

# BETWEEN THE LINES

## *A Deeper Look...*

### #943- THE SANHEDRIN: Israel's Council

The Mishnah's fourth division (out of six) is called *Nezikim*, "Damages". This segment contains many rules with regard to the legal and civil issues of Judaism. Therefore it is not surprising that one of the tractates (books of the division) is entitled Sanhedrin and gives the rules with regard to the legal system within Israel during the 2nd Temple era.

That tractate gives a great deal of enlightenment to us with regard to the society in which Jesus lived. A brief look at some of the stipulations concerning the Sanhedrin will really enrich your understanding of the New Testament world.

Here are some interesting facts regarding the Sanhedrin law process that go beyond what we've covered in our sharing on our discussion on the broadcast of *Between the Lines*...

- There are various levels of judgment
- A town must have 120 *bar Mitzvah*-ed men to have a court
- The layers of "courts" are 3 judges, 5 judges, 7, 23, or the full Sanhedrin of 71
- The 3 judge panel may hear cases of property damage, theft, personal injury, issues of kindred redeemer laws for widows, and real estate "earnest money" issues
- Capital offenses were never to be tried by less than a court of 23
- The full Sanhedrin was required for judgment of a tribe, a High Priest, or an apostate city
- A king could be neither judge, witness, or defendant
- A High Priest could be judge, witness, or defendant
- Each side of a legal issue could assist in picking the judges with certain restrictions
- The judges had to be balanced by neutral parties
- Gamblers, loan sharks, those who oversaw gambling, and those who dealt in contraband were disallowed as ever serving as judges
- No member of your wedding party could ever serve as your judge
- No avowed enemy (anyone who held a grudge against you longer than three days) could ever serve as your judge
- Split decision verdicts were allowed as long as all judges voted
- If any judge abstained the case was immediately appealed to the next level
- There was an appeal process but there was only a 30 day window for appeal

**In Conclusion:** A deeper look at the rules of the Sanhedrin shows clearly that the justice system of Israel was really quite well defined and often based on a leaning toward mercy.

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**Capital Crimes And Punishment:** Some of the most specific regulations of the justice process of the Sanhedrin are issues related to capital offenses and executions. I feel it would take some morbid fascination to really want to dig into all the parameters of what is shared in some of the discussion so we'll avoid the temptation to be gratuitous and speak in general terms with regard to the issues of capital punishment. Let's tackle this in two segments...

#### **The Methods of Execution and Their Crimes:**

*Stoning-*

- Sexual misconduct
- Those involved in child sacrifice
- Those who delve in forbidden spiritualist practices

- Sabbath breakers
- A rebellious child (condemned by both parents)
- One who leads others in idolatry
- One who leads a whole town astray
- Sorcerers

*Burning-*

- Those involved in specific sexual sins

*Beheading-*

- Murderers
- Inhabitants of an Apostate City

*Strangling-*

- One who physically abuses his parents
- A habitual thief
- A judge who becomes renegade against the law
- A false prophet
- Adulterer
- A false witness

(Added note: There is, in this passage, also an interesting discussion with regard to "those who have no part in the world to come" and those who only are losing this temporal life... With some of these crimes there was the condemnation of excommunication too.)

**The Required Rules of Capital Punishment:**

- 1- Capital crime may be tried by 23, but if it was with the large Sanhedrin of Jerusalem it required the full 71 to be seated.
- 2- No night time trials
- 3- Capital crimes required at least 3 days of process
- 4- The "defense" must lead the case
- 5- To speak for prosecution you had to have at least one argument for defense
- 6- There had to be a minimum of two "agreeing" witnesses
- 7- Could not be tried on eve of the Sabbath or a festival day
- 8- The accused had to be allowed to speak to defense
- 9- There had to be a vigorous cross examination
- 10- Before verdict each judge had to discuss the case with at least one other judge over a meal and without wine as part of the meal
- 11- If you changed your vote it could only be for innocence
- 12- A simple majority could acquit but could not convict
- 13- The four methods were the only allowable sentence... not crucifixion!
- 14- Verdicts had to be recorded and "published" as unanimous
- 15- There was no "double jeopardy" allowed

**In Conclusion:** Without breaking at least ten of their own tenets they couldn't have "gotten" Jesus. And, even at that, if they had just decided to fulfill the sentence of death without being determined to have Him crucified there would have been no need of involving the Romans at all. (Stephen's death shows us that Romans didn't particularly care if Jews stoned Jews.)

Perhaps I'd do well to remember the example of Christ the next time I want to throw a tantrum regarding "my rights".

**Doesn't all of this shed new light on Philippians 2?**

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