

62. Jesus Before Pilate and Herod

Luke 23:1-25

Luke: A Walk Through the Life of Jesus

Israel's system of jurisprudence was one of the best in the world, and truth was held in high esteem, except when it came to Jesus. A man could not be questioned without his lawyer being present. Jesus was given no lawyer. A man could not be tried during the night, yet Jesus endured two trials at night by Annas and Caiaphas before His third public trial was at dawn before the Sanhedrin, i.e. the elders of Israel. If there was a guilty verdict, those giving the verdict were to stay a full day in the place where the pronouncement of guilt was given in case someone came forward with additional evidence.

Justice was to be protected and opportunity given for late testimony before punishment was carried out. Israel's system of jurisprudence also held that no one could incriminate himself and that there needed to be at least two witnesses. Therefore, Jesus was silent before His accusers. More than 600 years previously, it was prophesied by Isaiah that, when the Messiah came, He would be **“oppressed and afflicted, yet he did not open his mouth; he was led like a lamb to the slaughter, and as a sheep before its shearers is silent, so he did not open his mouth”** (Isaiah 53:7).

When Jesus came out of the house of Annas, He witnessed Peter's third denial and betrayal before being taken across the courtyard to the house of Caiaphas, the puppet High Priest. Jesus stood boldly and did not reply to the lies and accusations from Annas and Caiaphas about Him. All legal proceedings of the ruling elders in capital cases had to be open to the public, and nothing incriminating was given by Jesus, so Christ was beaten, perhaps to weaken His resolve and courage, either before or after the public trial in front of the Sanhedrin (John 18:22), maybe both.

Early in the morning, the elders sat in judgement of Him. Standing before the Sanhedrin, the ruling body of seventy elders, He was already bloodied and bruised. The meeting of the Sanhedrin was just a mock trial to satisfy the legal requirement. The real trial had been illegally held before Annas and Caiaphas during the night. The accusation before the Sanhedrin was one of blasphemy, claiming that Jesus stated Himself to be God and Messiah:

⁶⁶At daybreak the council of the elders of the people, both the chief priests and the teachers of the law, met together, and Jesus was led before them. ⁶⁷“If you are the Messiah,” they said, “tell us.” Jesus answered, “If I tell you, you will not believe me, ⁶⁸and if I asked you, you would not answer. ⁶⁹But from now on, the Son of Man will be seated at the right hand of the mighty God.” ⁷⁰They all asked, “Are you then the Son of God?” He replied, “You say that I am.” ⁷¹Then they said, “Why do we need any more testimony? We have heard it from his own lips” (Luke 22:66-71).

Luke points out the fact that Jesus would not incriminate Himself; after all, He was not the one on trial. It was the ruling elders and high priests who were on trial. Everything that they did was illegal and an affront to Israel's system of jurisprudence. The high priests themselves were the ones who would speak blasphemy as would occur later: **“Shall I crucify your king?” Pilate asked. “We have no king but Caesar,” the chief priests answered”** (John 19:15). As the trial went on, the

high priests could not get anything blasphemous out of His mouth, so in a blunt and direct manner, the high priest put Jesus under oath to tell them if He was the Messiah, the Son of God: “I charge you under oath by the living God: Tell us if you are the Messiah, the Son of God” (Matthew 26:62).

⁶¹But Jesus remained silent and gave no answer. Again the high priest asked him, “Are you the Messiah, the Son of the Blessed One?” ⁶²“**I am**,” said Jesus. “And you will see the Son of Man sitting at the right hand of the Mighty One and coming on the clouds of heaven.” ⁶³The high priest tore his clothes. “Why do we need any more witnesses?” he asked. ⁶⁴“You have heard the blasphemy. What do you think?” (Mark 14:61-64).

Question 1) Before He spoke the above words under oath, why do you think Jesus remained silent before His accusers?

Even though someone could not self-incriminate himself, in Jesus’ case it was sufficient for this illegal trial, and of course, Jesus spoke the truth: He was and is the divine Son of God, the Messiah of Israel, God in the flesh. He used the Greek form of how God had revealed Himself to Israel when Moses was sent to the children of Israel in Egypt:

¹³Moses said to God, “Suppose I go to the Israelites and say to them, ‘The God of your fathers has sent me to you,’ and they ask me, ‘What is his name?’ Then what shall I tell them?” ¹⁴God said to Moses, “**I am who I am**. This is what you are to say to the Israelites: ‘**I am** has sent me to you’” (Exodus 3:13-14).

Furthermore, Jesus claimed that He was and is, the Son of Man prophesied by Daniel (Mark 14:62), i.e. the Messiah who will come on the clouds of heaven and be worshiped as God. Here’s the passage from Daniel:

¹³In my vision at night I looked, and there before me was one like a **son of man**, coming with the clouds of heaven. He approached the Ancient of Days and was led into his presence. ¹⁴He was given authority, glory and sovereign power; all peoples, nations and **men of every language worshiped him**. His dominion is an everlasting dominion that will not pass away, and his kingdom is one that will never be destroyed (Daniel 7:13-14 emphasis mine).

This was enough for the high priest, and he ripped open his outer shirt. The tearing of the clothes of the high priest was a pictorial way of stating that something blasphemous had just happened. In this case, the Jewish leadership clearly understood that Jesus was making the statement that He was (and is) God in the flesh. After they reached the verdict, they continued the beating and humiliation. Luke describes the beating with these words:

⁶³The men who were guarding Jesus began mocking and beating him. ⁶⁴They blindfolded him and demanded, “Prophecy! Who hit you?” ⁶⁵And they said many other insulting things to him (Luke 22:63-65).

It is possible that Peter was a witness to this game of blind man's bluff with a difference, at least for a time. They used Jesus for a punch bag, but the Lord did not retaliate. He suffered nobly in silence. Peter later writes that, "When he was reviled, He did not revile in return; when he suffered, He did not threaten, but committed Himself to Him who judges righteously" (1 Peter 2:23). It must have been hard for Peter to watch what they were doing to Christ, especially after he had just denied even knowing Him. Matthew tells us that they took turns beating him with their fists and spitting on Him: ⁶⁷Then they spit in his face and struck him with their fists. Others slapped him ⁶⁸and said, "Prophecy to us, Messiah. Who hit you?" (Matthew 26:67-68). If Peter was there, he did not have the courage or the will to try and intervene. It was probably at that point that he left. We don't know how long the beating went on. By this point in time, Jesus would have been already weakened by having no sleep and also by the struggle in the garden of Gethsemane.

Having convicted Christ of blasphemy, the Jewish elders now began to think of how to kill Him. To the Jewish elite, it was not enough to stone Him, which was the normal method of execution of a condemned criminal in Israel.

Question 2) In the book of Acts, we read of Stephen being stoned by the Jews (Acts 7:54-60), and the woman caught in the act of adultery was to be stoned to death (John 8:4-7). If stoning was a common way of dealing with those pronounced guilty, why was Jesus crucified instead of being stoned?

The ruling elite plotted how they might curse Jesus by having Him lifted above the earth to die on a tree. In their minds, a man that was cursed by hanging on a tree would dispel any notion that Jesus was the Messiah. They may have referred to the Scripture in Deuteronomy: "You must not leave the body hanging on the pole overnight. Be sure to bury it that same day, because **anyone who is hung on a pole is under God's curse**" (Deuteronomy 21:23). Jesus allowed Himself to be cursed, for He would take the curse that we deserved. Later, He was to be crowned with thorns, the symbol of the curse (Genesis 3:18).

There was only one problem. The Roman government had taken away the option of capital punishment from the Jews, so they had to get Pilate to condemn Him, too. The ruling leaders led Jesus off to Pilate:

¹Then the whole assembly rose and led him off to Pilate (Luke 23:1).

We must stop for a few minutes to consider this verse of Scripture because we see the whole assembly abandoning the place of judgment, i.e. another illegality. No one stayed to see if any late witnesses would appear. This was not about justice; this was about murder. It was after the Sanhedrin had disbanded that Judas came back to testify of his lie and the innocence of Jesus.

The Death of Judas

When Judas heard of the conviction, he was struck with guilt and the enormity of what he had done. The demons that controlled him now plagued his mind with condemning thoughts.

Perhaps, he tried to assuage his guilt by dwelling on the last three years and trying to think of some sin in Jesus that could justify his action, but he found none. Jesus was totally innocent.

³Then when Judas, who had betrayed Him, saw that He had been condemned, he felt remorse and returned the thirty pieces of silver to the chief priests and elders, ⁴saying, "I have sinned by betraying innocent blood." But they said, "What is that to us? See *to that yourself!*" ⁵And he threw the pieces of silver into the temple sanctuary and departed; and he went away and hanged himself. ⁶The chief priests took the pieces of silver and said, "It is not lawful to put them into the temple treasury, since it is the price of blood." ⁷And they conferred together and with the money bought the Potter's Field as a burial place for strangers. ⁸For this reason that field has been called the Field of Blood to this day. ⁹Then that which was spoken through Jeremiah the prophet was fulfilled: "AND THEY TOOK THE THIRTY PIECES OF SILVER, THE PRICE OF THE ONE WHOSE PRICE HAD BEEN SET by the sons of Israel; ¹⁰AND THEY GAVE THEM FOR THE POTTER'S FIELD, AS THE LORD DIRECTED ME" (Matthew 27:3-10).

Judas went back to the meeting place of the Sanhedrin to try and turn the decision, but they would hear none of it. The elders of Israel had paid thirty pieces of silver, i.e. the price of a slave that had been gored by an ox (Exodus 21:32). That's how much they valued their Messiah. They saw Jesus only as a blasphemer and a trouble-maker. Judas then threw the money through the doors of the temple as a sign of disgust against the priests. This brought the fulfillment of prophecy spoken more than 500 years previously by the prophet Zechariah. The reason Matthew says that it was the prophet Jeremiah was because the prophetic books in Hebrew began with the prophet Jeremiah. The prophetic word was clear as to how much the Jewish leaders of Israel valued Jesus:

¹²I told them, "If you think it best, give me my pay; but if not, keep it." So they paid me thirty pieces of silver. ¹³Then the LORD said to me, "Throw it to the potter, that magnificent price at which I was valued by them." So I took the thirty shekels of silver and threw them to the potter in the house of the LORD (Zechariah 11:12-13).

Question 3) Matthew tells us that Judas was seized with remorse (Matthew 27:3). Do you think he was expecting a different outcome to his betrayal?

If a false witness in a capital case like this was found guilty, it was punishable by a sentence of death. Perhaps, thinking that he would find relief from the spiritual condition in which he was, i.e. having a condemning conscience, Judas went and hanged himself. After he died, his body fell from the tree, and his entrails burst out (Acts 1:18). Even though he was filled with remorse, we never read that he fully repented. He did not seek for restoration; instead, he was driven to self-destruction.

Jesus Before Pilate and Herod

When the elders and priests brought Jesus before Pilate, the Roman governor, the accusations had changed from blasphemy to one of insurrection against Rome and the refusal to pay taxes to Caesar.

²And they began to accuse him, saying, "We have found this man subverting our nation. He opposes payment of taxes to Caesar and claims to be Christ, a king." ³So Pilate asked Jesus, "Are you the king of the Jews?" "Yes, it is as you say," Jesus replied. ⁴Then Pilate announced to the chief priests and the crowd, "I find no basis for a charge against this man." ⁵But they insisted, "He stirs up the people all over Judea by his teaching. He started in Galilee and has come all the way here." ⁶On hearing this, Pilate asked if the man was a Galilean. ⁷When he learned that Jesus was under Herod's jurisdiction, he sent him to Herod, who was also in Jerusalem at that time. ⁸When Herod saw Jesus, he was greatly pleased, because for a long time he had been wanting to see him. From what he had heard about him, he hoped to see him perform some miracle. ⁹He plied him with many questions, but Jesus gave him no answer. ¹⁰The chief priests and the teachers of the law were standing there, vehemently accusing him. ¹¹Then Herod and his soldiers ridiculed and mocked him. Dressing him in an elegant robe, they sent him back to Pilate. ¹²That day Herod and Pilate became friends—before this they had been enemies (Luke 23:1-12).

The priests knew that they could not get Pilate to render judgment on Jesus with an accusation of blasphemy, so they accused Christ of subversion against Caesar and teaching the people not to pay taxes to Caesar. This was an outright lie. Jesus had answered earlier to give to Caesar what was Caesar's and to God what was God's (Luke 20:25). They also added that Christ claimed to be a king (Luke 23:2) and that He had been subverting the nation (v.2), the very thing of which Barabbas had been found guilty. Barabbas had been accused of murder and insurrection and was being held in Pilate's residence, the fortress Antonia, also known as the Praetorium.

Pilate wasn't stupid. He knew what was happening. He knew that the actions of the religious elite were out of envy (Mark 15:10), but he was put in a difficult position. He was under pressure to quell any riots that could arise against Rome, but he also saw the deviousness of the religious leadership in trying to get him to kill Jesus when he could see no wrong in the man. Added to this moral dilemma with which he was wrestling, his wife came to him with a bad dream. Her dream was concerning this condemned Man, Jesus:

While Pilate was sitting on the judge's seat, his wife sent him this message: "Don't have anything to do with that innocent man, for I have suffered a great deal today in a dream because of him" (Matthew 27:19).

When the ruling priests let it slip that Christ was from Galilee, an area known for subversion to Rome, Pilate thought that he could pass the buck to Herod Antipas. Let Herod be the one who would convict Christ. He saw this as his way out of a difficult decision, so he sent Jesus to be questioned by Herod (v. 7). However, when they dragged Jesus before Herod, Christ answered none of his questions.

Herod had been quite fearful of John the Baptist right at the beginning of Jesus' ministry: "Herod feared John and protected him, knowing him to be a righteous and holy man. When Herod heard John, he was greatly puzzled; yet he liked to listen to him" (Mark 6:19-20). After Herodias, Herod's wife, had manipulated him into killing John the Baptist, something had died in Herod. His heart had grown hard, and, whereas, once he would listen to spiritual things with John the Baptist, now all he wanted was a religious show. After Herod had tried for some time to have

Jesus astound him with His miracle-working power, he finally gave up and sent Him back to Pilate. Herod had seared his conscience by his rejection of truth (1 Timothy 4:2). It is a sad day when our conscience is no longer open to hear the truth of God's Word. Pilate, at least, was open to spiritual things, saying to Jesus, "What is truth?" (John 18:38). If you have an enquiring mind concerning spiritual things, consider the fact that God has put that questioning and enquiring mind in you because He is calling you to Himself.

Herod sent Jesus back to Pilate:

¹³Pilate called together the chief priests, the rulers and the people, ¹⁴and said to them, "You brought me this man as one who was inciting the people to rebellion. I have examined him in your presence and have found no basis for your charges against him. ¹⁵Neither has Herod, for he sent him back to us; as you can see, he has done nothing to deserve death. ¹⁶Therefore, I will punish him and then release him." ¹⁸With one voice they cried out, "Away with this man! Release Barabbas to us!" ¹⁹(Barabbas had been thrown into prison for an insurrection in the city, and for murder.) ²⁰Wanting to release Jesus, Pilate appealed to them again. ²¹But they kept shouting, "Crucify him! Crucify him!" ²²For the third time he spoke to them: "Why? What crime has this man committed? I have found in him no grounds for the death penalty. Therefore I will have him punished and then release him." ²³But with loud shouts they insistently demanded that he be crucified, and their shouts prevailed. ²⁴So Pilate decided to grant their demand. ²⁵He released the man who had been thrown into prison for insurrection and murder, the one they asked for, and surrendered Jesus to their will (Luke 23:13-25).

Pilate did not want to anger the Sanhedrin; it was not politically expedient for him. On several occasions, he had riled the Jews into sending a delegation to Caesar to complain about his leadership of the nation. Then, he suddenly remembered the Passover custom of releasing a prisoner and showing mercy.

¹⁵Now it was the governor's custom at the festival to release a prisoner chosen by the crowd. ¹⁶At that time they had a well-known prisoner whose name was Jesus Barabbas. ¹⁷So when the crowd had gathered, Pilate asked them, "Which one do you want me to release to you: Jesus Barabbas, or Jesus who is called the Messiah?" ¹⁸For he knew it was out of self-interest that they had handed Jesus over to him (Matthew 27:15).

A tried criminal could be forgiven of his crime and released. Appearing before all the people and sitting on his judgment seat, he proposed releasing one person and suggesting Jesus as the One to be released.

Pilate's last act of trying to appease the Jewish leaders was to have Jesus flogged. Even after the scourging, the crowd cried out for the death penalty of crucifixion. Pilate brought up the ancient law of releasing one person for the Passover feast. He thought that would get Jesus off the hook of the religious leaders. He would have them choose between Barabbas (his name means son of the father) and Jesus, the real Son of the Father. Barabbas was released, and Jesus was led away

to be crucified. I wish I knew what happened to Barabbas. Was the death of a substitute in his place something that worked grace in his heart?

Because Judea was occupied by Rome, only the Roman procurator could issue the death penalty that the religious leaders so wanted. In the foreknowledge of God, it was not just the Jewish nation that was complicit in the death of Jesus. It was non-Jews, too. Of course, because Passover was the biggest celebration of the year, there were people from all over the known world in the courtyard also calling for the death of Jesus.

None can say that it was the Jewish nation that murdered Jesus; it was all of us, i.e. our sins that took Jesus to the cross. He could have stopped it at any time and called ten legions of angels to His aid (Matthew 26:53). He willingly went to the cross for all of us to bring us to God (1 Peter 3:18). We all needed a substitute to take our place. It took more than a man, though, to pay the price for our sins. Only the sacrifice of God Himself could pay the price for us to be bought out of the slave market of sin where we were trapped. Christ is God in the flesh, and He alone paid the price to free us from sin.

²⁰But the chief priests and the elders persuaded the crowd to ask for Barabbas and to have Jesus executed. ²¹“Which of the two do you want me to release to you?” asked the governor. “Barabbas,” they answered. ²²“What shall I do, then, with Jesus who is called the Messiah?” Pilate asked. They all answered, “Crucify him!” ²³“Why? What crime has he committed?” asked Pilate. But they shouted all the louder, “Crucify him!” ²⁴When Pilate saw that he was getting nowhere, but that instead an uproar was starting, he took water and washed his hands in front of the crowd. “I am innocent of this man’s blood,” he said. “It is your responsibility!” ²⁵All the people answered, “His blood is on us and on our children!” ²⁶Then he released Barabbas to them. But he had Jesus flogged, and handed him over to be crucified (Matthew 27:15-26).

Inside the Praetorium, the official residence of Pilate, a man was awaiting crucifixion. Perhaps, he was reflecting over the many sins that he had committed over his lifetime. It was Friday morning, the day of preparation where the Passover lambs would be killed that day. He mulled over his approaching death and the fact that the soldiers would be coming for him at any time that morning. I am sure he had seen people being crucified before and was aware of the painful death that awaited him. Perhaps, he tried to prepare himself for it by praying, but God seemed a long way off to him. He was scared. What would death be like? He had lived a sinful life and had lived in hatred of the Romans for many years. He had been tried as an insurrectionist and for an act of murder, and he was found guilty on both counts. Now, all he could do was await his fate.

His name was Barabbas. In just a few hours, he would be dead by crucifixion, and he was sure that, if there were a hell, he would go there, for he had no hope. What would God do with him? Would he spend eternity in hell because of the murder and rebellion that he had committed? He had heard a commotion in the streets outside his jail cell, but he could see nothing. He knew that something was happening, but he had no idea of just what was going on. All he knew was that he was scheduled to be crucified that morning with two others. The Praetorium was also the place where Pilate adjudicated all cases brought before him.

Jewish tradition held that it was defiling for a Jew to be in a building that was not Jewish, so the Praetorium courtyard was used for the place of judgment so that the Jews would not be ritually defiled before the Passover. Barabbas trembled when he heard quite distinctly a multitude of people shouting from the direction of the large courtyard, “Barabbas, Barabbas!” He puzzled over why they would be loudly calling his name. Straining his ears to hear something further, his heart sank when he heard the words, “Crucify him, crucify him!” Ten minutes later, he saw the Roman jailer coming down the corridor with the keys in his hands. His heart skipped a beat. It was time to die. Instead of being crucified, though, the soldier angrily set him free. He found out that another had taken his place.

Question 4) What do you imagine to be the thoughts and questions that went through the mind of Barabbas when he heard that he was being released and that someone had taken his cross?

The Roman jailer came into his cell and unlocked the chains that bound him and, I’m sure, angrily told Barabbas that he was free to leave. Imagine the relief that must have flooded Barabbas’ heart to hear that Jesus would die in his place. Talk about good news! However, this is the reality that Barabbas faced that morning as he watched Christ carry the cross that was made for him. This is the story of a substitute that came to die for Barabbas and for you and me, also.

In his book, *Miracle on the River Kwai*, Ernest Gordon tells the true story of a group of British prisoners of war forced to work on the Burma Railway during World War Two. At the end of each day, the tools were collected from the work party. On one occasion, a Japanese guard shouted that a shovel was missing and demanded to know which man had taken it. He began to rant and rave, working himself up into a paranoid fury and ordered whoever was guilty to step forward. No one moved. “All die! All die!” he shrieked, cocking and aiming his rifle at the prisoners. At that moment, one man stepped forward, and the guard clubbed him to death with his rifle while he stood silently to attention. When they returned to the camp, the tools were counted again, and no shovel was missing. The Japanese soldier had miscounted. That one man had gone forward as a substitute to save the others.

In the same way, Jesus, Who is our sacrificial Lamb, paid the price for you and me, just as He did for Barabbas. He, Who knew no sin, became sin for us (2 Corinthians 5:21) and died as a criminal and as a sacrifice to bring us to God. As Jesus was the substitute for Barabbas’ life of sin, He also took our place on that cross.

Prayer: Thank you, Lord, for sending Jesus to be our substitute. We deserve the cross just as Barabbas did, but You have paid the price for us to be set free and guiltless before You. Thank You for the undeserved favor that has been extended to us.

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NOTES.

On p. 4, para. one, are you confusing Jeremiah with Zechariah?