

The Cross, Jesus and the Jewish People

by Brad Young

For students of early Christianity and Second Temple Judaism, the significance of the cross of Jesus may be one of the most controversial questions. In more modern history, the cross has been an emblem filled with intense meaning for both Christians and Jews. It can be difficult, consequently, to analyze critically and historically the earliest Christian and Jewish sources pertaining to the cross.

The present essay will deal with some implications of the meaning of the cross both in the Synoptic Gospels and in some early Jewish sources. It by no means claims to treat its meaning adequately. Nonetheless, I hope to emphasize a forgotten aspect of the suffering of Jesus. This article also seeks to build upon some of the important studies written by David Flusser concerning the trial of Jesus and his execution.¹

The Cross in the Gospels

According to the Synoptic Gospels, Jesus asked all who desired to be his disciple to take up their cross and follow him. This is the earliest reference to the cross in the Gospels. The logion is preserved in slightly different versions in the divergent contexts of the Gospel narratives. According to the arrangement of the Synoptics, Jesus is recorded to have made this demanding stipulation for discipleship during a time when his popularity was at its height.

It is a somewhat unusual and perplexing dominical saying. Not surprisingly, a number of scholars have seen it as an addition made by the Church after the crucifixion of Jesus had become imprinted upon the hearts and minds of the

1. See especially David Flusser, "What Was the Original Meaning of *Ecce Homo*?" *Immanuel* 19 (Winter 1984/85), 30–40; "The Crucified One and the Jews," *Immanuel* 7 (Spring 1977), 25–37; "A Literary Approach to the Trial of Jesus," *Judaism* 20 (1971), 32–36. These studies are reprinted in Flusser's new book, *Judaism and the Origins of Christianity* (Jerusalem, 1988), pp. 575–609. See also David Flusser, "Sie wissen nicht, was sie tun," P.G. Müller ed., *Kontinuität und Einheit — für Franz Mussner* (Freiburg, 1981), pp. 393–410.

early community.² It can then be understood as a post-Easter saying that was adapted to the environment of the Church following the fateful events of the passion week. But this is not the only possible interpretation. Could a Jewish teacher not have made reference to the Roman practice of crucifixion as part of his teaching on discipleship?

It is easy to reconstruct an original for the saying in the Hebrew idiom that seems to have characterized the better sources of the Synoptics. The saying is also well attested in the Gospels, occurring in two contexts. One version appears in a series of unconnected logia and betrays Greek syntax and evidence of redaction (Matthew 16:24–28; Mark 8:34–9:1; Luke 9:23–27).³ Let us, therefore, consider the other context, which forms a part of the double tradition and seems to be based on better sources (Matthew 10:37–38 and Luke 14:25–33).⁴

Here we find that the whole passage appears to occur in an earlier version in Luke. For instance, the opening words, “If any one comes to me and does not hate his own father and mother...” (Luke 14:26), have been tamed in Matthew’s version: “He who loves father or mother more than me...” (Matthew 10:37). Also Luke’s “he cannot be my disciple” (οὐ δύναται εἶναι μου μαθητής) is better than Matthew’s “is not worthy of me” (οὐκ ἔστιν μου ἄξιος), though both can be reconstructed into idiomatic Hebrew. Matthew’s “follow after me” (ἀκολουθεῖ ὀπίσω μου, 10:38) is likewise secondary to Luke’s “come after me” (ἔρχεται ὀπίσω μου, 14:27). In fact, Luke 14:27 can be reconstructed into a text that reflects a linguistic idiom between later Biblical and Mishnaic Hebrew:

5 מי שלא ישען את צלובו ויבוא אחרי אינו יכול להיות תלמיד.

More philological research is needed to determine more precisely the language of Luke’s *Vorlage*. The above linguistic analysis, however, suggests that in Luke 14:27 the logion does not show evidence of redaction in Greek and cer-

2. See J.A. Fitzmyer, *The Gospel According to Luke* (New York, 1981), vol. 1, p. 785. Fitzmyer concludes: “Since it is only the joining of Jesus’ own messiahship with the cross on which he was crucified that makes the metaphor have any sense, the saying, as we now have it, must come from the early Christian community.”
3. A fresh and full examination of these doublets in light of recent developments in the study of the Synoptic Gospels would be very beneficial. Here it is only possible to observe that these sayings are better preserved in their parallel texts. It seems that a pre-Synoptic redactor has collected these sayings and reorganized them into a new context. His work has destroyed the original framework of the sayings. Nonetheless, one should compare each logion’s parallel: Mt. 16:24, Mk. 8:34, Lk. 9:23–27 = Mt. 10:38, Lk. 14:27; Mt. 16:25–26, Mk. 8:35–37, Lk. 9:24–25 = Mt. 10:39, Lk. 17:33; Mt. 16:27, Mk. 8:38, Lk. 9:26 = Mt. 10:32–33, Lk. 12:8–9; Mt. 16:28, Mk. 9:1, Lk. 9:27 = Mt. 24:34, Mk. 13:30, Lk. 21:32. A careful comparison of these sayings in light of their parallels betrays the work of the redactor(s) in Mt. 16:24–28, Mk. 8:34–9:1, Lk. 9:23–27.
4. Although Lk. 14:27 is missing in later minuscule codices and versions, there is little reason to doubt its originality in Luke. Not only is the textual attestation of the saying quite strong, but the wording of the logion in Lk. 14:27 is significantly different from its doublets as well. Hence it seems very unlikely that the saying was copied from one of its parallels and inserted here.
5. Luke’s text (*bastazei*) could reflect the Hebrew word טען which appears in the rabbinic parallel in Genesis Rabbah 56:3 (Albeck ed., p. 598, see note 31 below). However, Matthew employed the Greek word *lambanei*, which is the Septuagint’s translation of the Hebrew נשא.

tainly has a claim to originality. In addition, it may be noted that the two parables that follow the saying in Luke's Gospel fit well the theme of the costs and the risks of discipleship in the kingdom (Luke 14:25–33).

Even granted that the saying is derived from the better sources of the Synoptics, another problem demands consideration. Can such a saying concerning the cross, attributed to a Jewish teacher from the days of the Second Temple, actually reflect the realities of its historical context? Would Jesus have employed such a metaphor to characterize discipleship in the kingdom? While the original *Sitz im Leben* of the text neither proves nor disproves the authenticity of the passage, it may provide a historical framework within which such a severe statement concerning discipleship could have been made. The final fate of Jesus and its deeper meaning for Christians should not be allowed to overshadow the force of this logion in the cultural and historical setting of the Second Commonwealth.⁶

The Cross and the Jewish People

The punishment of crucifixion is ancient.⁷ It was not invented by the Romans, although they discovered its utility as a means of suppressing popular discontent. The figure of a crucified man must have created great fear even in a period when brutality was all too familiar.

Although the sufferings of the Jewish people under the Roman yoke are a fact noted by nearly all historians of the period, few have observed the rather obvious implications for the relationship of the death of Jesus to the overall sufferings of the Jewish people. The term "the Romans" is never used in the Synoptics. Of the Gospels, only John ever refers to them by name and then only once (John 11:48). Is it possible that the role played by Pilate, as the representative of Rome, in the betrayal, trial and execution of Jesus was minimized for all the obvious reasons?⁸

6. The Christian doctrine of the atoning death of Jesus appears in the New Testament, e.g. Mt. 26:28, Mk. 14:24; Mt. 20:28, Mk. 10:45 (missing in Lukan parallels), 1 Tim 2:6; and cf. Acts 8:32 ff. See also the classic treatment by A. Büchler, *Studies in Sin and Atonement in Rabbinic Literature of the First Century* (New York, reprint, 1967), and cf. J. Jeremias, *New Testament Theology* (London, 1971), pp. 286–288.

7. See M. Hengel, *Crucifixion in the Ancient World and the Folly of the Message of the Cross* (Philadelphia, 1977), pp. 22–23; cf. H. Cohn, "Crucifixion," *Encyclopaedia Judaica*, vol. 5, coll. 1133–1135. See also Tzaferis, note 9 below.

8. Regarding Pilate's attempt to release Jesus, it is worth quoting the observation of David Flusser ("A Literary Approach to the Trial of Jesus," p. 35): "Jesus shared imprisonment in the Roman fortress with at least three others. They were anti-Roman guerrillas, and chief among them was Barabbas, who had taken part in terrorism that had already cost lives. We know from the Gospels and from Rabbinic literature, that the Roman governor customarily released a Jewish prisoner on the Passover." See also Flusser's *Jesus* (Hamburg, 1968), pp. 124 f. The custom of releasing a prisoner has been discussed by S. Safrai, *Die Wallfahrt im Zeitalter des Zweiten Tempels* (Neukirchen-Vluyn, 1981), p. 206 (cf. mPesah 8:6, bPesah 91a, jPesah 36a; compare also Moed Katan 3:1–2). The Gospels attest to the custom: Mt. 27:15, Mk. 15:6, Lk. 23:17 (vs. 17 may be an original part of Luke's Gospel) and Jn. 18:39. Certainly, Pilate realized that Jesus was much less dangerous to Rome than Barabbas. Why do the Gospels picture him as trying to release Jesus *instead* of Barabbas, the notorious insurrectionist?

Tragically, at a very early period in Church history, the cross became an emblem of the so-called Jewish rejection of Jesus and the collective responsibility of the Jewish people for his crucifixion. Incredible as it is to the modern analytical mind, it seemed perfectly logical to some Church Fathers to claim: "The Jews killed Christ and therefore we may treat the Jews as we please." These fathers did not trouble to consider historical facts. They never attached responsibility to the Romans for crucifying Jesus. Nor did they consider the version of Acts 4:27 — that both Roman representatives and certain Jewish elements collaborated in the arrest and execution of Jesus. Rather, they simply taught that the Jews crucified Jesus.

At an early period, the collective guilt of all the Jews for Jesus' death became a fixture of patristic theology. The older theme of the murder of the prophets was enlarged to include the crucifixion of Christ, the Messiah, as well. The view that the Jews and the Jews *alone* must be held responsible was then employed as a justification for the Church's policy toward the Jewish people.⁹

A very different image of the cross emerges, however, when it is viewed in its historical context. It then appears as a symbol of the readiness of Jews to suffer martyrdom for their faith. The Testament of Moses, a Jewish work which most probably precedes the time of Jesus,¹⁰ thus speaks of the crucifixion of

If a prisoner had to be released, as far as the Roman authorities were concerned, Jesus would have been preferable to Barabbas. In any case, as Flusser observed, the Gospel portrayal is not so unlike Josephus' description of Pilate as a cruel and shrewd politician (Josephus *Wars* 2:169–174; *Antiquities* 18:55–59 and *Wars* 2:175–177; *Antiquities* 18:60–62; Flusser, "A Literary Approach to the Trial of Jesus," pp. 35–36). Note that among the seven accusations against Pilate made by Philo, one is "the executions without trial constantly repeated" (Philo, *De Legatione ad Gaium*, 301).

9. See Heinz Schreckenberg, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld (1.–11. Jh.)* (Bern, 1982), especially pp. 125–131, 221–222 (Tertullian), 244 (Commodianus), 336 (Jerome), 354–355 (Augustine), 469–470 (Beda). Compare Tertullian, *Adversus Judaeos* 8 and *De Oratione* 14. Tertullian writes: "...all the synagogue of Israel did slay Him, saying to Pilate, when he was desirous to dismiss Him: 'His blood be upon us, and upon our children...'" Tertullian, "An Answer to the Jews," ch. 8, A. Roberts and J. Donaldson eds., *Ante-Nicene Christian Library*, vol. 18, p. 225. In his treatise on prayer, Tertullian places guilt upon all the Jewish people throughout eternity both for Jesus' death and for the murder of the prophets: "Albeit Israel wash daily all his limbs over, yet is he never clean. His bands, at all events, are ever unclean, eternally dyed with the blood of the prophets, and of the Lord Himself; on that account, as being hereditary culprits from their privy to their fathers' crimes..." Tertullian, "On Prayer," ch. 14, Roberts and Donaldson eds., *Ante-Nicene Christian Library*, vol. 11, p. 189. Of course, the cross had other meanings for the fathers, and it took on greater significance in the fourth century; see the unpublished doctorate of Vassilius Tzaferis, *Christian Symbols of the 4th Century and the Church Fathers* (Hebrew University, Jerusalem, 1971). See now my work, *Jesus and His Jewish Parables*, (New York, 1989), pp. 282–316.
10. On the date of the work, see J. Licht, "Taxo, or the Apocalyptic Doctrine of Vengeance," *Journal of Jewish Studies* 12 (1961), 95–103; G.W.E. Nickelsburg, *Studies in the Testament of Moses* (Cambridge, 1973). Both authors have suggested that the work was composed during the persecutions of Antiochus Epiphanes. See also J.P.M. Sweet, "The Assumption of Moses," in H.F.D. Sparks ed., *The Apocryphal Old Testament* (Oxford, 1984), p. 603.

the circumcision: "And there will come upon them [...] punishment and wrath such as has never happened to them from the creation till that time when he stirs up against them a king of the kings of the earth, who having supreme authority, will crucify those who confess their circumcision. Even those who deny it, he will torture and hand them over to be led to prison in chains."¹¹ A non-Jew, "a king of the kings of the earth," will be responsible for these acts of violence. All readers of the New Testament will quickly recognize the reference to the circumcision to be a designation of the Jewish people, a terminology that appears in the Acts of the Apostles and in the Pauline epistles.

Among the Dead Sea Scrolls, likewise, 4QpNah 1:7–8 contains the following:

פשרו על כפיר החרון

אשר ויעש נק[מות ברורשי החלקות אשר יהלה אנשים חיים
על העץ אשר לוא עשה איש] בישראל מלפנים כי לתלוי חי על [העץ]

It is accepted that here¹² the mention of men being "hanged alive" refers to crucifixion, in a manner similar to the wording of a number of New Testament passages.¹³ Since Josephus reports that Jannaeus sent eight hundred Pharisees to their death on crosses (in 88 B.C.E.), most scholars agree that this tragic event is alluded to here in 4QpNah 1:7–8.¹⁴

In rabbinic literature, it is prescribed that a condemned person's body

11. Testament of Moses 8:1–2; J. Priest, "Testament of Moses," in J.H. Charlesworth ed., *The Old Testament Pseudepigrapha* (New York, 1983), vol. 1, pp. 930–931. Interestingly, in the Biblical Antiquities of Philo 55:3, the Philistines are said to have practiced crucifixion (D.J. Harrington, "Pseudo-Philo," *The Old Testament Pseudepigrapha*, vol. 2, p. 369).
12. Compare G. Vermes's reconstruction and translation of the text: "Interpreted, this concerns the furious young lion [who executes revenge] on those who seek smooth things and hangs men alive, [a thing never done] formerly in Israel. Because of a man hanged alive on [the] tree..." Vermes, *The Dead Sea Scrolls in English* (Baltimore, 1965), p. 232. See especially Flusser, "Pharisees, Sadducees and Essenes in Peshar Nahum," *Essays in Jewish History and Philology in Memory of Gedalyahu Alon* (Tel Aviv, 1970), pp. 133–168 (Hebrew). Here I have used the Hebrew text and reconstruction printed in Flusser's article. His article was translated into German as "Pharisäer, Sadduzäer und Essener im Peshar Nahum," in *Qumran* (Darmstadt, 1981), pp. 121–166. Y. Yadin has proposed a different reconstruction of the lacunae; see his "Peshar Nahum (4Q pNahum) Reconsidered," *Israel Exploration Journal* 21 (1971), 1–12, and *The Temple Scroll* (Jerusalem, 1983), vol. 1, p. 378. The text has been discussed by Maurya P. Horgan, *Pesbarim: Qumran Interpretations of Biblical Books* (Washington D.C., 1979), pp. 166–191. The Hebrew word *tselov* does not appear in the text as H. Cohn claimed in his book *The Trial and Death of Jesus* (New York, 1977), p. 210.
13. In Lk. 22:39, one of the malefactors crucified with Jesus is said to have been "hanged"; cf. Acts 5:30, where the phrase κρεμάσαντες ἐπὶ ξύλου appears, and see also Acts 10:39 and Gal. 3:13. Cf. P. Billerbeck, *Kommentar zum Neuen Testament aus Talmud und Midrasch* (Munich, 1926), vol. 3, pp. 544 f.
14. Josephus, *Antiquities* 13:377–383; *War* 1:93–98; see Flusser, "Pharisees, Sadducees and Essenes in Peshar Nahum," pp. 136 ff., and Horgan, *Pesbarim: Qumran Interpretations of Biblical Books*, p. 161. See further D. Halperin, "Crucifixion, the Nahum Peshar and the Penalty of Strangulation," *Journal of Jewish Studies* 32 (1982), 32–46, and also note 16 below. Cf. also the tradition concerning Simeon ben Shatah, mSanhedrin 6:4, jSanhedrin 23c (6:9); jHagigah 77d–78a (2:2); Sifrei Deuteronomy 221 (Finkelstein ed., p. 253).

should be hung upon a stake after execution. The sectarian Temple Scroll from Qumran, however, contradicts this halakhic opinion when it mentions hanging a living person upon a stake or a cross as a means of execution.¹⁵ This idea is also reflected in the Targum on Ruth (1:17)¹⁶ where the mention of crucifixion preserves a divergent halakhic tradition which some scholars have theorized could be based upon earlier sectarian Jewish sources that opposed the oral law.¹⁷

15. See Yadin, *Temple Scroll*, vol. 1, pp. 373–379.

16. See also Y. Komlosh, “Aramaic Jewish Targumim,” in Chaim Rabin ed., *Translations of the Bible: An Introduction* (Jerusalem, 1984), p. 37, in Hebrew (see also the following note); *The Bible in Light of the Aramaic Translations* (Tel Aviv, 1973), pp. 84–85. The Targum to Ruth changed one of the four halakhic methods of execution, as listed in mSanhedrin 7:1, from strangulation to crucifixion on a stake or cross צליבה קיסא. See the treatment of the Jewish death penalties by Paul Winter, *On the Trial of Jesus* (Berlin, 1961), pp. 67–74. See Yadin’s comments, *Temple Scroll*, vol. 1, pp. 373–379. Interestingly, in the Aramaic Targums “to hang upon a tree” is always rendered על צלבו or קיסא צליבה (with the exception of Targum Esther 2:23). In Genesis 40:19, Joseph interpreted the dream of the chief baker to mean that the baker would be beheaded and hung on a tree. Targum Onkelos, translating the passage, says that Pharaoh will remove his head and then על צליבה ויצלב יחך על צלבו. Targum Neofiti gives the same translation, while Pseudo-Jonathan translates ויצלבו ויצלבו יחך על קיסא. Obviously, the chief baker was dead after he had been decapitated. Nonetheless, it is noteworthy that the word *tzalav*, which certainly has the meaning of “to crucify” as well as “to hang,” is used to describe the fate of Pharaoh’s baker (see also Targum Deut. 21:22–23, Targum Esther 6:4, 5:14, 9:14, 9:25, 10:26, Targum Joshua 8:29, 10:26). Did the practice of crucifixion influence the language of the Targumim? At least, it seems that impalement upon a stake may well have reminded the translator of the death penalty of crucifixion, even if the man was dead before being hung upon the cross or the gibbet.

It is probable that the body was often first attached to a crossbeam and afterwards raised from the ground and connected to an already standing gibbet. In this way, a cross was made. In practical terms, it would be somewhat difficult to lift the body to the height of a gibbet and then attach it; the body would be more manageable after attachment to a crossbeam. Plutarch says that the condemned was compelled to carry his own cross, which could refer to the crossbeam (*Moralia: De sera numinis vindicta*, 9:55A, Loeb ed., vol. 7, pp. 214–215; Teubner ed., 3.410; cf. Jn. 19:17 and the parallels Mt. 27:31 f., Mk. 15:20 f. and Lk. 23:26). For the archaeological evidence for crucifixion, see now the reevaluation by Joseph Zias and Eliezer Sekeles, “The Crucified Man from Giva’at ha-Mivtar: A Reappraisal,” *Israel Exploration Journal* 35 (1985), 22–27. Of course, the method of crucifixion practiced in various places during different periods most probably underwent a number of modifications and innovations; Hengel holds that “the form of crucifixion varied considerably” (op. cit., note 7 above, p. 24). An eyewitness, the historian Josephus, describes (*War* 5:449–451) the cruel barbaric innovations of the Roman legionaries, who delighted in crucifying their Jewish victims. “The soldiers out of rage and hatred amused themselves by nailing their prisoners in different postures...” (see Hengel, p. 26). There is solid evidence for the use of nails for crucifixion: Jn. 20:25; Philo, *De posteritate Caini* 61, *De somniis* 2.213; Josephus, *War* 5:451; mShabbat 6:10; Hengel, p. 31; J.W. Hewitt, “The Use of Nails in Crucifixion,” *Harvard Theological Review* 25 (1932), 29–45; and see especially now Zias and Sekeles, p. 26.

17. The Targum on Ruth (1:17) contradicts the traditional Halakhah of the four death penalties as given in mSanhedrin 7:1. See Komlosh, op. cit., preceding note, and Akiba Schlesinger, *Researches in the Exegesis and Language of the Bible* (Jerusalem, 1962), pp. 12–17 (in Hebrew). Schlesinger suggests that the text of the

Another reference to crucifixion in rabbinic literature describes the unjust execution of the early sage Jose ben Joezer (first half of the second century B.C.E.), who was one of the pair of rabbinic leaders in his time. The wicked priest Alcimus reportedly had his uncle, the righteous Jose ben Joezer, crucified.¹⁸ In midrashic literature, this motif is carefully developed, especially in recording the mockery that Alcimus made of his saintly uncle. While the Romans made crucifixion an all too common sight, the employment of this means of execution by Jannaeus and Alcimus must have shocked the Jewish people, who already had a legal system designed to provide a fair trial, besides means of capital punishment ensuring that the condemned would die quickly and without unnecessary agony.

In the Tosefta, R. Meir tells a parable which illustrates how Israel's sages viewed the cruel practice of crucifixion. "It may be compared to two brothers who were twins that looked exactly alike. One was the king over the whole universe and the other became a thief. After a time, the thief was caught. They crucified him upon a cross. Everyone who passed by said: 'Methinks that the king has been crucified!' Thus it was written, '...accursed is God [because] of a hanged man' (Deut. 21:23)."¹⁹ Of course, the king over the whole universe is none other than God Himself. Hence, according to the humanistic approach of R. Meir, whenever a human being created in the *divine image* is crucified, then God Himself is accursed. Even when applied to a notorious criminal, crucifixion diminishes the very divine image of God.

Regarding the trial of Jesus, it may be questioned whether the Jewish courts still had authority to execute prisoners. Forty years before the destruction of the Second Temple, according to a number of important talmudic sources, this

Targum on Ruth is based upon sources deriving from Sadducean circles that rejected the oral tradition of the Pharisees. The theory appears in part already in Shulhan Arukh, *Even Ha-Ezer*, 17:100,7, *Tore Zahav* 100:43. See especially the article by Joseph Heinemann, "The Targum of Exodus XXII,4 and the Ancient Halakhah," *Tarbiz* 38 (1969), 294-296. Heinemann held that the Targum of Ruth preserves an early Halakhah that is most certainly pre-tannaitic in origin (*ibid.*, p. 296). Schlesinger's theory is attractive, but can the Temple Scroll help define this group (see Yadin, *op. cit.*, preceding note)? It seems that the rabbis and the Pharisees found the death penalty of crucifixion inhumane and barbaric because, as is well known, the Halakhah required that the person be dead before being hanged (and *not* like the State). The careful description of hanging the body after execution is certainly a far cry from crucifixion (mSanhedrin 6:4; bSanhedrin 46a).

18. Genesis Rabbah 65:22 (Albeck ed., p. 742); Midrash on Psalms 11:7; cf. 1 Mac. 7:16. Alcimus ridiculed Jose ben Joezer because he rode a horse while his saintly uncle rode a cross to the place where he would be crucified. "See the horse on which my master has let me ride, and the horse upon which your Master has made you ride.' If it is so with those who anger Him, how much more with those who do His will...." Compare also the comments of Billerbeck, vol. 2, pp. 263-264, and W.T. Manson, *The Sayings of Jesus* (London, 1977), p. 343.
19. tSanhedrin 9:7; Yalqut Makhiri on Psalms 26:14 (Buber ed., 88b, 176). Let me express my gratitude to David Flusser, with whom I was able to discuss R. Meir's parable. A new approach is needed for the parables of Jesus and rabbinic parables. See the work of David Flusser, *Die rabbinischen Gleichnisse und der Gleichniserzähler Jesus* (Bern, 1981), and also my *Jesus and His Jewish Parables* (New York, 1989).

power was removed from the jurisdiction of the Jewish legal system and would have been restricted to the Romans.²⁰ Some scholars, however, have questioned the authenticity of these sources in theory as well as in practice. But why was Jesus even brought before the Roman authorities?²¹ On the one hand, if the Jewish legal system could not put Jesus to death, then the Romans passed sentence upon Jesus and carried out the order for execution. On the other hand, if the Jewish court had the legal power to execute Jesus, then bringing him before the Roman authorities would have been unnecessary. In any case, according to the historical picture portrayed in the Gospels, the responsibility of the Roman officials for the crucifixion of Jesus is beyond question. Furthermore, as Flusser has pointed out, in Luke there is no mention of a meeting of the Sanhedrin.²²

20. Thus Jn. 18:31b. Compare Josephus, *War*, 2:117–118; bSanhedrin 41a; bAvodah Zarah 8b; jSanhedrin ch. 1, 18a, and ch. 7, 24b (cf. also the conflicting report bKetuvot 30b). Whether the Jewish authorities were indeed permitted to pass a sentence of execution is debated among scholars. Josephus merely states that the Roman procurator could inflict capital punishment (*War* 2:117–118). A number of talmudic sources say that forty years before the destruction of the Temple capital cases were removed from the powers of the Sanhedrin, but give different explanations. According to the Babylonian Talmud, the Sanhedrin was exiled to Hanut and thus is said not to have tried capital cases (bSanhedrin 41b). In bAvodah Zarah 8b, R. Nahman b. Isaac states that the Sanhedrin did not hear capital cases during this period because of an overloaded docket which would have prevented each suspect from receiving a fair trial. The Jerusalem Talmud, which is sometimes closer to the historical situation, states that the authority of capital cases, *dinei nefashot*, was taken away from Israel forty years before the destruction of the Temple (jSanhedrin ch. 1, 18a; ch. 7, 24b), that is, the Romans seized this power. G. Alon suggested that the power of capital punishment was actually restricted only after the destruction; see his *The Jews in Their Land* (Jerusalem, 1980), vol. 1, pp. 208 f. Also Winter questioned whether the Jewish authorities had limited jurisdiction in regard to the death penalty (*Trial*, pp. 14–15, 155–156 and 75–90). See also R. Brown, *The Anchor Bible: The Gospel According to John* (New York, 1981), vol. 2, pp. 848–850. No matter what the basic legal jurisdiction of the Jewish court may have been, on occasion, during the unstable political conditions of the period, it was possible for elements of the people to take the law into their own hands (see Brown, *idem*).

One thing, nevertheless, is certain from the Gospels: *the Romans crucified Jesus*. If the Jewish authorities could have executed Jesus, why did they turn to the Romans? A careful analysis of the Gospels indicates that there was a close connection between the priestly authorities, who were primarily Sadducees, and the Romans. The priestly aristocracy is also sharply criticized in rabbinic literature, e.g. tMenahot 13:21 and the *baraita* in bPesahim 57a; see also Jeremias, *Jerusalem in the Time of Jesus* (Philadelphia, 1981), pp. 194–197, and my *Jesus and His Jewish Parables*. It seems that these politicians of the day viewed Jesus and his movement as dangerous to the status quo. The wealthy priestly aristocracy had the most to lose if a popular revolt broke out against the Romans. To a large extent, it was the Romans who guaranteed the control and wealth of the Temple to the Sadducean priests against the more popular Pharisaic circles. The priests certainly had a vested interest in maintaining a certain amount of equilibrium between the people and the despised Roman authorities.

21. See the preceding note.

22. Flusser, *Jesus*, pp. 117 f.; *Jewish Sources in Early Christianity* (Tel Aviv, 1979), pp. 134–136 (in Hebrew). The Sanhedrin is not mentioned in John, while in Luke one sees only a reference to “their council” (Lk. 22:66).

The historical record of Josephus provides abundant evidence that the Romans were all too ready and willing to suppress opposition. Death by crucifixion was one of their favorite methods of instilling fear in their subjects. Josephus relates his personal experience as a witness to the cruel practice. During the Jewish war against Roman rule, he tried to save three men being crucified and Titus granted his request. Only one of them recovered.²³ Whenever any of the insurgents fell into Roman hands, Titus had them tortured and crucified so that all the inhabitants of Jerusalem could see their agony.²⁴ The cruelty of a Roman ruler, however, did not require the excuse of armed revolt. During the difficult days that preceded the war, Florus (66 C.E.) sought revenge against certain Jews who mocked his greed after he had stolen funds from the Temple treasury. He had a sizable number of citizens as well as knights of Jewish descent abducted at random, put in chains and crucified despite the pleas for mercy of Queen Bernice.²⁵

During the years leading up to the Temple's destruction, revolutionaries, political activists and other persons believed to oppose Rome were readily given harsh treatment. In the days of Ummidius Quadratus (44–66 C.E.), some troublemakers involved in disturbances in Samaria were captured by Ventidius Cumanus (48–52 C.E.). They were crucified and five were beheaded,²⁶ showing

23. Josephus, *Life* 75, 418–21, and see Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ*, revised and edited by G. Vermes and F. Millar (Edinburgh, 1973–1986), vol. 1, pp. 420–421.

24. Josephus, *War* 5:446–451. The people were driven by hunger to escape the besieged city. The soldiers tortured those whom they captured without mercy. Josephus explains: "Being scourged and mortally tortured, they were crucified opposite the walls" (μαστιγούμενοι δὴ καὶ προβασανιζόμενοι τοῦ θανάτου πάσαν αἰκίαν ἀνεσταυροῦντο τοῦ τείχους ἀντικρῦ). As described by Josephus, the scourging that preceded crucifixion is remarkably similar to the way the Romans treated Jesus of Nazareth — the Jewish teacher who was popularly held by many to be the Messiah (see also *War* 2:306). Thus, many of the Jews who fled besieged Jerusalem were taken into custody by the Romans. Then they were brutally tortured and crucified in view of the city, in order to instill fear in the hearts of those who remained within its walls. Josephus relates that sometimes as many as five hundred refugees a day were captured. The Romans did not have sufficient space to crucify all their victims and there was a shortage of crosses. Cf. Hengel, *op. cit.*, note 16 above.

25. Josephus, *War* 2:293–314, and see Schürer, vol. 1, p. 485. Josephus describes the unbridled cruelty of Florus, who ordered his men to arrest Jewish inhabitants at random, to scourge them and finally to crucify them. "There ensued a stampede through the narrow alleys, massacre of all who were caught, every variety of pillage; many of the peaceable citizens were arrested and brought before Florus, who had them first scourged and then crucified. The total number of that day's victims, including women and children, for even infancy received no quarter, amounted to about three thousand six hundred. The calamity was aggravated by the unprecedented character of the Romans' cruelty. For Florus ventured that day to do what none had ever done before, namely, to scourge before his tribunal and nail to the cross men of equestrian rank..." (*War* 2:306–308). Even if the numbers of Josephus may be exaggerated, the tumult and violence described in these events must have had far-reaching repercussions because Florus' actions affected every stratum of society — the common people, the aristocracy, government officials and even those responsible for the Temple and its treasury.

26. Josephus, *Antiquities* 20:130, *War* 2:241; see Schürer, vol. 1, p. 459, and cf. Tacitus,

how little the authorities might hesitate to use crucifixion as a death penalty. During the famine a few years earlier, James and Simeon, the two sons of the Zealot Judas the Galilean mentioned in Acts 5:37, were captured and crucified. Their crime is not recorded and it is possible that their merely being sons of a notorious Zealot ringleader was sufficient for their condemnation and crucifixion.²⁷

Perhaps the most gruesome sight of mass crucifixions, which must have left a lasting impression on the Jewish inhabitants of the small country of Israel, occurred at about the time of Jesus' birth in the wake of Herod's death. According to Josephus, Quintilius Varus had two thousand Jews crucified.²⁸ The account of Josephus suggests that although crucifixion was all too familiar, the acts of Varus would not soon have been forgotten.

It should not be surprising that Israel's sages also show an awareness of how crucifixion could symbolize the sufferings of the Jewish people in a hostile world. The Hebrew word *tzalav* appears a number of times in rabbinic literature.²⁹ It can have the meaning of "to hang" a corpse upon a stake after execution; according to the context, however, it should be translated more properly "to crucify" or "to impale." In the Mekhilta, the Tanna R. Nathan displays a keen awareness that observance of the commandments can lead to persecution and martyrdom. On Exodus 20:6, he says: "Of them that love Me and keep My commandments,' refers to those who dwell in the Land of Israel and risk their lives for the sake of the commandments. 'Why are you being led out to be decapitated?' 'Because I circumcised my son to be an Israelite.' 'Why are you being led out to be burned?' 'Because I read the Torah.' 'Why are you being led out to be crucified?' 'Because I ate the unleavened bread.'"³⁰

Yet perhaps the most astounding reference to execution by crucifixion in rabbinic literature appears in the early Jewish interpretation of the Binding of Isaac. The young Isaac took the wood upon his back in order to carry it to the altar where his father Abraham was prepared to offer his beloved son as a human sacrifice at God's command. The narrative has given occasion for many

Annals 12:54.

27. Josephus, *Antiquities* 20:101–102, and see Schürer, vol. 1, p. 457. The opposition to Quirinus by Judas the Galilean appears in Josephus, *Antiquities* 18:1–10. Cf. also Hengel, pp. 46–50.

28. Josephus, *Antiquities* 17:295–296, *War* 2:74–76; see Schürer vol. 1, p. 332.

29. See Eliezer ben Yehuda, *A Complete Dictionary of Ancient and Modern Hebrew*, vol. 11, pp. 5432–5433; Alexander Kohut ed., *Aruch Completum*, vol. 7, p. 18; M. Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature*, vol. 2, p. 1282. In Sifrei Deuteronomy 308 (Finkelstein ed., p. 347), a rabbinic parable speaks about the anguished cries of a father and mother who see their son being led away to be crucified. Compare also the words of R. Johanan, where he describes the punishment for those who tried to torment and kill the children of Israel: Pesiqta de-Rav Kahana 11:2 (Mandelbaum ed., p. 178); Midrash Ha-Gadol, Ex. 13:16 (Margulies ed., pp. 244–245); Pesiqta Rabbati 19 (Friedmann ed., 94a); Midrash on Psalms 22:15; Exodus Rabbah 20:10.

30. Mekhilta de-Rabbi Ishmael, Ex. 20:6 (Horovitz ed., p. 227; Lauterbach ed., vol. 2, p. 247). Compare also the Testament of Moses cited in note 11 above.

fascinating sermons by both Christian and Jewish exegetes. In the early Jewish midrash Genesis Rabbah, however, the expositor graphically explains: "...it was like a condemned man who took his cross upon his shoulders...."³¹ Thus, in trying to convey the significance of this momentous event in the biblical text, the Jewish interpreter selected the picture of a condemned man taking up his cross and going to the place of execution. Conceivably, just this or some similar midrash lies behind the saying of Jesus that we have been examining.

Jesus, the Cross and the Jews

The evidence cited above does not provide absolute proof that Jesus himself indeed told his disciples to take up their crosses and follow him. It does, however, show that such a saying could have deep roots in the sufferings of the Jewish people during the Second Temple period. The Roman practice of terrifying subject nations with this brutal method of execution was so familiar to Jews of the time that a Jewish source, too, could have recourse to it as a metaphor for the readiness of the innocent to suffer death in obedience to God's will.

This conclusion also has broader implications. It is a tragic paradox that Jesus' suffering on the cross, which we have seen to be representative of Jewish suffering of the period, was so readily employed by Fathers of the Church for the absurd claim that the Jewish people must bear the collective responsibility for the death of Jesus. Jesus was one of the many Jews who willingly suffered for their faith and their people under the yoke of Rome. Yet his passion was made into the theological basis and justification for Christian persecution of the Jews, paving the way for their own long and tortuous Via Dolorosa. It became a spring from which haters of Israel have constantly drunk, as they perpetrated acts of violence against the people of Jesus himself, the people that he loved and for whom he suffered.

The cross had deep significance for Jesus. From a personal standpoint, it signified his betrayal by one of his own disciples.³² As we have seen, he could indeed well have employed it as a metaphor for discipleship in the kingdom. However, Jesus' suffering should also be understood as an historical event where both Christians and Jews are united before the cross. For the Christian, Jesus' vicarious sacrifice provides redemption and atonement between God and humankind. At the same time, from the standpoint of Jewish people's commitment to do God's will, the cross exemplifies their readiness to stand firm in every adversity in order to affirm their belief in the one true God and His promise to send a deliverer.

The Romans had crucified thousands of Jews even before Jesus. They ar-

31. Genesis Rabbah 56:3 (Albeck ed., p. 598); Pesiqta Rabbati 31 (Friedmann ed., 143b); Yalqut Shimoni, vol. 1, remez 101; also J. Mann, *The Bible as Read and Preached in the Old Synagogue* (New York, reprint, 1971), vol. 1, Hebrew section, *yelamdenu* from Yalqut Talmud Torah, p. 308. See Billerbeck, vol. 1, p. 587. The passage has been treated in the important study by Shalom Spiegel, *The Last Trial* (New York, 1967), pp. 77 ff.

32. This is especially apparent, for example, from the shorter text of Lk. 22:19-21 for the last supper; cf. Mt. 26:21-23 and Mk. 14:18-20.

dently maintained a policy of suppressing popular Jewish messianic hopes. Jesus and his followers presented them with a familiar threat. He was another problematic Jew who had to be dealt with quickly and severely. The cross thus demonstrates Jesus' solidarity with his people, the Jews, and their national suffering in history. The cross also teaches that the greatest defeat can be transformed into a victory. Indeed, Jesus' ultimate triumph cannot easily be denied, for his message can still be heard and his suffering can still bring redemption wherever any respond to his call and put his teachings into practice.³³

Immanuel 24/25

33. Some time has passed since I wrote this article, but its timely nature is born out when one reads recent publications on the parables of Jesus. Many Christians continue to view Jesus' teachings, and specifically his message in the parables, as the cause of his crucifixion on the Roman cross. Thus Brandon Scott sees Jesus' parables as a source of antagonism which explains why someone would kill him. See Scott's *Hear Then the Parable* (Minneapolis, 1989), p. 424. In another recent study, H. McArthur and R. Johnston try to emphasize the differences between Jesus and other Jewish teachers. They claim: "This 'bolt from the blue' shock value is certainly not a generic characteristic of Palestinian parables in general, but it is a striking feature of those told by Jesus, and it goes a long way toward explaining why he was crucified." See their *They Also Taught in Parables* (Grand Rapids, 1990), p. 199.

In fact, the parables do not explain why Jesus was crucified. The cross is not Jewish. Were the Romans enraged by his parables? Nevertheless, such scholars argue: "Since Jesus taught in parables, his people sought his crucifixion." As a result, the cross is wrongly divorced from the national sufferings of the Jewish people.

Rather, one must carefully study the original Jewish setting of the parables of Jesus. See my book *Jesus and His Jewish Parables* (New York, 1989) and especially David Flusser, *Die rabbinischen Gleichnisse und der Gleichniserzähler Jesus* (Bern, 1981). Only Jesus and the rabbis employed the special genre of parables for their teachings. Hebrew was the language of parables. Jesus' use of parables inextricably links him to Jewish teachings of the first century. They are closely related to Pharisaic teachings. But the crucifixion of Jesus was carried out by the Romans who had political motivations.

In my article, the historical setting of the cross has been explored in the context of the Second Temple period, keeping it apart from the theological issues of later generations. Especially the Romans, but also some of the Sadducean priesthood, had political reasons for their actions which led to a cross. The theological content of Jesus' teachings played no role. See, e.g., David Flusser's foreword, "Reflections of a Jew on a Christian Theology of Judaism," in Clemens Thoma, *A Christian Theology of Judaism* (New York, 1980), pp. 1-19, and also the very important studies on the trial of Jesus in Flusser's *Judaism and the Origins of Christianity* (Jerusalem, 1988), pp. 575-609.

The cross of Jesus should be viewed in its historical *Sitz im Leben*. Jesus was crucified as a Jew during the difficult days of Roman oppression. Christians may view the powerful identity between Jesus and the sufferings of his people. For a modern theological reflection on the sufferings of Jesus, cf. now also Jürgen Moltmann, *The Way of Jesus Christ* (San Francisco, 1990), pp. 151-212 and especially pp. 167-168. Here it is worth calling for a reevaluation of Jesus, the cross and the Jewish people in light of the strong bonds of solidarity that have emerged from a fresh examination of the historical setting of first century Israel.