

# Hebrew Laws broken with the Arrest of Jesus:

1...all legal proceedings, including arrests, were forbidden at night (The Trial of Jesus, Volume 1, pages 226, 227 Walter M. Chandler)

2...the use of a traitor or accomplice in effecting an arrest or securing a conviction was illegal by Hebrew law (Lev 19:16-18). It was also illegal by rabbinic law (S. Mendelsohn, *The Criminal Jurisprudence of the Ancient Hebrews*, page 274, also Chandler Pages 28,229).

3...the arrest was not the result of a legal summons (Chandler, Volume 2, page 237 & Giovanni Rosadi, *The Trial of Jesus*, p. 11).

4...According to Hebrew law it was illegal to bind an uncondemned man. (*John 18:12-13*).

The preliminary hearings before Annas & Caiaphas were illegal because:

5... They were a violation of the rule of law that forbade all proceedings by night.

6... Hebrew law prohibited a judge or a magistrate, sitting alone, from questioning an accused person judicially, or to sit in judgment on his legal rights, either by day or by night (from the Jewish Misna).

7... Private preliminary hearings--no matter how many judges were present--were specifically forbidden by Jewish law (*Joseph Salvador, Histoire des Institutions de Moise*, p. 365-366)

8... The striking of Jesus by the officer during the hearing before Annas (*John 18:22*) was "an act of brutality which Hebrew jurisprudence did not tolerate . . . It was an outrage upon the Hebrew sense of justice and humanity which in its normal state was very pure and lofty." (Chandler, vol. 1, p. 245).

The trial before the Sanhedrin was illegal because:

9... Hebrew law demanded two sessions of the Sanhedrin in case of condemnation, to be held a day apart (*Mishna, sect. 8, "Sanhedrin," p. 32 (and also found in sect. 4, p. 1)*)

10... The fact that the first of these trials was a night trial invalidated both, and was itself illegal (*Mendelsohn, The Criminal Jurisprudence of the Ancient Hebrews*, p. 112)

11... The Hebrew trial and condemnation of Jesus was illegal because it took place before the morning sacrifice. "The Sanhedrin sat from the close of the morning sacrifice to the time of the evening sacrifice." (*Talmud, Jerus., "Sanhedrin," C.I. fol. 19*)

12... The trial of Jesus was illegal because it was held on the day before the Seventh-day Sabbath,--and it was also held the day before a Jewish ceremonial holy-day--the Passover (*Rabbi Wise, The Martyrdom of Jesus*, p. 67) The trial and execution of Jesus was not only on the day of the "preparation" of the weekly Sabbath, but also the day preceding the Passover sabbath. Because the Passover sabbath and the Seventh-day Sabbath came together on that particular year, the day was considered by the



Jews to be a "double sabbath" or a "high day" (*John 19:31*). In a double sense the proceedings against Jesus were thus illegal.

13... During the hour or two between the two Sanhedrin court trials, the Jewish leaders permitted the rabble to spit upon, torment and persecute Jesus, the Uncondemned. (*Mark 14:65, Luke 22:63-65* and the Old Testament prophecies of this: *Psalms 18:4, 69:12, Isaiah 50:6*). The laws of most nations presume a person to be innocent until he is proven guilty, and prior to a final sentence of condemnation, he is entitled to and given every possible protection by the court from ill treatment. The permitting of a small riot over the person of Jesus, between the two court hearings, was totally illegal by Hebrew law.

14... The Hebrew court trials of Christ never produced any acceptable testimony of witnesses against Jesus. And yet sentence of condemnation was pronounced. This was illegal. But according to Hebrew law the testimony of the witnesses must agree in all essential details or it must be rejected, and the defendant standing trial must be released at once. "If one witness contradicts another, the testimony is not accepted." (*Mishna, "Sanhedrin," C. V. 2*).

15... The accusation or charge or indictment against Christ was illegal on two counts--it was vague and indefinite. "The entire criminal procedure of the Mosaic code rests upon four rules: certainty in the indictment; publicity in the discussion; full freedom granted to the accused; and assurance against all dangers or errors of testimony."--*Joseph Salvador, Histoire des Institutions de Moise, p. 365*. This second charge was never clearly formulated in this court of law.

16... An indictment against a person must deal with a definite crime, and the trial must be carried to completion on the basis of that charge. No prosecutor is ever permitted to change charges during the court proceedings because of a failure to prove the first charge on which the trial was based. When the false witnesses failed to prove these charge of sedition, Jesus should have been set at liberty and the case dismissed. But this was not done. Instead, the presiding judge suddenly shifted to a new charge, that of blasphemy.

17... As we have seen above, not one witness could be found against Jesus, --but in Hebrew law, not one but at least two witnesses must come forward and convincingly testify before sentence of condemnation could be pronounced (*Deuteronomy 17:6, 19:15, Numbers 35:30*). And the testimony of these--at least two--witnesses must agree.

18... Under Hebrew law false witnesses were very severely dealt with. Perjury placed a witness in a position fully as serious as that of the one he testified against. "Hebrew law provided that false witnesses should suffer the penalty provided for the commission of the crime which they sought by their testimony to fix upon the accused." (*Chandler, The Trial of Jesus, vol. 1, p. 140*. This rule is based on *Deuteronomy 19:18-21*).

19... For some time before His trial, the Jewish authorities had Jesus constantly



shadowed by hired informers, or spies. This also was unlawful (*Luke 20:20*). But in spite of this, when brought to witness against Him, their testimony was too contradictory to agree.

20... Under Hebrew law, the judge was supposed to seek for evidence only in behalf of the accused. "The judges leaned always to the side of the defendant and gave him the advantage of every possible doubt." (*Chandler, The Trial of Jesus, vol. 1 pp. 153-154*). The Judge was not during the court trial to be searching for evidence that would convict the defendant (*S. Mendelsohn, The Criminal Jurisprudence of the Ancient Hebrews, p. 110*).

21... To insure justice to the accused, under Hebrew law, the arguments must begin in his behalf. Nothing was permitted to be said against him till after at least one of the judges had spoken in his behalf. Neither of these two rules were followed in the case of Jesus, it would appear.

22... The sentence against Jesus was unlawful because it was founded on His own confession (*Mark 14:61.64 Rabbi Isaac M. Wise, The Martyrdom of Jesus, p. 74 & S. Mendelsohn, The Criminal Jurisprudence of the Ancient Hebrews, p. 133*).

23... Under the Mosaic code, if a high priest intentionally tore his clothing, he was automatically disqualified as high priest and was to receive the death sentence (*Leviticus 10:6, 21:10*). Caiaphas did this during the trial of Jesus. The official garments of the high priest were symbolic of the Messiah. Also such an act would reveal a rage that was beneath the dignity of the high priest. "An ordinary Israelite could, as an emblem of bereavement, tear his garments, but to the high priest it was forbidden, because his vestments, being made after the express orders of God, were figurative of his office." (*M.M. Lemann, Jesus Before the Sanhedrin, p. 140*.)

24... By Hebrew law the balloting carried on here was illegal. In a criminal case the judges must vote one at a time, beginning with the youngest. Each in his turn had to arise and cast his vote and then state his reason for his decision. Both the vote and the reasons for it must be written down by the scribes before the next man stood up to give his sentence in the matter. Instead of this, Jesus was condemned by an acclamation--a single chorus of approval (*Matthew 26:66, Mark 14:64*).

25... The trial of Christ was illegal because it was based on bribery. The judges of Jesus had bribed Judas to deliver Him into their hands for a specified sum of money (*Luke 22:3-6*). The Mosaic code was very severe on those who wrested judgment through bribery (*Exodus 23:1-8*). Under Hebrew law, this included judges who gave bribes as well as received them. In all nations and in all ages, the giving or receiving of bribes by judges disqualifies them from office, and nullifies their verdict (*Matthew 27:1-6 & Acts 1:19*).

26... If a defendant has the slightest reason to suspect the enmity of a judge, he can demand that his case be brought before another judge. And what is the record: Within the six months previous to the trial, there had been at least three meetings of the Sanhedrin, the highest council and court in the land,--specifically for the purpose of

planning the death of Christ. The first of these three sessions is given us in John 7:37-53. The second occurred a few weeks before the trial, and is recorded in John 11:41-53. The third council meeting to plan His death took place just before Passover (*Luke 22:1-3*). And of course, their judicial enmity against Christ is also shown not only by the bribing of Judas, but also by the hiring of false witnesses. Jesus had been condemned, and even sentenced to die, before the trial ever began (*Mendelsohn, The Criminal Jurisprudence of the Ancient Hebrews, p. 108*).

27... The judges of Christ were also disqualified to listen to the case or to pass verdict on it because most of them had been dishonestly elected to office. Under Hebrew law, the members of the Sanhedrin must be chosen only because of high nobility of character. "The robe of the unfairly elected judge is to be respected not more than the blanket of the ass."--*Mendelsohn, Hebrew Maxims and Rules, p. 182*.

28... In addition, they were to receive no salary or reward for their membership in the Sanhedrin. It is a well-known fact that many of the judges of Jesus were not only degenerate and corrupt in character, but that they had purchased their seats in the council, and were making merchandise of their offices. In fact, several of them had grown rich by this means. This was especially true of the family of Annas, the high-priest. The amount of information available to support these last two illegalities would fill most of this sheet of paper.