthalter in Judäa (6–66 n.Chr.)* (SRG 109; Berlin: Duncker & Humblot, 2004), 167–68, 259.

¹¹ FRANZ WIEACKER, *Römische Rechtsgeschichte. Zweiter Abschnitt: Die Jurisprudenz vom frühen Prinzipat bis zum Ausgang der Antike im weströmischen Reich und die oströmische Rechtswissenschaft bis zur justinianischen Gesetzgebung. Ein Fragment* (ed. J. G. Wolff; HdA X/3.2; München: Beck, 2006), 366 n. 60. Commenting on the killing of Stephen and on Paul's trial in Acts, WIEACKER concludes that these accounts fit reliably into the outlines of what we know about the criminal jurisdiction in the Roman provinces (*ibid.* 367).

Judea, and Herod was ruler of Galilee, and his brother Philip ruler of the region of Ituraea and Trachonitis, and Lysanias ruler of Abilene, during the high priesthood of Annas and Caiaphas, the word of God came to John son of Zechariah in the wilderness” (Luke 3:1–2). John relates that immediately after his arrest, Jesus was taken to Annas: “First they took him to Annas, who was the father-in-law of Caiaphas, the high priest that year” (John 18:13). After the interrogation, during which Jesus refers the high priest to his public teaching, Annas sends Jesus to Caiaphas: “Then Annas sent him bound to Caiaphas the high priest” (John 18:24). Annas is mentioned again by Luke when he describes the interrogation of Peter and John after their arrest in the Temple: “The next day their rulers, elders, and scribes assembled in Jerusalem, with Annas the high priest, Caiaphas, John, and Alexander, and all who were of the high-priestly family” (Acts 4:5–6).

Annas (Ananus, son of Seth)

(1) Josephus, *Antiquitates judaicae* 18.26

Κυρίνιος δὲ τὰ Ἀρχελάου χρήματα ἀποδόμενος ἤδη καὶ τῶν ἀποτιμήσεων πέρας ἔχουσῶν αἱ ἐγένοντο τριακοστῶ καὶ ἐβδόμῳ ἔτει μετὰ τὴν Ἀντωνίου ἐν Ἀκτίῳ ἦτταν ὑπὸ Καίσαρος, Ἰωάζαρον τὸν ἀρχιερέα καταστασιασθέντα ὑπὸ τῆς πληθύος ἀφελόμενος τὸ ἀξίωμα τῆς τιμῆς Ἄνανον τὸν Σεθὶ καθίσταται ἀρχιερέα.

Translation. After Quirinius had sold the property of Archelaos and when the census, which took place in the thirty-seventh year after Caesar’s victory over Anthony at Actium, had been concluded and Joazar was overpowered by a majority of the people, he (Quirinius) stripped him of the dignity of his office and appointed Ananus, the son of Seth, as high priest.

*Commentary.*¹² Josephus begins Book 18 of *Antiquitates* with the arrival of Quirinius, the new Roman legate of the province of Syria, and his assessment

¹²The Greek text of Josephus’s works used throughout is that of BENEDIKT NIESE, *Flavii Iosephi Opera* (7 vols.; Berlin: Weidmann, 1885–1895). For other text editions and translations cf. SAMUEL ADRIANUS NABER, *Flavii Iosephi Opera Omnia* (6 vols.; BSGRT; Leipzig: Teubner, 1888–1896); H. ST. JOHN THACKERAY / RALPH MARCUS / LOUIS H. FELDMAN, *Josephus* (10 vols.; LCL; Cambridge: Harvard University Press, 1926–1965); OTTO MICHEL and OTTO BAUERNFEIND, *Flavius Josephus, De Bello Judaico. Der jüdische Krieg* (Griechisch und Deutsch. 3 vols.; Darmstadt: Wissenschaftliche Buchgesellschaft, 1959–1969); ÉTIENNE NODÉ, *Flavius Josèphe. Les Antiquités juives* (4 vols.; Paris: Cerf, 1990–2005); STEVE MASON, *Judean War 2* (Flavius Josephus: Translation and Commentary 1B; Leiden: Brill, 2008); cf. also HEINRICH CLEMENTZ, *Des Flavius Josephus Jüdische Altertümer* (orig. 1899–1923; repr., Wiesbaden: Fourier, 1994); HEINRICH CLEMENTZ, *Flavius*

of property in Judea (18.1–3), followed by an account of the revolt instigated by Judas from Gamala and Zaddok the Pharisee (18.4–10). He then provides a description of the three “philosophies” of the Pharisees, Sadducees, and Essenes and of the “fourth philosophy” established by Judas the Galilean and his followers (18.11–25). Josephus resumes his account of the history of Judea and of Quirinius’ activities in 18.26, noting the liquidation of the estate of Archelaos, the completion of the registration of property in Judea, the deposition of the high priest Joazar who had faced serious opposition by a popular faction, and the appointment of Ananus as high priest. The Annas (“Ἀννάς”) mentioned in the New Testament is identical with Ananus (“Ἀνάνας”),¹³ the high priest mentioned by Josephus, the son of Seth, an unknown member of a leading priestly family. Publius Sulpicius Quirinius was probably proconsul of Creta-Cyrenae in c. 15 B.C., appointed consul in 12 B.C., legate of Galatia-Pamphylia perhaps between 5–3 B.C., then perhaps proconsul of the province of Asia. He accompanied C. Iulius Caesar, Augustus’ adopted son, as tutor on his mission to the East in A.D. 2–3. Shortly thereafter he was appointed governor of Syria. It is unclear how long he remained in Syria. The reference to “the thirty-seventh year” reckons with the Actian era (the battle of Actium took place in September of 31 B.C.), i.e. the census took place in A.D. 6. Quirinius’ funerary inscription has been found in 1764 near Tibur (titulus Tiburtinus).¹⁴

Josephus, *Geschichte des jüdischen Krieges*. (orig. 1900; repr., Wiesbaden: Fourier, 1984); WILLIAM WHISTON, *The Works of Flavius Josephus* (Complete and Unabridged. Updated ed.; orig. 1737; repr., Peabody: Hendrickson, 1987), based on the inferior text of SIWART HAVERKAMP, *Flavii Josephi quae reperiri potuerunt, opera omnia graece et latine cum notis et nova versione Joannis Hudsoni* (2 vols.; Amsterdam: Wetstenius, 1726). The Greek version of *B. J.* appeared between A.D. 79–81, *A. J.* was published A.D. 93–94.

¹³ Annas is the abbreviated form of Ananias (Ἀνανίας), in Hebrew Hananiah (חַנַּנְיָהּ), meaning “Yah[weh] has shown favor”; cf. TAL ILAN, *Lexicon of Jewish Names in Late Antiquity* (TSAJ 91.126.141.148; Tübingen: Mohr Siebeck, 2002–2011), 1:99–102, who lists 39 occurrences of the name. Other Greek transcriptions of the name are Ἀνάνας, Ἀνάνας, Ἀνάνας. On Annas cf. JAMES C. VANDERKAM, *From Joshua to Caiaphas: High Priests After the Exile* (Minneapolis: Fortress, 2004), 420–24; RAINER METZNER, *Die Prominenten im Neuen Testament. Ein prosopographischer Kommentar* (NTOA 66; Göttingen: Vandenhoeck & Ruprecht, 2008), 234–37, 342–43; MARTIN HENGEL / ANNA MARIA SCHWEMER, *Jesus und das Judentum* (Geschichte des frühen Christentums Band I; Tübingen: Mohr Siebeck, 2007), 79–80; RAINER METZNER, *Kaiphās: der Hohepriester jenes Jahres: Geschichte und Deutung* (Ancient Judaism and early Christianity 75; Leiden: Brill, 2010), 21–26, 61–67, 256–66.

¹⁴ ILS 918 = CIL XIV 3613; cf. VICTOR EHRENBERG and ARNOLD H. M. JONES, *Documents Illustrating the Reigns of Augustus and Tiberius* (Second ed.; orig. 1955; repr., Oxford: Clarendon, 1976), No. 199. P. Sulpicius Quirinus is not mentioned in the text; for the most recent arguments that the inscription ILS 918 refers to Quirinius cf. GEZA ALFÖLDY, *Un celebre frammento epigraphico tiburtino anonimo* (P. Sulpicius Quirinius?), in *Le iscrizioni dei Cristiani in Vaticano* (ed. I. Di Stefano Manzella; *Inscriptiones Sanctae Sedis* 2; Città del Vaticano Roma: Monumenti, Musei e gallerie pontificie Distribuzione esclusiva, Edizioni Quasar, 1997), 199–208; cf. ALEXANDER DEMANDT, ‘Hände in Unschuld’. Pontius Pilatus in der Geschichte (Köln: Böhlau, 1999), 75–76.

Quirinius died in A.D. 21.¹⁵ The next governor of Syria that we have information about is Caecilius Metellus Creticus Silanus (A.D. 12–17).

Josephus connects Ananus' appointment to the events of the year A.D. 6, the thirty-seventh year after 31 B.C., the year when Augustus defeated Mark Anthony in the battle of Actium. Caesar, i.e. the emperor Augustus, deposed Archelaos, son of Herod I, as ethnarch of Judea and sent him into exile in Vienne in Gaul. He ordered Quirinius to assess people's property in a census and to dispose of the property of Archelaos, and he appointed Coponius as prefect of Judea (Josephus, *A. J.* 18.1–2; see No. 11). Ananus succeeded Joazar, son of Boethus, whom Quirinius deposed in response to the activities of a "majority of the people" or "a popular faction" which might have been connected with the nationalist Judas the Galilean (*A. J.* 18.23–25).¹⁶ Annas was thus the first high priest appointed by a Roman governor after the imposition of direct Roman rule in Judea.

EMIL SCHÜRER regarded Josephus as a "preserver of facts."¹⁷ Much has changed in Josephus scholarship since the early 20th century. HORST MOEHRING argued in his 1957 dissertation, on the basis of composition-critical analyses, that Josephus is the author of the works ascribed to him in the true sense of the term: the material in Josephus' works is more or less freely created, with no necessary connection to historical events.¹⁸ PER BILDE's study of Josephus similarly uses composition criticism, with little interest in history, to portray Josephus as a competent author.¹⁹ STEVE MASON believes that composition- and narrative-critical analyses of Josephus have shown that "we have no place to stand that affords traction for getting behind Josephus" because "where we have only one relevant narrative and no other evidence, we cannot hope to produce probable solutions to our historical questions."²⁰ He argues that "one can no longer use Josephus as a fact-book for NT study."²¹ Undeterred, SHAYE COHEN uses

¹⁵ Cf. WERNER ECK, Sulpicius [II 13] P. S. Quirinius, *BNP* 13 (2008): 939–940; SCHÜRER, *History*, 1:259.

¹⁶ RICHARD A. HORSLEY, High Priests and the Politics of Roman Palestine: A Contextual Analysis of the Evidence in Josephus, *JSJ* 17 (1986): 23–55, 21.

¹⁷ EMIL SCHÜRER, *Geschichte des jüdischen Volkes im Zeitalter Christi* (3 vols. 4. Auflage; Leipzig: Hinrichs, 1901–1911); SCHÜRER, *History*. The phrase "preserver of facts" is from STEVE MASON, Josephus as Authority for First-Century Judea, in *Josephus, Judea, and Christian Origins: Methods and Categories* (Peabody: Hendrickson, 2009), 7–43, 16, who is unnecessarily polemical when he refers to SCHÜRER and "his many followers in the NT-Umwelt industry" (*ibid.* 24); cf. STEVE MASON, Josephus and the New Testament, the New Testament and Josephus: An Overview, in *Josephus und das Neue Testament. Wechselseitige Wahrnehmungen* (ed. C. Böttrich and J. Herzer; WUNT 209; Tübingen: Mohr Siebeck, 2007), 15–48, 33. For the following survey cf. STEVE MASON, Contradiction or Counterpoint? Josephus and Historical Method [2003], in *Josephus, Judea, and Christian Origins: Methods and Categories* (Peabody: Hendrickson, 2009), 103–137.

¹⁸ HORST R. MOEHRING, *Novelistic Elements in the Writings of Flavius Josephus* (Chicago: University of Chicago, 1957), 64, 87, 144.

¹⁹ PER BILDE, *Flavius Josephus between Jerusalem and Rome: His Life, his Works and their Importance* (JSPSup 2; Sheffield: JSOT, 1988).

²⁰ MASON, *Contradiction*, 136, 134; cf. STEVE MASON, *Flavius Josephus on the Pharisees: A Composition-Critical Study* (SPB 39; Leiden: Brill, 1991); STEVE MASON, *Josephus and the New Testament* (Second ed.; Peabody: Hendrickson, 2003), 27–31; MASON, *Authority*.

Josephus' works to reconstruct his Galilean career, arguing that an event narrated by Josephus is doubtful or spurious (only) when an apologetic interest can be identified.²² TESSA RAJAK, responding to the skepticism of MOEHRING and COHEN, argues that "from the narrative provided by the historian, which, if nothing else, is full and circumstantial, and from his analysis, treated itself as a pertinent fact, a full and realistic picture emerges."²³ In deliberate contrast to compositional-critical studies, DANIEL SCHWARTZ challenges the notion that narrative criticism precludes historical reconstruction and uses Josephus' works to reconstruct the life of Agrippa I, and more recently defended reading Josephus with a view to "reconstruct not only stories but also history."²⁴ MARTIN GOODMAN and JONATHAN PRICE reconstruct the Jewish War on the basis of Josephus' works, relying on his "detailed narrative, attaching special significance to every snippet of information which appears to contradict the main thrust of his apologetic."²⁵ MARTIN HENGEL and ANNA MARIA SCHWEMER insist, against S. MASON and other skeptics, that Josephus remains "der wichtigste 'Augenzeuge' für die neutestamentliche Zeit."²⁶ MONIKA SCHUOL, a classical scholar, argues that it is justified and methodologically acceptable to use Josephus as source for the history of the Jews in the Greco-Roman period, particularly if the relevant texts are analyzed source-critically.²⁷ Several recent volumes investigate Josephus' reliability and significance as a historian.²⁸

(2) Josephus, *Antiquitates judaicae* 18.34

ὁς παύσας ἱερᾶσθαι Ἄνανον Ἰσμάηλον ἀρχιερέα ἀποφαίνει τὸν τοῦ Φαβί και τοῦτον δὲ μετ' οὐ πολὺ μεταστήσας Ἐλεάζαρον τὸν Ἀνάνου τοῦ ἀρχιερέως υἱὸν ἀποδείκνυσιν ἀρχιερέα.

Translation. He (Valerius Gratus) deposed Ananus from his priestly office and appointed Ishmael, the son of Phabi, as high priest. Not long afterwards he removed him also and appointed Eleazar, the son of the high priest Ananus.

²¹ MASON, Overview, 36.

²² SHAYE J. D. COHEN, *Josephus in Galilee and Rome: His Vita and Development as a Historian* (orig. 1979; repr., CSCT 8; Leiden: Brill, 2002), 144.

²³ TESSA RAJAK, *Josephus: The Historian and His Society* (Philadelphia: Fortress, 1983), 106–7. She explains Josephus' portrayal of Pontius not with the author's literary aims, but with the fragmentary information available to him (ibid. 67).

²⁴ DANIEL R. SCHWARTZ, *Agrippa I: The Last King of Judaea* (TSAJ 23; Tübingen: Mohr Siebeck, 1990), and DANIEL R. SCHWARTZ, *Reading the First Century: On Reading Josephus and Studying Jewish History of the First Century* (WUNT 300; Tübingen: Mohr Siebeck, 2003), quotation 25. See also cf. DANIEL R. SCHWARTZ, *Composition and Sources in Antiquities 18: The Case of Pontius Pilate*, in *Making History: Josephus and Historical Method* (ed. Z. Rodgers; JSJSup 110; Leiden: Brill, 2007), 125–146, contra STEVE MASON, *Contradiction or Counterpoint? Josephus and Historical Method*, RRJ 6 (2003): 145–188.

²⁵ MARTIN GOODMAN, *The Ruling Class of Judaea: The Origins of the Jewish Revolt Against Rome A.D. 66–70* (Cambridge: Cambridge University Press, 1987), 20–21; similarly JONATHAN J. PRICE, *Jerusalem Under Siege. The Collapse of the Jewish State 66–70 C.E.* (BSJS 3; Leiden: Brill, 1992), 186.

²⁶ HENGEL / SCHWEMER, *Jesus*, 130.

²⁷ SCHUOL, *Augustus*, 67–75.

²⁸ JOSEPH SIEVERS and GAIA LEMBI, eds., *Josephus and Jewish History in Flavian Rome and Beyond* (JSJSup 104; Leiden: Brill, 2005); JACK PASTOR, PNINA STERN, and MENAHEM MOR, eds., *Flavius Josephus: Interpretation and History* (JSJSup 146; Leiden: Brill, 2011).

Commentary. Ananus was removed as high priest by Valerius Gratus, the new prefect of the province of Judea (A.D. 15–26), who had just been appointed by the emperor Tiberius to replace Annus Rufus (A. J. 18.33).²⁹ Ananus' replacement was not prompted by Roman dissatisfaction with his tenure: within a year he appointed Eleazar, one of Ananus' sons, to the high priestly office.³⁰ Perhaps Gratus wanted to demonstrate his authority in the province by appointing a new high priest,³¹ after his predecessors Coponius (A.D. 6–9), Marcus Ambibulus (A.D. 9–12), and Annus Rufus (A.D. 12–15) had worked with Ananus, who thus officiated as high priest for nine years from A.D. 6–15.

(3) Josephus, *Antiquitates judaicae* 20.197

Πέμπει δὲ Καῖσαρ Ἀλβῖνον εἰς τὴν Ἰουδαίαν ἑπαρχὸν Φήστου τὴν τελευταίην
 πυθόμενος ὁ δὲ βασιλεὺς ἀφείλετο μὲν τὸν Ἰώσηπον τὴν ἱερωσύνην τῷ δὲ
 Ἀνάνου παιδί καὶ αὐτῷ Ἀνάνω λεγομένῳ τὴν διαδοχὴν τῆς ἀρχῆς ἔδωκεν.

Translation. When the emperor heard of Festus' death, he sent Albinus to Judea as procurator. The king removed Joseph from the high priesthood and gave the succession to this office to Ananus' son who was also called Ananus.

Commentary. The fact that Josephus mentions Ananus in his report of the accession of Ananus the younger to the high priestly office in A.D. 62 hints at the influence of the father in Judean politics. The following comment in A. J. 20.198 (No. 4) underlines the significance of Ananus in first-century Judea. Porcius Festus was governor of Judea in A.D. 59–62, either as *praefectus* or as presidial *procurator* of an independent province.³² Luceius Albinus was officeholder of Judea in A.D. 62–64.³³

²⁹ Cf. JOSEF RIST, Gratus [2] Valerius G., BNP 5 (2004): 996.

³⁰ Cf. E. MARY SMALLWOOD, *The Jews under Roman Rule: From Pompey to Diocletian. A Study in Political Relations* (Orig. 1976; repr., SJLA 20; Leiden: Brill, 2001), 159.

³¹ VANDERKAM, *High Priests*, 423.

³² WERNER ECK, Porcius [II 2] P. Festus, BNP 11 (2007): 636; SCHÜRER, *History*, 1:467–68; SMALLWOOD, *Jews*, 271; KLAUS-STEFAN KRIEGER, *Geschichtsschreibung als Apologetik bei Flavius Josephus* (TANZ 9; Tübingen/Basel: Francke, 1994), 173–77; METZNER, *Die Prominenten*, 514–26.

³³ WERNER ECK, Luceius [II 1] L. Albinus, BNP 7 (2005): 835. Albinus plundered public and private funds, took bribes, and mismanaged the province to such an extent that “the audacity of the revolutionaries was stimulated” (B. J. 2.274). Cf. SCHÜRER, *History*, 1:468–70; SMALLWOOD, *Jews*, 271–72, 279–82; WERNER ECK, *Die römischen Repräsentanten in Judaea: Provokateure oder Vertreter der römischen Macht?* [2011], in *Judäa – Syria Palästina. Die Auseinandersetzung einer Provinz mit römischer Politik und Kultur* (TSAJ 157; Tübingen: Mohr Siebeck, 2014), 166–185, 179; DANIEL R. SCHWARTZ, *Josephus on Albinus: The Eve of Catastrophe in Changing Retrospect*, in *The Jewish Revolt Against Rome: Interdisciplinary Perspectives* (ed. M. Popović; JSJSup 154; Leiden: Brill, 2011), 291–309.

(4) Josephus, *Antiquitates judaicae* 20.198

τοῦτον δὲ φασὶ τὸν πρεσβύτατον Ἄνανον εὐτυχέστατον γενέσθαι· πέντε γὰρ ἔσχε παῖδας καὶ τούτους πάντας συνέβη ἀρχιερατεῦσαι τῷ θεῷ αὐτὸς πρότερος τῆς τιμῆς ἐπὶ πλείστον ἀπολαύσας ὅπερ οὐδενὶ συνέβη τῶν παρ' ἡμῖν ἀρχιερέων.

Translation. It is said that the elder Ananus was most fortunate because he had five sons, all of whom were high priests of God after he himself had enjoyed the office for a very long time, which had never happened to any other of our high priests.

Commentary. Josephus describes Ananus/Annas as the patriarch of the most influential high priestly family in the first century. Five sons of Annas were high priests: Eleazar (A.D. 16–17), Jonathan (A.D. 36–37), Theophilus (A.D. 37–41), Matthias (A.D. 42–43?), and Ananus (A.D. 62).³⁴ Caiaphas, whose appointment as high priest is the occasion of Josephus' comment in *A. J.* 20.198, was Annas' son-in-law (high priest from A.D. 18–36). Caiaphas' eighteen-year tenure as high priest has been explained with the continued influence of Annas in Judean politics as an *éminence grise*, which also explains why Luke mentions Annas and Caiaphas together as high priests (Luke 3:1; Acts 4:6) and why John's trial account relates an interrogation of Jesus by Annas (John 18:13–24).³⁵ The family of Annas has to be regarded as the leading group of the Sadducees and as the main opponents of the Christians. Their opposition began with Jesus' trial in A.D. 30 in which both Annas and Caiaphas played the decisive role, and included the killing of Stephen in A.D. 30 in which Caiaphas was involved (Acts 7:1), as well as the execution of James, the brother of Jesus, in A.D. 62 in which Annas the Younger was involved.³⁶

(5) Josephus, *Bellum judaicum* 5.506

μεθ' ἦν ἀναβαίνων κατὰ τὸ Ἀνάνου τοῦ ἀρχιερέως μνημεῖον καὶ διαλαβὼν τὸ ὄρος, ἔνθα Πομπήιος ἐστρατοπεδεύσατο, πρὸς κλίμα βόρειον ἐπέστρεφε

Translation. beyond which [i.e. the Valley of the Fountain] the wall ascended toward the tomb of Ananus the high priest and, encompassing the mountain where Pompey had built his camp, turned in a northerly direction.

³⁴ VANDERKAM, High Priests, 424, 436–43, 448–53, 476–82.

³⁵ MARTIN HENGEL, *Das Johannesevangelium als Quelle des antiken Judentums*, in *Judaica, Hellenistica et Christiana. Kleine Schriften II* (WUNT 109; Tübingen: Mohr Siebeck, 1999), 293–334, 328, 329.

³⁶ Josephus, *A. J.* 20.200. HENGEL, *Johannesevangelium*, 325; DAVID FLUSSER, Caiaphas in the New Testament, *'Atiqot* 21 (1992): 63–71; GOODMAN, *The Ruling Class*, 44, 141–44.

*Commentary.*³⁷ This text belongs to Josephus' description of the wall that Titus constructed around Jerusalem during the siege of A.D. 70. The area of Ananus' tomb (μνημείον) is south of the city, the site of the Akeldama tombs. An elaborate tomb with a triple entrance that has been discovered at the site is identified by some as Ananus' family tomb.³⁸

(6) *t. Menahot* 13:21

על אלו ועל כיוצא בהן ועל דומה להן ועל עושיין כמעשיהן היה אבא שאול בן בטנית ואבא יוסי בן יוחנן איש ירושלים אומר אוי לי מבית ביתוס אוי לי מאלתן אוי לי מבית קדרוס אוי לי מקולמסן אוי לי מבית אלהנן אוי לי מבית לחישתן אוי לי מבית אלישע אוי לי מאגרופן אוי לי מבית ישמעאל בן פיאבי שהם כהנים גדולים ובניהם גזברין וחתניהן אמרכלין ועבדיהן באין וחובטין עלינו במקלות.

Translation. Regarding these people, and people like them, and people similar to them, and people who do things as they do, did Abba Saul, the son of Bitnit, and Abba Yose, the son of Yohanan of Jerusalem, say “Woe is me because of the House of Boethus; woe is me because of their rods. Woe is me because of the House of Qadros; woe is me because of their pen. Woe is me because of the House of Elhanan; woe is me because of their whispering mouth. Woe is me because of the House of Elisha; woe is me because of their fist. Woe is me because of the House of Yishmael, son of Phiabi; for they are high priests, and their sons are treasurers, and their sons-in-law are supervisors, and their slaves come and beat us with rods.”

*Commentary.*³⁹ This passage, which has a parallel in *b. Pesah* 57a, pronounces judgment on priests who took by force things that did not belong to them (*t. Menah.* 13:18–20). The “House of Elhanan” or “Hanin” (*b. Pesah* 57a) could be a reference to the family of Ananus (Hebr. Hananiah). If this identification is correct, Ananus and his sons and son-in-law, who were also high priests, are accused of resorting to violent actions in taking material possessions that did not belong to them.⁴⁰ This is a critique found in the Rabbinic sources with regard to other Sadducean high priests, although a special animosity toward the family of Ananus as greedy and repressive can be observed.⁴¹

³⁷ For text, text editions, and translations see No. 1.

³⁸ LEEN RITMEYER and KATHLEEN RITMEYER, Akeldama: Potter's Field or High Priest's Tomb, BAR 20 (1994): 22–35, 76–78; VANDERKAM, High Priests, 424.

³⁹ Text: MOSES SAMUEL ZUCKERMANDEL, ed., Tosephta (Based on the Erfurt and Vienna Codices with Parallels and Variants. With Supplement by Saul Lieberman. New Edition with Additional Notes and Corrections; Jerusalem: Wahrman, 1970). For translations cf. BØRGE SALOMONSEN, Die Tosefta. Seder IV: Nezikin, 3: Sanhedrin–Makkot. Übersetzt und erklärt (Rabbinische Texte. Erste Reihe: Die Tosefta; Stuttgart: Kohlhammer, 1976); JACOB NEUSNER, The Tosefta. Translated from the Hebrew, with a New Introduction (Orig. 1977–1986; repr., Peabody: Hendrickson, 2002).

Annas and Jesus' trial. The fact that Annas interrogates Jesus immediately after his arrest and before he was sent to Caiaphas, the incumbent high priest (John 18:12–24), underscores Annas' continued influence in A.D. 30, fourteen years after his deposition. The fact that he is called “high priest” (ὁ ἀρχιερεύς) in John 18:15, 16, 19, 22 is most plausibly explained by the suggestion that former high priests retained the title “high priest”.⁴² The use of this title, and the identification as the father-in-law (πενθερός) of Caiaphas in John 18:13, together with the fact that he was the father of a former high priest Eleazar and the father of four future high priests (Jonathan, Theophilus, Matthias, and Ananus the Younger; see No. 4), underscore his preeminence in the priestly hierarchy in Jerusalem. It is quite plausible that Jesus was interrogated by Annas (John 18:13) and by Caiaphas (Matt 26:57).⁴³

Caiaphas (Joseph Caiaphas)

(7) Josephus, *Antiquitates judaicae* 18.35

οὐ πλείων δὲ καὶ τῷδε ἐνιαυτοῦ τὴν τιμὴν ἔχοντι διεγένετο χρόνος, καὶ Ἰώσηπος ὁ καὶ Καϊάφας διάδοχος ἦν αὐτῷ. καὶ Γρᾶτος μὲν ταῦτα πράξας εἰς Ῥώμην ἐπανεχώρει ἕνδεκα ἔτη διατρύψας ἐν Ἰουδαίᾳ, Πόντιος δὲ Πιλάτος διάδοχος αὐτῷ ἦκεν.

Translation. When he (Simon, the son of Camit) had occupied this office for not more than a year, Joseph who is also called Caiaphas became his successor. After having done these things, Gratus returned to Rome, having stayed in Judea for eleven years. Pontius Pilatus became his successor.

Commentary. Caiaphas⁴⁴ was the third member of the family of Annas, whose son-in-law he was, to serve as high priest. Josephus mentions Caiaphas only

⁴⁰ Cf. VANDERKAM, *High Priests*, 423.

⁴¹ BROWN, *Death*, 1:409.

⁴² RAYMOND E. BROWN, *The Gospel According to John* (2 vols.; Anchor Bible; New York: Doubleday, 1966–1970), 1:820–21; VANDERKAM, *High Priests*, 420.

⁴³ STROBEL, *Stunde*, 9; BROWN, *Death*, 1:407–9. Cf. HENGEL / SCHWEMER, *Jesus*, 593–95, who think Annas interrogated Jesus while the members of the Sanhedrin gathered for a night session convened and presided over by Caiaphas.

⁴⁴ For the name Caiaphas cf. ILAN, *Lexicon*, 1:408. Greek Καϊάφας renders the Aramaic determinate form קַיָּאִפָּא (Qayafa), in Hebrew הַיָּאִפָּא (Ha-Qayaf); the lack of a second *yod* in the ossuary inscription renders the identification with Caiaphas the high priest uncertain, although it should be noted that some NT manuscripts read the variant Καϊφα; the Latin has *Caiphas* and the Syriac reads ܩܝܦܐ. A. J. 18.95 (Ἰώσηπον τὸν Καϊάφαν ἐπικαλούμενον) suggests that Καϊάφας was a nickname or family name of the high priest Joseph. Cf. JONATHAN J. PRICE and HAGGAI MISGAV in Hannah M. Cotton, et al., *Corpus Inscriptionum Iudaeae / Palaestinae* (Vols. I-II; Berlin: De Gruyter, 2010–2012), 482–485 (No. 461); VANDERKAM, *High Priests*,

in connection with his appointment by Valerius Gratus, prefect of the province of Judea from A.D. 15–26, and in connection with his removal as high priest (No. 8), despite the fact that he had held the high priestly office for eighteen years. Rabbinic sources mention the family of Qifai (or Neqifai, Qifa) from Bet Meqoshesh (location uncertain), commenting that some members of this priestly family became high priests (*t. Yebam.* 1:10; *y. Yebam.* 6a,3; *y. Ma'as.* 52a). C. A. EVANS holds that the identification of this family with that of Caiaphas is probable.⁴⁵

(8) Josephus, *Antiquitates judaicae* 18.95

Οὐτιέλλιος δὲ ἐπὶ τῷ ἡμετέρῳ πατρίῳ ποιεῖται τὴν στολὴν ἧ τε κείσοιτο μὴ πολυπραγμονεῖν ἐπισκῆψας τῷ φρουράρχῳ καὶ ὁπότε δέοι χρῆσθαι. καὶ ταῦτα πράξας ἐπὶ εὐεργεσίᾳ τοῦ ἔθνους καὶ τὸν ἀρχιερέα Ἰώσηπον τὸν Καϊάφαν ἐπικαλούμενον ἀπαλλάξας τῆς ιερωσύνης Ἰωνάθην καθίστησιν Ἀνάνου τοῦ ἀρχιερέως υἱόν.

Translation. Vitellius placed the vestments under our ancestral power and instructed the commander of the garrison not to inquire into the question of where they were stored or when they were to be used. After he had provided these things for the benefit of the nation, he removed the high priest Joseph, called Caiaphas, from his priestly office and appointed Jonathan, son of Ananus the high priest.

Commentary. Joseph Caiaphas' long tenure as high priest ended in A.D. 36 when Lucius Vitellius, governor of Syria, forced a change in the office in connection with his deposition of Pontius Pilatus, whom he ordered to return to Rome after Pilatus' clashes with the Samaritans (see No. 83). Caiaphas was high priest for eighteen years, during two Roman prefects in Judea, viz. Valerius Gratus (A.D. 15–26, or 15–19) and Pontius Pilatus (A.D. 26–36, or 19–36; see introduction to 2.1). Caiaphas' exceptionally long tenure attests to his shrewd political talent and to the continued influence of his father-in-law, Annas.⁴⁶ Rabbinic sources mention the family name Caiaphas; the Mishnah refers to “Elyo'enai the son of ha-Qayaf [הַיָּקָפִי]” (*m. Parah* 3:5).⁴⁷ The Tosefta refers to the high priestly “family of the house of Qayapha [קַיָּאֶפָא] of Bet

426–36; HELEN K. BOND, *Caiaphas: Friend of Rome and Judge of Jesus* (Louisville: Westminster John Knox Press, 2004); OLIVER GUSSMANN, *Das Priesterverständnis des Flavius Josephus* (TSAJ 124; Tübingen: Mohr Siebeck, 2008), 419–20; METZNER, *Die Prominenten*, 76–84, 343; METZNER, *Kaiphaz*, 35–176; REINHARTZ, *Caiaphas the High Priest* (Studies on Personalities of the New Testament; Minneapolis: Fortress, 2013 [2011]).

⁴⁵ CRAIG A. EVANS, *Jesus and the Ossuaries* (Waco: Baylor University Press, 2003), 105.

⁴⁶ Cf. HENGEL, *Johannesevangelium*, 328, who describes Annas as *éminence grise*.

⁴⁷ Some Mishnah manuscripts read הַיָּקָפִי, which renders the identification uncertain.

Meqoshesh” (*t. Yebam.* 1.10).⁴⁸ Vitellius’ visit to Jerusalem and his actions there are conceivable if Pilatus is absent and Tiberius had not yet appointed Marcellus as the next prefect.⁴⁹

H. J. SCHONFIELD believes that Caiaphas was removed from office because Vitellius wanted to conciliate the Jews who hated the high priest for his involvement of Jesus’ indictment.⁵⁰ This is hardly plausible, since Caiaphas’ was evidently not criticized for his role in Jesus’ trial by the early Christians and since there is no evidence that Vitellius had to placate any Jews regarding Caiaphas’ role in Jesus’ trial.⁵¹ A. VICENT CERNUDA suggests that Caiaphas was removed from office because he became a follower of Jesus, after Paul’s return to Jerusalem three years after his conversion (*Gal* 1:18–23).⁵² The (rarely defended) position that Caiaphas became a Christian is presupposed by the Arabic Infancy Gospel which refers in ch. 1 to a “book of Joseph the high priest ... who some say is Caiaphas.”⁵³ The assumed conversion of Caiaphas is not likely to be historical: the early Christian tradition would hardly have been silent about the conversion of such a prominent member of the high priestly families.⁵⁴ H. BOND suggests that when Vitellius returned to Jerusalem in A.D. 37 and granted tax relief on agricultural products and handed over the high priestly garments (*Josephus, A. J.* 18.90–95), he must have been pressured by Caiaphas to do so, who used the power vacuum after Pilatus’ removal to gain

⁴⁸ This tradition is also mentioned in *b. Yebam.* 15b, with a reference to “the house of Ben Quphai [קופאי] of Bet Meqoshesh.” Bet Meqoshesh is a village in the vicinity of Jerusalem. Another tradition refers to “Menahem, son of Maxima, the brother of Jonathan Caiapha [ינתן יוקיפא]” (*p. Ma’aserot* 52a). Cf. CRAIG A. EVANS, *Excavating Caiaphas, Pilate, and Simon of Cyrene: Assessing the Literary and Archaeological Evidence, in Jesus and Archaeology* (ed. J.H. Charlesworth; Grand Rapids: Eerdmans, 2006), 323–340, 326.

⁴⁹ ÉTIENNE NODET, *Josephus and Discrepant Sources, in Flavius Josephus: Interpretation and history* (ed. J. Pastor, P. Stern, and M. Mor; JSJSup 146; Leiden: Brill, 2011), 259–277, 273.

⁵⁰ HUGH J. SCHONFIELD, *The Passover Plot: New Light on the History of Jesus* (New York: Random, 1965), 143, 149.

⁵¹ METZNER, *Kaiphaz*, 169.

⁵² ANTONIO VICENT CERNUDA, *Jésus ante Anás, in Cum vobis et pro vobis* (FS M.R. Cabanellas; ed. R. Arnau-García and R. Ortuño Soriano; *Valentina* 27; Valencia: Facultad de Teología San Vicente Ferrer, 1991), 53–71, 60–65; ANTONIO VICENT CERNUDA, *La Conversión de Caifás y el Hallazgo de sus Huesos, Estudios Bíblicos* 54 (1996): 35–78; cf. ANTONIO VICENT CERNUDA, *Jesús perseguido a muerte. Estudios exegéticos sobre las personas y los hechos* (Monografías 82; Madrid: Fundación Universitaria Española, 2002).

⁵³ JAMES K. ELLIOTT, *The Apocryphal New Testament* (Oxford: Oxford University Press, 1993), 102; Elliot points to the tradition of the Syrian Jacobites who believed that Caiaphas had become a Christian (*ibid.* 100). MARIA JOSUA and FRIEDMANN EISSLER, *Das arabische Kindheitsevangelium, in Antike christliche Apokryphen in deutscher Übersetzung. I. Band: Evangelien und Verwandtes* (ed. C. Marksches and J. Schröter; Tübingen: Mohr Siebeck, 2012), 963–982, 964, date origins the Arabic Infancy Gospel earlier than the 5th century; they do not mention the potential connection with the Syrian Jacobites.

⁵⁴ BROWN, *Death*, 410 n. 18.

concessions for the Jewish people; Vitellius agreed in order to keep the peace, but removed Caiaphas as he feared that the incumbent high priest was becoming too powerful.⁵⁵ There is no evidence, however, that Vitellius was susceptible to pressure after Pilatus' removal from office, nor that Caiaphas put pressure on him. C. A. EVANS surmises that Caiaphas' removal from office may be linked with Pilatus' removal from office as prefect, as the two had worked well together.⁵⁶ R. METZNER suggests that Caiaphas was old and too weak for the office of high priest and was thus removed.⁵⁷

A burial cave discovered just south of Mt. Zion in Jerusalem in 1990 has been identified as the burial site of Caiaphas.⁵⁸ Two of the undisturbed ossuaries had the name Qapha (קפא) inscribed. An ornate ossuary (ossuary No. 6) contained the bones of a sixty-year-old man as well as the bones of two infants, a toddler, a young boy, and a woman.⁵⁹ The ossuary bears two inscriptions: an inscription on the long rear side that reads, יהוסף בר קפא (*Yhwsp br Qp*); "Yehosef son of Qafa"), and an inscription on the narrow side that reads, יהוסף בר קיפא (*Yhwsp br Qyp*); "Yehosef son of Qaifa [or Qofa]").⁶⁰ Some suggest that the name inscribed on the ossuary is a two-syllable name, probably Qôpha^c, Qûpha^c, or Qēpha^c.⁶¹ Some scholars have doubts about the identification.⁶² For J. J. PRICE and H. MISGAV, the most serious objection is that "the inscriptions indicate no connection to the high priesthood,"⁶³ compared with "the neat and competent inscription of the granddaughter of the high priest Theophilus, duly noting his title."⁶⁴ They acknowledge that the title of high priest is absent in two inscriptions that probably refer to high priests or their

⁵⁵ BOND, Caiaphas, 86–87. For the following critique cf. METZNER, Kaiphias, 170–71.

⁵⁶ EVANS, Excavating Caiaphas, 333; for a critique cf. METZNER, Kaiphias, 168, who misunderstands EVANS.

⁵⁷ METZNER, Kaiphias, 171: if Caiaphas became high priest when he was 43 years old, he would have been ca. 60 years old when he was removed from office (*ibid.* n. 577).

⁵⁸ ZVI GREENHUT, Discovery of the Caiaphas Family Tomb, *Jerusalem Perspectives 4* (1991): 6–11; ZVI GREENHUT, The Caiaphas Tomb in North Talpit, Jerusalem, in *Ancient Jerusalem Revealed* (Reprinted and Expanded Edition; ed. H. Geva; Jerusalem: Israel Exploration Society, 2000), 219–222.

⁵⁹ Cf. JOSEPH ZIAS, Human Skeletal Remains from the 'Caiaphas' Tomb, *'Atiqot 21* (1992): 78–80.

⁶⁰ Editio princeps: RONNY REICH, Ossuary Inscriptions from the 'Caiaphas' Tomb, *'Atiqot 21* (1992): 72–77, No. 5; WILLIAM HORBURY, The 'Caiaphas' Ossuaries and Joseph Caiaphas, *PEQ 126* (1994): 32–48; DAVID FLUSSER, *Jesus* (Jerusalem: Magnes, 1997), 195–206; EVANS, *Jesus and the Ossuaries*, 104–12; RONNY REICH, Ossuary Inscriptions of the Caiaphas Family from Jerusalem, in *Ancient Jerusalem Revealed* (Reprinted and Expanded Edition; ed. H. Geva; Jerusalem: Israel Exploration Society, 2000), 223–225.

⁶¹ BOND, Caiaphas, 1–8; Evans, "Excavating Caiaphas", 328–29.

⁶² Cf. HORBURY, The 'Caiaphas' Ossuaries; ÉMILE PUECH, A-t-on redécouvert le tombeau du grand-prêtre Caïphe? *Le Monde de la Bible 80* (1993): 42–47.

⁶³ J. J. PRICE / H. MISGAV, in *CIIP I/1*, 484.

⁶⁴ *CIIP I/1 534* = *IEJ 36* (1986) 39–44.

families.⁶⁵ The identification with the high priest Joseph Caiaphas is based on (1) the agreement in spelling with the rabbinic traditions; (2) the agreement with Josephus who relates the fact that the full name of the high priest Caiaphas was “Joseph Caiaphas;” (3) the ornate decoration of the ossuary,⁶⁶ one of the most impressive ever discovered.

Caiaphas and Jesus’ trial. John mentions twice that Caiaphas was the high priest in the year of Jesus’ crucifixion (John 11:49; 18:13). He is mentioned twice in conjunction with Annas, his father-in-law (John 18:13, 24). Luke mentions Caiaphas together with Annas twice, albeit in different contexts (Luke 3:2; Acts 4:6). Since Caiaphas was high priest during the entire tenure of Pontius Pilatus, he must have maintained an excellent relationship with the prefect of the province of Judea. M. HENGEL surmises that Caiaphas must have been “a genius of balance, diplomatically flexible in his dealings with the prefects and the Herodian rulers, conscious of his power and yet not hated by the people to a degree which would have prompted strong protests.”⁶⁷ Having control over what happened in the Temple, including supervision of the trade with sacrificial animals and the exchange of foreign currencies, Caiaphas, together with Annas’ entire aristocratic family, must have been able to build up a considerable fortune, which would have been used to consolidate and expand dominance in the affairs of Judea. While some interpreters such as H. BOND and A. REINHARTZ regard the Gospels as virtually useless for a historical assessment of Caiaphas’ role in Jesus’ trial,⁶⁸ others are much less skeptical, using the material in the Gospels and Josephus as well as the avail-

⁶⁵ CIIP I/1 674 = IEJ 20 (1970) 7. EVANS, *Jesus and the Ossuaries*, 107–8, thinks that the poor quality of the inscriptions on the ossuaries is a problem; MAGNESS, JODI. *Stone and Dung, Oil and Spit: Jewish Daily Life in the Time of Jesus*. Grand Rapids: Eerdmans, 2011, 248 n. 33, argues that there is “no correlation between the deceased and the quality of the inscriptions on ossuaries.”

⁶⁶ The decoration consists of five floral designs arranged around a central, spiraling flower. BRUCE CHILTON AND DARRELL L. BOCK, *A Comparative Handbook to the Gospel of Mark: Comparisons with Pseudepigrapha, the Qumran Scrolls, and Rabbinic Literature* (The New Testament Gospels in their Judaic Contexts 1; Leiden: Brill, 2010), 340, point out that “the palm design that surrounds the circles on Caiaphas’ ossuary picks up a motif in the Temple’s decoration. Placed in the tunnel to the south of the cave, his ossuary was in fact oriented to face that Temple. His status, and his connections to the Temple, the preeminent sacred place in Judaism, are attested by this find.”

⁶⁷ HENGEL, *Johannesevangelium*, 327. For the following point cf. HENGEL / SCHWEMER, *Jesus*, 591–92.

⁶⁸ BOND, *Caiaphas*, 143, thinks that none of the evangelists had any real interest in Caiaphas as an individual and that the discussions of Jesus’ death in the Gospels “have moved a long way from historical accuracy ... Caiaphas and his colleagues ... appear in the Gospels as caricatures.” REINHARTZ, *Caiaphas*, 24, 50, claims that imaginative construction played a major role as the evangelists “reenacted a past that no longer existed, and which they did not themselves experience,” and that they “did not know exactly what role, if any, Caiaphas played in the events leading to Jesus’ death.”

able knowledge about the leading priestly families, the Temple, and the Sanhedrin for a reconstruction of Caiaphas' life and political actions. E. P. SANDERS suggests that Caiaphas was forced to eliminate Jesus to keep order in Judea.⁶⁹ M. HENGEL, M. SCHWEMER, and J. P. MEIER argue that Caiaphas and his father-in-law regarded Jesus' proclamation of the dawn of the kingdom of God and the implied messianic claim, as well as the ensuing critique of the Temple cult, as a threat to their position and their authority over the Jewish people which the Roman government protected.⁷⁰ R. METZNER argues that Caiaphas was not involved in the attempt to eliminate Jesus at first: leading priests and the Sadducean priestly aristocracy decided to move against Jesus (Mark 14:1–2); Caiaphas interrogated Jesus in a fair examination, during which he became convinced that Jesus was dangerous; when Jesus blasphemously claimed quasi-divine authority to condemn his opponents as the coming judge, Jewish law forced him to impose the death sentence; since only the Roman prefect could execute convicted criminals, Jesus' messianic claims were more relevant for a Roman trial than his blasphemous utterance before the Sanhedrin, which is why Jesus was accused before Pontius Pilatus as a political insurrectionist.⁷¹

1.2 The jurisdiction of the Sanhedrin

The question of whether the Sanhedrin in Jerusalem had jurisdiction over capital cases has been vigorously discussed.⁷² According to John 18:31, the Jewish leaders who took Jesus' case to Pontius Pilatus, responded to the latter's suggestion to judge Jesus according to Jewish law ("Take him yourselves and judge him according to your law") with the statement, "We are not permitted to put anyone to death." Since J. LUSTER and H. LIETZMANN,⁷³ many scholars accepted the thesis that the Sanhedrin in Jerusalem in fact did have full jurisdiction, including capital cases, before A.D. 70.⁷⁴ Newer studies since

⁶⁹ E. P. SANDERS, *The Historical Figure of Jesus* (London: Penguin, 1993), 268: "When Caiaphas ordered Jesus to be arrested, he was carrying out his duties, one of the chief of which was to prevent uprisings."

⁷⁰ HENGEL / SCHWEMER, *Jesus*, 575–580.592; JOHN P. MEIER, *A Marginal Jew: Rethinking the Historical Jesus* (New York: Doubleday, 1991–2009), 3:624–625.

⁷¹ METZNER, *Kaiphaz*, 134–35.

⁷² For summaries of the debate cf. BLINZLER, *Prozeß*, 229–44; DAVID R. CATCHPOLE, *The Trial of Jesus: A Study in the Gospels and Jewish Historiography from 1770 to the Present Day* (*Studia Post-Biblica* 18; Leiden: Brill, 1971), 221–60; STROBEL, *Stunde*, 18–45; BROWN, *Death*, 1:363–73; HEIKE OMERZU, *Der Prozeß des Paulus. Eine exegetische und rechtshistorische Untersuchung der Apostelgeschichte* (*BZNW* 115; Berlin: De Gruyter, 2002), 346–49.

⁷³ JUSTER, *Juifs*, 2:132–45; LIETZMANN, *Prozess*, 318–19.

⁷⁴ Cf. ROBERT H. LIGHTFOOT, *History and Interpretation in the Gospels* (*The Bampton*

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