

Tomorrow will be Palm Sunday. That is the day celebrated by Christians as commemorating a procession into Jerusalem of the figure Jesus, with large crowds waving palm fronds torn from trees not to confront him but to welcome him – with cries of “Hosanna”.

I was asked by Revd Rana Khan, Rector of this church and priest for the Ministry area of the churches in this area, to consider matters from a judicial perspective.

I had better declare an interest: I have, for myself, a Christian faith. But this is an attempt to be dispassionate, and to approach the evidence objectively and dispassionately. And a disclaimer – this is my talk, not one on behalf of judges and not on behalf of Rana – he does not know what I am going to say! Put very shortly, a judge asked to decide a case will look at the weight and quality of the evidence overall; but also to consider: is there evidence of one witness or more than one; are there contradictions within the evidence of a witness; are there contradictions between witnesses; is there any contemporaneous account; is there independent evidence to corroborate an account? And so it goes on, including, if one is dispassionate, how long after the event the account is given and whether there is reason to think that a witness may be mistaken, or uncertain, or on the other hand likely to remember all or part of the events. And the judge may remind himself or herself, that they are themselves fallible ...

This figure, Jesus, was a potential source of disturbance, if the gospel account of him and the numbers of those who had followed or gathered round him are to be believed: Matthew ‘crowds’ (7,28); ‘large crowds’ down from the mountain (8,1); through all the towns and villages, ‘crowds’ (9,35) lakeside ‘such large crowds gathered round him that he got into a boat and sat on it’ (13,1); after the death of John the Baptist, withdrew to a solitary place but the crowds followed him on foot from the towns (14,13 and the consequent feeding the 5,000 with loaves and fishes); a crowd 4,000 (again fed with loaves). Luke has on one occasion, for example, that “a crowd of many thousands had gathered, so they were trampling on one another” (12,1). Was this an exaggeration? Compare the estimates of the Metropolitan Police and demonstration organisers in London! But there is a uniformity in the account that large numbers had gathered to hear him before, so much so that he withdrew at times to lonely places; and that large crowds greeted him on what we now call Palm Sunday.

As to what will be celebrated tomorrow, the entry into Jerusalem on a mule with crowds cutting palm fronds, and waving them, and shouting “Hosanna” (at least as related in the Gospels), was not wholly unprecedented; but its precedents are striking by their rarity and their importance. In the whole of the Old Testament we find two examples only, and on huge occasions: the entry into Jerusalem of King Solomon - on a mule - (an entry ordained by father King David); and the return into Jerusalem of the most sacred Jewish artefact of all, the Ark of the Covenant, from its place in exile.

So to the palm procession. What was at stake here, on the simple factual plane? The figure of Jesus depicted in the Gospels had expressed himself radically, and confrontationally, against the religious establishment; as depicted in the Gospels he was now being welcomed by the people with tumult; this was not “gentle Jesus, meek and mild” (in the words of the 18th century hymn): according to the gospels, the very next day he was entering the area of the great Temple in Jerusalem and violently throwing out moneychangers and sellers of merchandise.

(eg [read out] Gospel of Mark *“On reaching Jerusalem, Jesus entered the temple area and began driving out those who were buying and selling there. He overturned the tables of the moneylenders*

and the benches of those selling doves, and would not allow anyone to carry merchandise through the temple courts” (Mark 11.15)

Gospel of John, *“he made a whip out of cords and drove all [the money changers and the men selling cattle sheep and doves in the temple area] from the temple area, both sheep and cattle; he scattered the coins of the money changers and overturned their tables” (John, 2,15).*

The gospels assert that this man, and this entry into Jerusalem, was the reflection of the ancient descriptions or prophecies in the Jewish chronicles of a Messiah. (To translate, the word “Messiah” meant an anointed one, who would come to rescue this people).

At the outset, does this objectively look like the preparation for a man who was not trying to save himself, but seeking to bring, and (Christians of course say did bring), glory to God? Or does this look rather more like a man who was a threat to law and order? On any view - if the gospels are correct - the authorities of the Jewish religion and the Roman state could have viewed him as potentially dangerous, with crowds causing an uproar on his entry into Jerusalem.

So to criminal charges we might recognise. On the account in the gospels, to start on a lighter note, theft ? – of a donkey - (he instructed his followers simply to take another man’s property, the donkey); there is certainly a case for there having been threatening words and behaviour (violent disorder in the Temple); and most ominously, was this sedition, a likely attempt to have himself crowned King; on the account in the gospels after all he was willing to agree, on trial before Pontius Pilate, that he was “the King of the Jews”. Before his triumphal entry into Jerusalem he had said in the course of his teachings, according to the gospel writings, that the Queen of Sheba had come from the ends of the earth to listen to Solomon’s wisdom and “[*now one greater than Solomon is here*]” (Luke 11.31).

It is true that up to now, if the gospels are correct, Jesus asks the disciples or those healed by him to keep quiet. (e.g. when Jesus had asked, “Who do the crowds say I am ... Who do you say I am?” and Peter says, “You are the Christ of God” (ie the Messiah) Jesus ‘strictly warns’ his disciples not to tell this to anyone (Luke 9,24). But on a dispassionate view, may this combative figure not have been biding his time and wishing to gather support for a decisive challenge to the Established Order?

Before I go further, a judge is required to be dispassionate and to seek to lay aside any preconceptions. Here, and elsewhere, one has to be a little more radical than simply to say of the evidence, “if the gospels are correct” and pass straight on without evaluating whether the evidence is reliable. First, to what extent if at all should one rely in his favour on the accounts in the Gospels, if there are very real differences between them in their account of the life and works of the same single man Jesus? Second, what is the reliable evidence for there having ever been a historical figure, Jesus? (The Revd Rana Khan in our brief discussions when he first asked me to speak may have nudged me towards this point, in that some people question whether a figure Jesus did ever live).

As to the first, we know there are differences between the gospels. At the most general level, the scholars distinguish between three of them, Matthew, Mark and Luke, which have a very great deal in common, being the “synoptic” gospels, (Greek: “seen, or viewed, together”) and that of John. (Matthew, Mark and Luke relate a common narrative framework, the same “miracles” [that word had better be in inverted commas, certainly at this stage] and the same sayings; whereas the gospel of John has different incidents, quite long verbal exchanges attributed to Jesus as if word for word, and I might say a distinctive theme of light brought into the darkness [? John 1, 1-9; 8, 12].

At a more detailed level, and, as between each of Matthew, Mark and Luke, take passages from each as to the identical particular incidents related – or asserted – and put them side to side: you can find real differences.

I will give simply one example. What about the story of the Resurrection itself and the discovery of the empty tomb of the figure Jesus related in those three. Synoptic, Gospels? For brevity, I will not read them in full. Each has essentially common ground: a visit to the tomb of the dead Jesus; the day of the week when it happened (three days after the crucifixion); the time, namely early morning (so for example, on the third day after the crucifixion, “very early in the morning ... just as the sun was rising”, “at the first sign of dawn”, “towards dawn” – it would be harsh indeed for a judge to treat these as conflicting); the stone to the tomb rolled away; the visit to the tomb by the women.

However, one has to consider whether there is difference or conflict between them. Listen to these passages from the three gospels: doubtless you will notice the differences: at the tomb,

[read out]

“they saw a young man in a white robe sitting on the right side” Mark (16, 2-5);

“when they entered, they did not find the body of the Lord Jesus. While they were wondering about this, suddenly two men in clothes that gleamed like lightning stood beside them” Luke (24, 1-4);

“There was a violent earthquake, for an angel of the Lord came down from heaven, rolled back the stone and sat on it. His appearance was like lightning, and his clothes were white as snow” (Matthew (28,1-4).

In case you think I am being merely provocative, the gospel of Luke itself says that there many accounts, (Luke 1, 1,2) “Many have undertaken to draw an account of the things that have been fulfilled among us, just as they were handed down to us by those who were from the first eye-witnesses and servants of the word”.

Second, and more critically again, how reliable is it to accept that Jesus the man ever existed (whether believed to be divine or not divine, or agnostic on the point or an atheist)? This radical question is posed by some, and objectively it is not reasonable to duck it. For example, we are sceptical of whether Robin Hood existed as represented in the popular tales; because Robin of Locksley is recounted centuries afterwards, but centuries passed from the time of Richard the Lionheart to the first mature account of Robin Hood’s doings and renown.

As to the account in the gospels, scholars are able to date manuscripts by various aspect of them: including the language, and the script: for example whether the documents in Greek are written in characters of upper and lower case, the style of the letters or characters, and the linguistic indicators of the words and language used.

Until 1844, one would have had to say that the earliest manuscript reciting the Gospels in the form we know was the Codex Vaticanus, a written manuscript held by the Vatican. The techniques of dating I have described appear to be widely accepted as suggesting that this manuscript was of the mid fourth century AD. The Nicæan creed which is recited in every Christian church, (“We believe in one Lord, Jesus Christ the only son of God ...”) was first agreed only in 325 AD. following the apparent conversion to Christianity of the Roman Emperor Constantine the Great, and reached its

near final form only in 451 AD. In other words, the only supposedly authoritative text available in 1844 was written only 3 centuries after the death of the figure Jesus whom they purport to record.

I have referred to the year AD 1844, because this is the year when Constantin Tischendorf, a specialist in ancient languages from Germany, visited a monastery on the shoulder of Mount Sinai, and was given access to a manuscript now called the Codex Sinaiticus.

This is a striking document, because although it was held at an ancient location in the Middle East, it can be recognised as a manuscript of the early to mid-fourth century AD, and unmistakably as a sister document to the Codex Vaticanus: for example, they both omit the last eleven verses of the Mark gospel, and they both omit the story of the woman taken in adultery, (John 8, 7-10, "If anyone of you is without sin, let him be the first to throw a stone at her"). Intriguing, but still a manuscript dated only to the mid fourth century. With my wig on, this is only modest corroborative evidence, and in itself would be quite insufficient. Likewise, with respect, as to the many manuscripts from this period on and later.

It may be that any scholars among you are expecting me to refer to the work of Eusebius. He was a bishop, in the early 300s AD, who wrote the first history of the early church up to about 300 AD, and it is true that he had access to the Ecclesiastical Library of Caesaria and wrote purporting to quote long passages from documents he had seen. However, he is not here to be cross-examined as to the authenticity of his account or references; and we have no direct access to those documents or texts. I would therefore rely on his work only with great caution.

However very substantial earlier materials in the form of papyri have been discovered. It is impossible here to recount all of them. Of real forensic interest to whether Jesus existed is a papyrus dated to around 200 AD which has seven sayings, each preceded by "Says Jesus", which do not mirror a passage in the gospels we know, but which sound very much as if Jesus did say or would have said them. Discovered in the 1930s, we now have papyrus texts which can be dated to around 200 AD and which do contain substantial portions of the John and Luke gospels. In 1958, at a monastery some 12 miles from Jerusalem, there was discovered - written in the end paper of a 17th century document, and probably written it must be said in the 18th century -, what appears nonetheless to be a copy of a letter to an elder of the church who lived at the end of the second century (Clement of Alexandria) and this relates an account of Jesus raising a young man from the dead at Bethany; it does not use the name Lazarus, but anyone here reading the account would recognise it as the story of Lazarus.

The British Museum has a fragmentary document known as Egerton Papyrus 2 which has an account of the healing of a leper, and of Jesus escaping stoning (we have this at John 8, 59); and scholars attribute this, by its handwriting, to not later than 150 AD). One must not place too much weight on a tiny fragment, but Manchester University holds a papyrus fragment no larger than 3 ½ by 2 12 inches which has been dated to 100- 125 AD, and the text is a tiny fragment of John's gospel.

Lastly we have letters of, and the account of what the evangelist Paul said in Acts of the Apostles written down by the gospel writer Luke in Acts of the Apostles. (The writer of Acts accompanied Paul to Rome when he was sent there for trial: via the shipwreck on Malta "once safely on shore, we found that the island was called Malta" (28,1-2), and then through to "when we got to Rome..." (Acts 28,16)). Paul was in Corinth, we know by external evidence, in c AD 51; – Felix and Festus were the Roman governors in Caesarea in the mid 50s; who dodged the call for Paul's death by deferring judgment, and then sending him to Rome as a Roman citizen for judgment. By external evidence, we

know that this was in the mid AD50s. It appears that the first letter of the apostle Paul was written in AD 49. This is within a lifetime's memory of the figure Jesus.

I will come back to the date of the Gospels and Acts, because that may very much assist. But it is necessary for me to reflect that this is all very well, but to date these may all be from – as it were – Christian sources. A judge will, or should, be looking to see whether there is corroboration from independent sources.

Tacitus the Roman senator and historian, wrote his last work "Annals, in AD 116..He wrote about the Great Fire of Rome, which burned 6 days long in AD 64, in the reign of the Emperor Nero. Some of the population believed that Nero himself had started the fire. Nero had a large number of Christians arrested as responsible either for the fire itself or "for hatred against mankind". Tacitus refers to Christians and the death of Christ under Pontius Pilate in the following terms.

[read out]: *"Consequently, to get rid of the report, Nero fastened the guilt and inflicted the most exquisite tortures on a class hated for their abominations, called Christians by the populace. Christus, from whom the name had its origin, suffered the extreme penalty during the reign of Tiberius at the hands of one of our procurators, Pontius Pilatus, and a most mischievous superstition, thus checked for the moment, again broke out not only in Judæa, the first source of the evil, but even in Rome, where all things hideous and shameful from every part of the world find their centre and become popular. Accordingly, an arrest was first made of all who pleaded guilty; then, upon their information, an immense multitude was convicted, not so much of the crime of firing the city, as of hatred against mankind."*

"Christians, a class hated for their abominations": this is scarcely the tone of someone sympathetic to this cult; so perhaps the more compelling in its reference to the original 'Christus' 'who suffered the extreme penalty during the reign of Tiberius' [that reign was 14 AD to AD 37, if you should ask].

Flavius Josephus, a Roman-Jewish historian wrote (verifiably) in AD 93-94 "Antiquities of the Jews". You will shortly hear a part of it, which has a reference to Jesus. Josephus was a Jewish historian, and one who is remarkably accurate generally as to other events, such as the taking of Masada. (This was the remarkable outcrop in the desert occupied by a sect, the Essenes; the Romans besieged and gradually built a ramp or causeway to storm it; the whole population carried out suicide and he recounts them as having drawn lots as to the order of killing; and modern excavations have revealed pot shards marked as lots).

Before it is read out, I have to report that there appears to be essential agreement between scholars that the main text is genuine as first written, but that there appears to have been some interpolation; and it would be in the interests of Christians to amend it to read as follows,

" [read out]: About this time there lived Jesus, a wise man, if indeed one ought to call him a man. For he was one who performed surprising deeds and was a teacher of such people as accept the truth gladly. He won over many Jews and many of the Greeks. He was the Christ. And when, upon the accusation of the principal men among us, Pilate had condemned him to a cross, those who had first come to love him did not cease. He appeared to them spending a third day restored to life, for the prophets of God had foretold these things and a thousand other marvels about him. And the tribe of the Christians, so called after him, has still to this day not disappeared.]"

It would be in the interests of Christians to amend it, so I will take out the bits that Christians might rush to rely on, such as spending a third day restored to life, and foretelling of marvels by him.

[read out]: *“About this time there lived Jesus, a wise man ... [He] performed surprising deeds and was a teacher of such people as are eager for novelties. He attracted many Jews and many of the Greeks. ... Upon an accusation brought by principal men among us, Pilate condemned him to the cross, but those who had first come to love him did not cease to be attached to him. The brotherhood of the Christians, so called after him, has still to this day not disappeared.”]*

Moreover, elsewhere in the same work this same Jewish historian - writing only two generations on from the death of Jesus - refers to the death of James the brother of Jesus (in AD 62) as an “unjust execution”, and to the death of John the Baptist; and these passages have not been sanitised or interpolated to align with the descriptions of these events in the canonical writings. He wrote,

So, this historian, a Jew, is relating the living of a wise man who performed surprising deeds (?miracles) condemned by Jewish elders and crucified under Pilate.

For me, on the second of the introductory questions I posed, the evidence is compelling that Jesus was a figure who lived and died, and died by crucifixion (the extreme Roman penalty), under Pilate.

The first of the introductory questions I posed was the extent to which one can rely on the evidence of the gospels, given the differences between them. There is not time enough to rehearse the long debates of New Testament scholars and theologians (Christian, agnostic, Jewish, and atheist) on which gospel came first and which parts of the text raise (or answer) questions as to authenticity. Nor would it I think be bearable for you! For me, certain aspects stand out.

First, in evaluating evidence it does not follow from modest differences between the evidence of different witnesses that they have concocted their account, or have got the essential facts wrong. It is often rather those accounts of different witnesses which are literally identical, that trouble one: they may betray an attempt to persuade, or worse. After study, not least since being asked to give this talk, the accounts are as to the essence of events, or stories of Jesus, strikingly -in essence- the same.

Second, if the gospels were setting out to recreate an account to convert others to belief, they were for their time bold, and risky, in being willing to rely on accounts given by, amongst others, those who would in their own time and age have been the last witnesses to rely on. For us, it is unappealing to say it, but women would then have been regarded as the last whose evidence was to be relied upon.

Yet we have the account of discovery of the empty tomb of Jesus, and what happened there, first and critically from the women. (“the women who had come with Jesus from Galilee (Luke 24,1) [Luke says Mary Magdalen, Joanna, Mary mother of James and the others]; of Mary Magdalene (John 20,1-2).

Third, it is often assumed that the gospels must date from the late first century AD. Likewise, at best, Acts of the Apostles. (It is very strongly probable that these were penned by Luke, the disciple of Paul. He wrote down the gospel for Theophilus – see Luke 1; and Acts was written for Theophilus: ‘further to the history I wrote for you’ Acts 1.1). In part, this dating seems to have been reasoned from the fact that Jesus is reported in the gospels as foretelling the destruction of the Temple in Jerusalem, which happened at the hands of the Romans only in AD 70 (as is documented in writings and in sculpture -the Arch of Titus in Rome). Thus, it is said, the writers were incorporating this prediction in order to persuade those who heard or read them of the divine prescience of Jesus. That would be circular in any event (ie ‘assume that Jesus did not and could not have foreseen this’).

To me, the destruction of the Temple seems to point in the opposite direction. For example, according to Acts, Agabus [‘a prophet who came from Jerusalem to Antioch’] foretold “by the Spirit” that there would be a great famine over all the world, and the writer is at pains to say, “and this took place in the days of Claudius” (AD 41 to 54, if you were wondering)(Acts 11, 27-28). Why would a gospel writer, or the author of Acts, writing after the destruction of the Temple in AD 70, not seize the opportunity to emphasise Jesus’ words as divinely prescient?

More strikingly, the Acts of the Apostles ends with Paul, in Rome, spending two whole years in Rome welcoming “all who came to see him”; and preaching, “boldly and without hindrance” (Acts 28.30-31). There is no account of his death; still less is there any account of his death by execution under the Roman emperor Nero, as is the Christian tradition (this would have been about AD 64). Why, if Acts of the Apostles was written in the late first century, and after Paul’s death?

Fourth, if the gospels were fabricated accounts, or if the prime sources of evidence of what they relate had been already lost, there was, on the part of those who preached the events and teachings of Jesus: a remarkable willingness to die for the cause. As examples only, Stephen, stoned to death as early as 34-36 AD (“and Saul was there, giving approval to his death” Acts 8,1); the Apostle James, son of Zebedee, executed by order of King Herod in AD 44 (Acts 12,1-2); the Apostle Peter, and the evangelist Paul executed under Nero 62 -64AD – this same Paul who had seen Stephen’s execution; and John appears to be the only disciple not to die a violent death (with the possible exception of Philip who “fell asleep”). It seems to me reasonably clear that these are accounts by person who believed them to be true; and that they include accounts given by some of those who had experience at first hand of the events concerning, and the impact of a historical figure – whether he was divine or not.

On the view I have reached, it is reasonable to make a judgment upon the three secular charges. So, guilty or not?

As to theft of the colt or donkey, it is a bit “iffy”, but No ...! It is a defence to take a thing, if you do in fact believe that the owner would consent to you taking it. Who would conclude that Jesus, and his disciples, were thieves? And (for the lawyers here) there is no sign that they intended permanently to deprive the owner of his property.

Slightly less flippantly, what about the threatening or violent words and behaviour? Those who could have complained ere the elders and priests of the Temple. There is no suggestion that they did. Of course, on the gospels’ account their purpose was much more grave than charging Jesus with a modest charge such as this – but I am not aware of any objection to the manner of his dramatic cleansing of the Temple of those who occupied it merely for profit.

The real nub of the secular charges is sedition. As I have said, this is a figure who might have been keeping quiet about his ambitions by way of biding his time. I remind you, he had said in his teachings that the Queen of Sheba had come from the ends of the earth to listen to Solomon’s wisdom and now “one greater than Solomon [ie himself] is here” (Luke 11,31); the choice of a mule for his entry may have consciously sought to evoke the wisdom and glory of Solomon; in his own synagogue at Nazareth he had read out the prophesy of Isaiah (“The Spirit of the Lord is on me .. he has sent me to proclaim freedom for the prisoners ... to proclaim the year of the Lord’s favour”) and said, “Today this scripture is fulfilled in your hearing” (Luke 4, 16-22); at the well, the Samaritan woman had said to him that she knew “that Messiah (called Christ) is coming. When he comes he will explain everything to us’, and Jesus declared, “I who speak to you am he”. At his trial before

Pontius Pilate, when Pilate says “Are you the king of the Jews?”, Jesus answers , “Yes, it is as you say” (Luke 23, 3-4).(Matthew 27, 11-12).

However, first, this triumphal entry is – in itself at least – less than martial. The gospels have it as on a donkey (John 12,12-18) or a donkey’s colt (John, same passage; Mark 1,1-12; Luke 10, 28-40). Traditionally, in the East, a donkey was a sign of peace – as one might understand by simply looking at a donkey. (If this was a conscious evocation of earlier Jewish writings, Zechariah in the Old testament as to the coming of Zion’s King says “Rejoice ... see your King comes to you ... *gentle* and riding on a donkey, on a colt, the foal of a donkey” (Zechariah 9,9 , my emphasis, another translation has it as “meek”).

Second, this figure of Jesus did not preach physical combat – ‘if your enemy strike you on the cheek, turn and offer the other cheek’ (perhaps no citation necessary, but eg Matthew 5,39).

Third, arrested at the Mount of Olives, Jesus (who was never armed) says to the chief priests, officers of the temple guard, and the elders who had come for him, “Am I leading a rebellion, that you have come for me with swords and clubs?” (Luke 22,52).

Fourth, after the triumphal entry he is asked “Is it right to pay taxes to Caesar or not?”. He calls for a denarius, and asks them whose portrait is this, and whose inscription is this [on the coin]; they answer, “Caesar’s” and he said, “Give to Caesar what is Caesar’s and give to God what is God’s”. He clearly distinguishes between temporal or secular obligation, and the spiritual.

Fifth, this is typical of his teachings. When Peter seeks to rebuke him for saying he must suffer rejection and death, he sternly tells Peter “You do not have in mind the things of God, but the things of men” (Mark 8, 33-35; and likewise in Matthew 16, 23).

Sixth, he answers Pilate, “My kingdom is not of this world” (eg only, Luke 18.36).

Pilate said he found no basis for a charge against him. On this charge, I respectfully agree.

And so the end of the talk. Notice that I have not examined any charge of blasphemy. That would not in any event be for me, a non-Jew. To the Jews of Jesus’ time, the claims will have appeared proven out of Jesus’ own mouth. Caiphas the Chief Priest asks “Tell us if you are the Christ, the Son of God” and Jesus says “Yes, it is as you say” (Mark 15,2-3). The answer to that is a matter of faith. And having attempted to perform the judicial exercise to the best of my ability, I now return to my own, private, faith.

FINIS

24 March 2018 (Eve of Palm Sunday).