

*Seven Trials — But He Was Innocent*  
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About 2,000 years ago, there occurred the central events of Christian history which we observe and celebrate during the Easter season, events which principally exist in our minds as the cornerstone of our Christian faith: the death and resurrection of a man called Jesus. For a trial lawyer or judge however, these events are foreshadowed, though not overshadowed, by the trial that took place before his execution.

We talk about the trial of Christ — in fact, he was tried within both the Roman and Hebrew judicial systems and scholars debate whether there were in fact two full trials. I believe that there were no full trials because of the subversion of all the rules, and that there were seven trials in all.

Trials have a record. Today we have stenographers whose phonetic shorthand is immediately fed to a computer for translation into readable words in real time. The record of the trials of Jesus is contained in the Gospels of the Apostles and the accounts of Matthew, Mark, Luke and John comprise the only authoritative factual account of what we now consider.

Today, after the fact, we celebrate these events, but they were terrifying at the time; and, one can fully appreciate the enormous significance of Jesus' death and resurrection only by examining the great lengths to which the Jews went in order to secure his crucifixion.

Most of us know simply from our religious education, repeated in the

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Nicene Creed, that “He suffered under Pontius Pilate, was crucified, dead, and buried.” But there is more, much more. And the full facts are of importance not only in the minds of lawyers and judges, but for each of us if we are to fully appreciate His death, and resurrection. Truly, these proceedings which from arrest to crucifixion took place in less than 24 hours, constitute the most historic and important trials of all time.

The Factual Background. There was a trial. It was a trial in which a man was convicted of a crime for which he was not guilty, a trial in which he was not represented by counsel, and in which the law of the land was repeatedly subverted in order to obtain his death. We need to remember that at this time the Roman Government had extended its tentacles across all of the then known world and had spread itself so thin they had few soldiers in each of the provinces with which to enforce Roman Law. In the province of Judea for example, Pontius Pilate had only a handful of Centurions with which to try to control the rebellious people of his province. So, in order to keep the people under the control of the Government, the Roman Government had extended to the local Hebrew leaders — the Priests and the politicians — places of special privilege and power, so that they in turn, in subservience to the Roman Government, would help to maintain control over their own people. Now then of course, these Hebrew Rulers used these places of special privilege for their own profit, for their own special benefit — they lived in luxury while those of their fellow men whom they were supposed to be serving were living in poverty and subjection. They, the Hebrew Leaders, knew that the message which was being heard in the streets of Jerusalem, a message of love, was quickly overcoming the subjection under which they had placed the people. They knew that something had to be done, that it had to be done soon, it had to be done now, because last Sunday – Palm Sunday – when this man came to Jerusalem and the people followed him through the streets and spread the palm leaves, it was apparent that his power was great.

And, he had threatened to return during the Passover season. Therefore, something must be done, and done now. And thus, we begin the spectacle of not one, but of seven trials in 12 hours.

First let me read to from the Chronicles of the day. In the Jerusalem Gazette, on Monday morning, April 3, in the year 30 A.D., the headline of the newspaper reporting the events of Palm Sunday read “Rebel Leader Invades City, More Than 5000 Gather”. The following day, on Tuesday, April 4, an editorial in the Jerusalem Gazette read “Authorities Should Be Encouraged to Deal Harshly With The Mob Leader, Jesus. His Unorthodox Philosophy Threatens The Entire Framework Of Law And Order”. And on Wednesday, a leading columnist writing in the same newspaper said “a responsible source, who declines to be named, quoted a person highly placed in the Great Sanhedrin” as saying “that the Anarchist, Jesus, can only blame himself if his actions cause blood to run on the cobblestones of Jerusalem”. This statement, of course, made reference to Jesus’ threat to return during the Passover season.

On Thursday, April 6, the headlines were “Jesus Threatens Return, Sanhedrin Meets In Secrecy” and on Saturday ... Saturday the headline was simply “City Turmoil Quelled, Rebel Leader Executed.”

And so, shortly after midnight on Thursday, April 6, the man named Jesus was carried before the one who was known as Annas<sup>2</sup>. This was the first of seven trials.

The Legal Background. But first, in order that you can appreciate the significance of what was done from the legal standpoint, let me explain to you something about the Judiciary, the judicial procedure and the laws of

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<sup>2</sup> John 18:13.

evidence that existed in Hebrew law at that time. The Romans, as was their custom, had left most of the Hebrew laws and court system intact, to the extent it did not conflict with Roman law. The Hebrews had a very highly developed and sophisticated court system — one believed to have been established by Moses — and it was a system of law that was calculated to give protection to the innocent. If followed through its entirety, it was a system of law that would guarantee freedom for the innocent.

It should have protected Christ ... except ... unless ....

They had three courts, the first court was known as the Court of Three. It had three Judges and occupied a position in their Judiciary about like our Justice of Peace Court; and in addition to this, in the village in which the Court of Three sat it was the City Taxing Board, the City Sanitation Board and things of that nature. The Court heard very small property disputes, minor offenses. Then there was the Minor Sanhedrin. The Minor Sanhedrin had jurisdiction over a number of villages. It was composed of 23 Judges and might be compared to our District Court in which property matters of greater significance and criminal matters of felony proportion might be heard. And finally there was the Great Sanhedrin. It was composed of twenty three Priests, twenty three Scribes, twenty three Elders, with two presiding Justices who alternated in sitting, a total of 71 — 70 sitting at any one time. At the time we are concerned with, it appeared that the Priests had somewhat a stronger hand in the Great Sanhedrin than the other members had. But still, with their highly developed system of law and the rules of evidence which were supposed to be followed, a fair trial should be had.

Proceedings were begun when the accusations of two or more witnesses were presented to a committee of the Sanhedrin — a process similar to our indictment by a grand jury. Just as now, Christ was entitled to know the

charges brought against him. There were no licensed lawyers, as such. The Scribes of course, were learned in the law, but there were no prosecuting officers to come before the Court; likewise there were no defense attorneys to appear before the court.

The Court itself was supposed to question the witnesses. The Court itself was supposed to carry on the affair in a manner that was fair, not prejudicial and which was impartial. There had to be two witnesses in any criminal case and the two witnesses must testify, each of them, to the entirety of the offense, that is to all of the facts, from beginning to end which constituted the factual basis for an accusation of crime. Their testimony must agree, entirely, one with the other. One could not contradict the other in any principle point or their testimony was cast out entirely. And, importantly, for a crime to exist, those witnesses must have first warned a defendant — including Christ — at the time of the offense that his intended action constituted a crime.

No circumstantial evidence was to be admissible. Each witness testified to what he saw, what he knew, what he heard, and not to opinions or things he simply believed or inferred from known facts.

Any defendant such as Christ, then as now, had the right to appear and testify in his own behalf if he wished. He likewise, had the right, then as now, to remain silent. The defendant was presumed to be innocent, then as now, and his guilt had to be established by the preponderance of the evidence and the testimony of these witnesses who appeared against him. If not, he was still presumed to be innocent and was to be found not guilty.

Just as we have a place where our court meets, the Hebrew Courts must meet in the Temple in Jerusalem, not else where such as in a private home. The court was to begin after the morning sacrifice, about 9:00

o'clock in the morning — in the daytime and not the dark of night. Court proceedings could not be had on religious holidays, could not be had — for example — during the Passover season, nor on the Sabbath. The trials had to be public just as do our trials. The prosecuting witnesses, in order to be certain that they realized the consequence and the significance of their testimony in the event the defendant was found to be guilty, themselves were often deputized to carry out the punishment. The witnesses were not given a special oath for it was believed that the Ninth Commandment was sufficient to require truth telling. But there was a special admonition to be given to the witnesses where a man's life was at stake. It was:

“Forget not, o' witness. It is one thing to give evidence in a trial as to money and another in a trial for life. In a money suit if thy witness-bearing shall do wrong, money may repair that wrong. But in this trial for life, if thou sinnest, the blood of the accused and the blood of his seed to the end of time shall be imputed to thee . . . But these ideas must not deter thee from testifying to what thou actually knowest. Scripture declares: 'Thy witness to have seen or know and doth not tell shall bear his iniquity.' Nor must ye scruple about becoming the instrument of an alleged criminal's death. Remember the scriptural maxim: 'In the destruction of the wicked there is joy.'”

Now the great Sanhedrin at this time did not have the power without the confirmation of the Roman Governor to sentence Christ to death. That is, they might impose the death penalty but it could not be carried out unless the Roman Governor of that province confirmed the penalty and ordered the execution to take place. It was also the rule in their court as in ours today that if Christ confessed, that confession could be taken as evidence, but that confession alone, without corroboration, could not produce a guilty verdict. In other words, His confession had to be corroborated by other

independent evidence. The witnesses then as now must testify not in the presence of each other, but separately and apart, so that one witness's testimony not influence another and that still, their testimony agree one with the other in all salient points.

They had another rule, one which I thought to be good, that the youngest member of the Great Sanhedrin voted first and the eldest member voted last in order that the vote of the elder member not unduly influence the vote of the younger ones. A vote for acquittal ended the matter. A simple majority vote that the Defendant was not guilty produced a not-guilty verdict and that ended the trial. On the other hand a unanimous vote of guilty was thought to be the result of prejudice and passion, of mob action, and caused the court to declare a mistrial and the trial started all over again because it was not believed that 70 members could all be totally persuaded not to find anything redeeming in the Defendant or his actions. If the Defendant was found guilty it required the Great Sanhedrin adjourn, to fast for 48 hours and then return to vote again, and must again find him guilty if the verdict was to be carried out. The second assembly was a *de novo*, or entirely new proceeding and new evidence could even be received. If a member had voted the first time for guilt, he could change his mind and vote not-guilty the second time; but if he first had voted not-guilty he could not change his vote to guilty at the second hearing. A man, a member of the court who had no children of his own was not permitted to sit or to vote or participate in the hearing in any way in a capital case — one in which a man's life was at stake. It was believed that unless he had born children of his own, he should not take another's life, even in the judicial system.

Now then, you see, they had a very highly developed, sophisticated system of law and justice. The procedures and the laws of evidence were all predicated in favor of a fair judicial hearing. Then, what did the Jewish people do? Why did they do it? Why did the Hebrew leaders — the leaders,

the scribes, the elders, the priests — so violate their own rules? What distortion of their own traditions and principles, what violation of their own laws, what destruction of their own judicial system did they commit in order to silence one man? And why? How strong and compelling must have been the personality of Jesus — how persuasive the message — to provoke such response.

### **THE HEBREW TRIALS**

The First Trial -- Before Annas. For the first trial, which was essentially the same as an examining trial today, He was carried before Annas after His arrest in the Garden of Gethsemane — arrested by a combination band of servants of the High Priest and Roman soldiers. Annas previously had been the chief justice of the Great Sanhedrin. In fact he was chief justice at the time the Great Sanhedrin had imposed so many death penalties that their authority to carry out death penalties had been taken away from them by the Roman government. We know little about what took place — Jesus was taken to the home of Annas to be questioned. Peter accompanied him to the entrance of the courtyard of Annas and there disowned Jesus for the first of three times. He was there questioned by the high priest, Annas, about his teachings to which Jesus asked “why question me, I have always spoken openly to the world, ask those who heard me. They will bear witness to my message.”<sup>3</sup> In other words, he was saying the prophecy will be carried out. And he was objecting to the proceeding because (1) there were not two complaining witnesses, and (2) he was being asked to testify against himself. Annas was angered. Jesus was brought out, he was bound, and was carried away. Incidentally, there is significant evidence that Annas conspired with Judas for the original arrest of Jesus in the garden. Annas was also the father-in-law of Caiaphas, the high priest that year, and the one who had advised the Jews that it would be good if one man died

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<sup>3</sup> John 18:20-21

for the people.<sup>4</sup>

The Second Trial -- Before Caiaphas. So, Jesus, still bound after the first trial before Annas was then carried before Caiaphas, the son-in-law of Annas. Little is known about what transpired or was said — but it was likely about the same as the examination by Annas; and it was on this occasion that Simon Peter denied Jesus for the second and third times, whereupon the rooster began to crow.<sup>5</sup> And thus ended the second trial.

The Third Trial -- Before the Sanhedrin Then the Great Sanhedrin was brought together. They were assembled at night, about 2-3 o'clock in the morning — not in the temple but in the palace of Caiaphas. In the scriptures, Matthew Chapter 26, it is said that “[t]he chief priests and the whole Sanhedrin were looking for false evidence against Jesus so that they could put him to death. There was not even an offense alleged — how was He to defend Himself? But they did not find any evidence, though many false witnesses came forward. Finally two came forward and declared what might be the offense of sedition: "This fellow (referring to Jesus) said, 'I am able to destroy the temple of God and rebuild it in three days.'”<sup>6</sup> But the charge and testimony were so ridiculous that they all knew they could not prevail on that basis.

And finally Caiaphas became almost hysterical — the scripture says that he rent his clothes<sup>7</sup> — and he inquired “art thou the son of God?” Christ said he was, and thus the charge of blasphemy was developed. Caiaphas

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<sup>4</sup> John 18:14.

<sup>5</sup> John 18:27.

<sup>6</sup> Matt 26:59-61

<sup>7</sup> Matt. 26:65.

— then becoming the accuser himself, said “we have no need of evidence, he has confessed his guilt, let’s vote.” Thus Caiaphas used the influence of his position to influence the rest of the Sanhedrin when their law required he collect the votes seriatim -- in order -- beginning with the most junior member. And the scripture says they voted and they all<sup>8</sup> — they all voted to find him guilty.<sup>9</sup> Thus ended the third trial.

The Fourth Trial -- the Sanhedrin’s Second Vote. Then, in order to partially comply with their law, instead of adjourning for two days and fasting, they adjourned for one hour, reconvened and again took a vote and the scripture says that again they all — all voted to find him guilty.<sup>10</sup> The fourth trial thusly was ended, and so ended the Hebrew trials.

### **THE ROMAN TRIALS**

The Fifth Trial -- Before Pilate. And now he was to be carried before Pontius Pilate in order that Pilate might confirm the sentence and Jesus be put to death. So Pilate came out to them and asked, "What charges are you bringing against this man?" "If he were not a criminal," they replied, "we would not have handed him over to you." Pilate said, "Take him yourselves and judge him by your own law." "But we have no right to execute anyone," the Jews objected. This happened so that the words Jesus had spoken indicating the kind of death he was going to die would be fulfilled.<sup>11</sup> But they had problems, serious problems. The crime he was

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<sup>8</sup> Although, there is some authority that less than all voted thusly. *Cf.* Luke 23:50-51  
“And, behold, there was a man named Joseph, a counselor, and he was a good man, and a just: (The same had not consented to the counsel and deed of them); with Mark 15:1 where it is clearly said that the “whole” council met early in the morning.

<sup>9</sup> Matt. 27:1.

<sup>10</sup> See Matt. 27:1 and 25:1.

<sup>11</sup> John 18:29-32.

found guilty of by the Great Sanhedrin was the crime of being, or claiming that, he was the son of God which was the crime — if any at all — of blasphemy, one of Hebrew or ecclesiastical law but certainly not of Roman civil law so what to do? What to tell Pontius Pilate.

Suddenly, the priests switched the charge to one of perverting the nation, of forbidding to give tribute to Caesar, and saying that He Himself is Christ, a King. This was a charge to which Pilate had to react — it constituted a violation of Roman law, and an affront to Tiberious Caesar.

Pilate retreated to his palace, summoned Jesus who had just then been informed of the new charge, and questioned if he was the king of the Jews, whereupon Jesus declared that his kingdom was not of this world, but of another place.<sup>12</sup> Pilate declared to the crowd that he could find no basis for a charge against Jesus — a verdict of not guilty, and offered to set him free, as was the custom then that one prisoner could be set free at the time of the Passover.<sup>13</sup> As we see in Matthew Chp 27, Pilate knew that Jesus had been presented for trial out of envy, and he did not want any part of that. He in effect said to Jesus “help me out here, tell me something, say anything. Give me a reason, give me anything I can go on.” I really believe that as weak a man as Pontius Pilate was, that at that time had he had the military force to control the mob he would have tried to change the course of destiny – but it was not thus destined to be.

The prophecy was to be fulfilled, and Christ said nothing. Pontius Pilate turned to the mob — the same people who on Palm Sunday had followed Jesus through the streets, now seeing him brought down before Pontius Pilate and seeing that he was not now going to lead them out of their

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<sup>12</sup> John 18:36.

<sup>13</sup> John 18:39.

worldly bondage and that the kingdom he had been preaching was not a kingdom of this world — the same people who followed him in the streets on Palm Sunday now turned against him. Pilate offered to free Jesus or Barrabas -- the crowd instead asked for Barrabas and Pilate had Jesus flogged and this was the time the crowd adorned Jesus' head with the crown of thorns, and mocked the son of God.<sup>14</sup> Thus concluded the fifth trial of the man called Jesus.

The Sixth Trial -- Before Herod. Somebody over here said “well, he’s been stirring up everybody from here to Galilee.” Pilate said “Galilee?” “Is he a Galilean? Herod, the Governor of Galilee just happens to be visiting in the city today.<sup>15</sup> Take him to Herod.” And so, the sixth trial began.

The Gospel accounts of Jesus' trial vary in this regard. Only Luke has Christ going before Herod, but many authorities regard Luke's account as accurate.

Herod made short shrift of it. He said “I’m not in Galilee. I’m in Jerusalem, and I came here on vacation and I’m going to stay on vacation. Do whatever you want to ... beat on him a little bit if you want to — that will be fine — then when you’re done, take him on back. Take him to Pontius, I’ll have no part of it.” And that was the end of the sixth trial.

The Seventh, and Final Trial. The seventh and final trial of Christ — the final proceeding before Pilate — is discussed in a letter written by Pontius Pilate to Tiberius Caesar. Parts of it are as follows:

“To Tiberius Caesar, emperor in Rome, supreme sovereign, salute: The

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<sup>14</sup> John 18:40-19:2.

<sup>15</sup> Luke 23:7.

events in my province during the last days were of such a nature that I thought it necessary to report to you the singularities of the minutest details. I would not be surprised if in the course of time these events would contribute to change the destiny of our nation. It seems as though our Gods suddenly ceased to be propitious to us and I'm almost tempted to say "cursed be the day that I succeeded Flavius Flatus as governor."

Pilate then tells of some of the events, including that of Jesus being taken before him, and writes "I have recently taken a wife, a girl from the Gauls, a girl who says she can read the future. [Incidentally, one authority reports the wife's name as being Claudia Procula, the illegitimate daughter of Tiberius Caesar.] She dropped to my feet weeping and crying and said 'be careful, be careful don't touch this man, he is holy. Last night I saw a vision. I saw him walking on water and flying on the wings of the wind. He spoke to the tempest and the waves of the sea, and all was subjected and obeyed him. I saw the mountain and torrent flowing of blood and the pictures of the emperors were covered with a dark veil. The columns of the temple have changed place and the sun is veiled with grief and sorrow. Oh, Pilate evil things will happen to thee.'"

He reports further. "After many frustrating attempts to protect Jesus against his merciless prosecutors I ordered a measure which seemed proper to save his life. And I gave orders to flagellate him and asking for a wash basin, I washed my hands in the presence of the people but it was in vain. It was the death of the Nazarene they wanted. I offered them Barrabus the thief." Pilate continues in his report: "I find no fault with this man and the people said if you do not execute him then you are not a friend of Caesar's."

And in the report that Pontius Pilate gave to Tiberius Caesar, the emperor in Rome, he also states: "at the 6<sup>th</sup> hour it was growing dusk and it

darkened as it did at the death of the great Julius Caesar. I, the governor of a rebellious province, was leaning against a column seeing, oppressed with fear in the terrible darkness, the pitiless and savage multitude which had conducted the innocent Nazarene to the place of execution. All around me was silent and dead. Jerusalem seemed to have vomited all of its inhabitants through the great port leading to Calvary. And I was surrounded by an atmosphere of weariness and grief. My guard went with the Centurians and soldiers to help control the crowd, and I was left alone. And my heart's distress reminded me that what was happening in the present and terrifying moment — a moment which rather belongs to the history of gods than to me — when a loud shouting was heard from Golgotha which, when transmitted through the wind announced to me an agony such as mortal ears have never heard before. Dark clouds were descending over the pinnacle of the temple, extending over the whole city, covering it with a dark veil. So horrifying were the signs and heavens that the clairvoyant had been consulted and he said “either is the creator of nature suffering, or the universe has tumbled down. The first hour after nightfall, I drew my mantle about my shoulders and descended to the town to the great park leading to Golgotha, and the multitude was coming back: sad, frightened, desperate, because what they had witnessed on Calvary had filled them with fear and remorse of conscience. I even saw mournfully pass by, my little Roman group; and the standard bearer had veiled its eagle as a sign of grief of sorrow and I heard some soldiers express strange words which were and still are a mystery to me. Groups of men and women stopped sometimes and looked back to Calvary, expecting to see there, new wonders; and I returned to the praetorium, mournful and exhausted.”

And thus, as it was reported by Pontius Pilate himself, the seventh, and final, trial of Christ had ended.

## **Conclusion**

So, what actually had been done in all of this? Remember, there were two inquisitions before Annas and Caiaphas. There was no provision for this. Under Hebrew belief there was only one god, there was no one man judge but God. Jesus had no lawyer to defend Him, and did not know with what he was charged. Both inquisitions were held in private places -- not in the Temple; and at night -- not in the daytime. No witnesses were called. He was required to testify against Himself. The law required that any interested person disqualify himself, but Annas, the co-conspirator set up the whole thing with Judas. The two trials at the Sanhedrin were held not after the morning sacrifice but at night, not in the temple but in the palace of Caiaphas, and without the two day fast. Still He had no lawyer and was not apprised of the charge against Him. There were no two witnesses who testified about criminal acts. The votes of the Sanhedrin were taken as a body and not seriatim beginning with the junior member. The vote was unanimous -- entitling Jesus to an automatic mistrial. There was no confirmation by either of the Roman governors, each of whom said "I find no fault with this man." He was convicted under his own uncorroborated confession, his confession that he was the son of God; thus while the original charge (once revealed) had been sedition, he was convicted of blasphemy -- and was later crucified under still another charge, that of treason against Caesar. It is obvious, that in the context of those days and nights, He had to be silenced.

As Pilate concludes his report to Caesar he says: "At the end of all of these disasters, I feel it is my obligation to report to you these deplorable hazards. I wrote this report during the night which followed the blood-thirsty event and finished when the twilight announced to be another day. When I looked to Caesar's port, I heard the sound of trumpets blowing the Diana March, and 200 special soldiers arrived. Which should have arrived yesterday, but only then arrived. They had marched the whole night to arrive quickly, but too late. It was determined by the gods I cried, to commit

the great injustice that these troops which should have arrived yesterday came only today. Oh merciless destiny, thou who playest so often with the affairs of mortal beings, it was more than true as the Nazarene explained when he was writhing with pain on the cross: 'Tetelestai — Tetelestai: it is finished.'”

Christ’s suffering was finished; and so were our sins, forever, finished.

And on Monday, April 10<sup>th</sup>, the Jerusalem Gazette headline read: “Mystery surrounds death of rebel leader. His tomb is empty.”

Tetelestai — it is finished.