

WHO CRUCIFIED JESUS?

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The question of who crucified Jesus is one of the oldest and most stubborn problems that historians and theologians, both Christian and Jewish, have ever faced. Bias and preconceived opinions have unfortunately served to becloud and obscure the entire issue.

This, of course, is easily understandable. If one is already committed to Christianity, it is difficult to look at the Christian record as though it were just another document in the history of mankind. Similarly, Jews, who have suffered so grievously from the charge of having crucified Jesus, can scarcely view the documents in the New Testament with the kind of ease, indifference, and scientific objectivity with which they would view the history of India, China, Rome, or Greece.

As a consequence, whether the approach has been by Christians, on the one hand, or by Jews, on the other, the accounts in the New Testament have been made to yield not what was there, but that which was assumed must be present. This does not mean that scholars intentionally distorted the documents, but rather that they were incapable, in matters relating to something basic to their own contemporary lives, of conceiving them objectively*. Some Christian scholars, for example, who have wanted to set the records straight, frequently, in their very aim at liberalizing their approach to the problem, failed to see the truth. Such scholars, in their anxiety over the pain that Jews have suffered because of the crucifixion, have sometimes gone so far as to indicate that there is practically no difference between Judaism and Christianity. Or they will say that the sources of the New Testament are confused, and perhaps Jesus was not even crucified.

Similarly, liberal Jews at times tend to oversimplify the problem. After all, they say, did not Jesus get his teachings from the Jews? And do not Jews and Christians have the same ethics? the same God? the same basic beliefs?

Unfortunately, all of this is a sad misunderstanding; none of these approaches is adequate as background for understanding the truth about the crucifixion.

Normally, the professional historian, with no particular bias for or against Judaism or Christianity, would be the scholar best qualified to ferret out the truth; for this question is basically an historical problem. After all, Jesus did live at a point in time. The Jews had been in existence long before Christianity came on the scene. In time, the latter movement arose, developed, expanded, and unfolded into a whole variety of different beliefs, opinions, sects, and denominations, and separated itself from the

Judaism out of which it had evolved. Yet though the problem is clearly an historical one, most scholars who have dealt with it have been theologians or have been interested in the problem because of their prime interest in either Judaism or Christianity. The doctrinal issue has frequently been crucial.

The historian's major concern, however, is not with the truth of a doctrine. The question is not whether Jews or Christians have the true religion, but how we can best understand how and why new doctrines emerged. It is all too easy to lose sight of the central issue. For example, in the New Testament, bitter struggles go on between Jesus and his followers and the Pharisees. These Pharisees are called hypocrites by those who wrote the Gospels, and, to this day, the word "pharisee" is synonymous with "hypocrite." The Pharisees, presumably, were law-minded, and therefore had no pity or mercy. Jesus,

on the other hand, is pictured as being above the law, a spiritual figure. He is shown as being something good, while the Pharisees are depicted as bad.

One can approach the problem by asking which group had the true doctrine; Christianity in its opposition to the law, or the Jews or Pharisees in their insistence upon the significance of the law. As long as the problem is viewed in this way, there can be no solution. But suppose one accepts the fact that there was controversy and difference. Instead of passing judgment as to whether these differences were good or bad, we can try to understand why the controversies arose at the time that they did, and not earlier, and why some did love Jesus while others hated him or were indifferent to him. Why, for example, did Jesus' message win so few supporters in his own lifetime? Yet, why were Jewish doctrines unsuccessful when they came into competition with Christian doctrines for the loyalty of the pagan masses?

It is thus more important to understand the circumstances under which the controversy took place than to pass judgment on the doctrinal merits. The historian must attempt to reconstruct the world in which Jesus lived and he must recognize its dynamic and revolutionary character. This is all the more necessary in view of the fact that no written evidence contemporary to Jesus refers to him or to his ministry. Indeed, some scholars actually argued that Jesus did not exist. After all, the accounts are garbled; the Gospels of Mark, Matthew, and Luke do not agree with one another. And where these three Gospels are in agreement, John, in the Fourth Gospel, presents an entirely different version. After all, no witnesses wrote down what occurred either at the time of Jesus' ministry or at the time of his crucifixion. For a considerable period after his death the story of his life, message, and crucifixion was handed down by word of mouth. The Gospels naturally reflect this general uncertainty about Jesus.

THE HISTORICAL BACKGROUND

After the destruction of the First Temple and the period of the Babylonian captivity, some of the Jews returned and restored the Second Temple, creating once more a settlement within Palestine. Around 445 B. C. E. a firm theocratic structure based on the Pentateuch was established. At this time Palestine was a very small country with most people making their living in agriculture, and with no large cities in existence. It was backward and primitive in comparison with what the country had been before the First Exile.

The new settlement was important because it marked the acceptance by all the people of the Five Books of Moses. Though the Pentateuch had had a long history of development before this time, it was only now that it became the constitution of all the Jewish people. Indeed, with Ezra, in about 445 B* C. E. the Five Books of Moses came to be the law which ruled the people. The Jews in Palestine at that time were peasants. The Book of Leviticus, probably the most important book in the Pentateuch, gave them specific instructions about sacrifices and support of the priests, and they were promised agricultural abundance if they obeyed the laws. The system prescribed here is a hereditary theocracy, in which the authority came from God through the priests who, in turn, controlled the people. There was no democracy, and the people had no voice in the government. The priesthood was very firmly established.

Because of the geographical location of Palestine, at the juncture point between Egypt and Syria, Persia and Asia Minor, and all the connecting routes to Greece and Rome, the

Jews were always being conquered by other peoples. While the theocracy was still flourishing, the Greeks came in with Alexander the Great and brought Palestine under their control. They brought Hellenistic civilization into Palestine, and a new kind of Greek city, a dynamic type of city, which affected and changed the countryside, and disrupted the even tenor of the agricultural life - the mainstay of the theocratic system. The structure of society underwent a radical change. Whereas before the emergence of cities the vast majority of Jews had been peasants, now shopkeepers, artisans, craftsmen, businessmen, and merchants emerged as significant elements within society. A complex economic and social structure replaced a simple agricultural structure. The Pentateuch had been primarily concerned with the tiller of the soil; it was no longer adequate to a society that was big with change, that knitted Jews together in novel ways, that churned up problems for which the literal words of the Pentateuch had no answer.

The new elements in society, struggling with the problems of life in a new world, could not be content with a fixed and permanent law which foreclosed change, nor with a religious orientation that blocked new ventures of the spirit. The outcome was nothing less than a new orientation toward God, man, religion, and destiny - an orientation which in its way was as significant as the Bible itself - for it emphasized the worth and significance of each single individual human being in the eyes of God. It declared the revolutionary doctrine of personal salvation in the world to come. This new orientation is to be found at the heart of every single monotheistic religion that subsequently was to evolve out of Judaism. This personal concern of God with each of his creatures is still the core of the monotheistic religions of our own day. The men who so daringly formulated this crucial doctrine were the Pharisees.

RISE OF THE PHARISEES

The Pharisaic movement that gave birth to these revolutionary ideas has been not only maligned but thoroughly misunderstood. Although both Jewish and Gentile scholars are generally in agreement that they were an elevated group of superior religionists, they have been described in a wide variety of ways, from unctuating to sincere pietists, depending on the personal biases of their evaluators. The word "pharisee" means "to separate," and, according to most scholars, it designates an elite that separated itself from the mass of people., who were not sufficiently religious. Most scholars agree that the Pharisees, for good or ill, were particular about laws of ritual cleanliness and uncleanness, which were an inheritance from the Book of Leviticus. It is even said that these Pharisees were more concerned about laws of cleanliness and uncleanness than were the priests themselves. They are depicted as vaunting their ritual purity as they looked down with contempt at those who wallowed in ritual uncleanness.

And yet, this picture, which is spread over pages of the most learned works, is far from the truth. In reality, the Pharisees virtually abrogated completely the laws of cleanliness and uncleanness as they affected non-priests. Never once did Jesus accuse them of being primarily concerned with these laws. In the only passages in which Jesus refers to the laws of cleanliness and uncleanness (Mark 7; 1-6, Matthew 15; 1-11, Luke 11;37), he implies that the Pharisees did not go far enough in doing away with these laws, for they still insisted on the washing of the hands before eating. It is thus clear that Jesus recognized that the washing of the hands was virtually all that remained, for the non-priest, of the elaborate system of ritual purity.

Similarly, the charge that the Pharisees were aloof and elevated themselves above the people is starkly contradicted by the sources. Josephus, himself a Pharisee and an historian at the time of the destruction of the Temple, said that the Pharisees were so popular that the priests carried out all of the Pharisaic laws with respect to sacrifices lest the people rise up in revolt. Not once, in any of the passages in which Jesus refers to the Pharisees, does he indicate that they were unpopular. Rather the people were so devoted to them that they were willing to rise in revolt against anyone who attempted to abrogate their laws.

In actuality, the Pharisees got their name “separatists” because they opposed the theocracy. They were denounced by the theocratic priests, the Sadducees, as having separated themselves from official Judaism. The name, as frequently in history (cf. Dissenters, Protestants, Roundheads, Sansculottes, Mitnagdim), became the permanent designation, even though the Pharisees themselves did not coin the word, nor did they refer to themselves by that name. They called themselves *soferim* or *hahamin* or *zekenim*. i. e., scholars.

Pharisaism was a movement which sought individual salvation not through the Temple but through a personal religious life, concentrated in the synagogue. In opposition to the theocracy, this Pharisaic movement, far from making the laws more difficult, modified the laws of the Pentateuch and made them bearable for people living in a new type of society. For example, although previously it was not permissible to walk out of one's house on the Sabbath, the Pharisees, i. e., the sages, permitted people to walk anywhere in the city on the Sabbath day. When the law was unyielding and unbending, the Pharisees made it pliable and subject to change, They modified the laws of ritual purity for non-priests, first by requiring only a ritual bath and subsequently by legislating that the mere washing of the hands was sufficient.

They recognized, however, that if the law was to change, it had to change through regularized channels* Here is where they came in conflict with Jesus, who seemed to be asserting: “I will make the law when I want to make the law because I am the son of man. I am the Messiah.” As the Gospel of Mark (1:22) so succinctly states: “And they were astonished at his teaching, for he taught them as one who had authority, and not as the scribes”(italics mine). The Pharisees opposed Jesus because they did not believe that any individual should change the law merely on the basis of his own personal authority. Jesus' basic difference with the Pharisees was over the acceptance of his role. Since the Pharisees refused to recognize Jesus as the Messiah, he looked upon them as having rejected him and his message. Normally, he lived a Pharisaic life, and urged his fellow disciples to do likewise. But when the Pharisaic laws were broken, he refused to consider such violations as important as the rejection by the Pharisees of his message.

ROMAN CONQUEST

The Roman conquest of Palestine brought much suffering to the Jews. Large numbers of independent farmers, unable to meet the heavy taxes that were imposed, lost their land. The notorious policy of “divide and conquer” was put into effect. At the time of Jesus, the Roman procurator was responsible for law and order in Palestine, and he in turn appointed the high priest who was held responsible for the good behavior of the populace. His position was dependent on his unswerving loyalty to Rome, his ability to keep the people calm. At the time of Jesus the high priest was Caiphas who had been

appointed by Pontius Pilate and who successfully held on to his office longer than most high priests. If he managed to achieve this under Pontius Pilate, we must conclude that he must have been an extraordinarily crafty, cruel, and ambitious person who was especially sensitive to the slightest stirring against Roman rule. For Pontius Pilate was one of the most vicious of the procurators, as Josephus, who was a friend and admirer of Rome, starkly affirms. He repeatedly provoked revolts so that they might be cruelly put down.

JESUS AND THE ROMANS

That Roman rule was very harsh and cruel at this time is amply proved by the fact that it was not long after the death of Jesus that a bitter revolt broke out against that rule (65-70). Long before the war against Rome, large numbers of Jews were desperate. In response to the troubles of the time, two different solutions were offered by groups that broke off from Pharisaism. One of these groups, referred to by Josephus as the Fourth Philosophy, called for revolutionary violence against Rome and against Jews who collaborated with Rome. The goal of this group was the equality of all men under God. The second group consisted of apocalyptic visionaries, who foreswore violence, but who preached that the kingdom of God was at hand. The coming of the kingdom of God would bring to an end domination, suffering, and inequality. Jesus was one of those who preached the imminent coming of the kingdom of God and who called upon his listeners to live the kind of life that would hasten the kingdom and assure them of membership in it. Such preaching, though eschewing violence, was revolutionary in character, for it most definitely implied the sweeping away by God of Roman rule,

The high priest was always on watch for any signs of rebellion. When Jesus came to Jerusalem on the eve of Passover, he was greeted, as he went through the streets, as the king of the Jews, the son of David. It was festival time and tens of thousands of people were milling around. Pontius Pilate, the procurator, had come from his headquarters with troops to live in Jerusalem in case of trouble.

And Jesus was causing trouble in that he claimed to be, or people said in his name, that he was the Messiah. People were referring to him as the descendent of David, which to High Priest Caiphas and the procurator suggested a dynasty, the replacement of Roman rule. What could the kingdom of God mean except the end of the Roman kingdom? Jesus was arrested, not because he was preaching violence but because he was identified with the Davidic dynasty, the Messiah, the kingdom of God, and, as such, threatened the whole Roman system.

Jesus was brought to the high priest, and was tried before a sanhedrin—a Greek word which merely means “council” and not the official Bet Din or sanhedrin of the Pharisees. Jesus was brought before the council of the high priest made up of Jewish collaborators with Rome. As members of the Wealthy classes, they were dependent on Rome for protection of their wealth from the threatening masses. Their decision was rendered not in terms of whether Jesus was politically dangerous or not.

According to various statements in the Gospel, Pontius Pilate would have saved Jesus. But a closer reading of the account discloses that Pontius Pilate keeps repeating over and over again to Jesus, “Are you the king of the Jews?” Or he asks, “Shall I save the king of the Jews?” The word “king” is used provocatively to trap the people. To have asked for Jesus’ release would have been equivalent to rebellion.

The emblem on the cross which read “King of the Jews” is stark and conclusive evidence that Jesus was crucified because he was viewed as a threat to Roman sovereignty. He was believed to have had Messianic pretensions and therefore deserved, from the Roman point of view, the death of all rebels—crucifixion. The high priest, far from being the representative of the Jewish people, was the representative of Pontius Pilate, the instrument of Roman domination. If he agreed to Jesus’ death, it was to indicate that the Jews were loyal to Pontius Pilate and to Caesar, and were not considering any kind of revolt. They owed no allegiance to any other king.

Thus the drama of the interplay between oppressors and oppressed becomes clear. The whole Roman system was geared to preventing anyone from emerging who might disrupt its rule. The Roman authorities appointed people like High Priest Caiaphas to make sure that their rule and regime would remain. They sought the collaboration of the wealthy. They used every means to see to it that the people did not give loyalty to anyone but Caesar. In crucifying Jesus, the Romans were using a mode of punishment commonly used for those who in any way indicated that they had any other loyalty or recognized the sovereignty of any other kingdom than the kingdom of Caesar. Crucifixion was a daily occurrence in Palestine at that time. It was meant to be a frightful warning to the discontented.

From the historical point of view, therefore, the question of “Who crucified Jesus?” should be replaced by the question “What crucified Jesus?” What crucified Jesus was exploitation, the destruction of human rights, Roman imperialism, selfish collaboration. What crucified Jesus was a type of regime which, throughout history, is constantly and forever crucifying those who would bring human freedom, insight, or a new way of looking at man’s relationship to man. Domination, tyranny, dictatorship, power, and disregard for the life of others were what crucified Jesus. If there were among them Jews who abetted such a regime, then they too bear that same guilt.

The mass of Jews, however, who were so bitterly struggling under Roman domination that they were to revolt in but a few years against this very regime of tyranny, can hardly be said to have crucified Jesus. In the crucifixion of Jesus, their own plight of helplessness, humiliation, and subjection was clearly written on the cross itself. By nailing to the cross one who claimed to be the Messiah to free human beings, Rome and its collaborators indicated their attitude toward human freedom.