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3. *Jesus before Pilate*

Jesus' interrogation before the Sanhedrin had concluded in the way Caiaphas had expected: Jesus was found guilty of blasphemy, for which the penalty was death. But since only the Romans could carry out the death sentence, the case now had to be brought before Pilate and the political dimension of the guilty verdict had to be emphasized. Jesus had declared himself to be the Messiah; hence he had laid claim to the dignity of kingship, albeit in a way peculiarly his own. The claim to Messianic kingship was a political offense, one that had to be punished by Roman justice. With cockcrow, daybreak had arrived. The Roman Governor used to hold court early in the morning.

So Jesus is now led by his accusers to the praetorium and is presented to Pilate as a criminal who deserves to die. It is the "day of preparation" for the Passover feast. The lambs are slaughtered in the afternoon for the evening meal. Hence cultic purity must be preserved; so the priestly accusers may not enter the Gentile praetorium, and they negotiate with the Roman Governor outside the building. John, who provides this detail (18:28–29),

thereby highlights the contradiction between the scrupulous attitude to regulations for cultic purity and the question of real inner purity: it simply does not occur to Jesus' accusers that impurity does not come from entering a Gentile house, but rather from the inner disposition of the heart. At the same time the evangelist emphasizes that the Passover meal had not yet taken place and that the slaughter of the lambs was still to come.

In all essentials, the four Gospels harmonize with one another in their accounts of the progress of the trial. Only John reports the conversation between Jesus and Pilate, in which the question about Jesus' kingship, the reason for his death, is explored in depth (18:33-38). The historicity of this tradition is of course contested by exegetes. While Charles H. Dodd and Raymond E. Brown judge it positively, Charles K. Barrett is extremely critical: "John's additions and alterations do not inspire confidence in his historical reliability" (*The Gospel according to Saint John*, p. 530). Certainly no one would claim that John set out to provide anything resembling a transcript of the trial. Yet we may assume that he was able to explain with great precision the core question at issue and that he presents us with a true account of the trial. Barrett also says "that John has with keen insight picked out the key of the Passion narrative in the kingship of Jesus, and has made its meaning clearer, perhaps, than any other New Testament writer" (*ibid.*, p. 531).

Now we must ask: Who exactly were Jesus' accusers? Who insisted that he be condemned to death? We must

take note of the different answers that the Gospels give to this question. According to John it was simply “the Jews”. But John’s use of this expression does not in any way indicate—as the modern reader might suppose—the people of Israel in general, even less is it “racist” in character. After all, John himself was ethnically a Jew, as were Jesus and all his followers. The entire early Christian community was made up of Jews. In John’s Gospel this word has a precise and clearly defined meaning: he is referring to the Temple aristocracy. So the circle of accusers who instigate Jesus’ death is precisely indicated in the Fourth Gospel and clearly limited: it is the Temple aristocracy—and not without certain exceptions, as the reference to Nicodemus (7:50–52) shows.

In Mark’s Gospel, the circle of accusers is broadened in the context of the Passover amnesty (Barabbas or Jesus): the “*ochlos*” enters the scene and opts for the release of Barabbas. “*Ochlos*” in the first instance simply means a crowd of people, the “masses”. The word frequently has a pejorative connotation, meaning “mob”. In any event, it does not refer to the Jewish people as such. In the case of the Passover amnesty (which admittedly is not attested in other sources, but even so need not be doubted), the people, as so often with such amnesties, have a right to put forward a proposal, expressed by way of “acclamation”. Popular acclamation in this case has juridical character (cf. Pesch, *Markusevangelium* II, p. 466). Effectively this “crowd” is made up of the followers of Barabbas who have been mobilized to secure the amnesty for him: as a rebel against Roman power he could naturally count

on a good number of supporters. So the Barabbas party, the “crowd”, was conspicuous, while the followers of Jesus remained hidden out of fear; this meant that the *vox populi*, on which Roman law was built, was represented one-sidedly. In Mark’s account, then, in addition to “the Jews”, that is to say the dominant priestly circle, the *ochlos* comes into play, the circle of Barabbas’ supporters, but not the Jewish people as such.

An extension of Mark’s *ochlos*, with fateful consequences, is found in Matthew’s account (27:25), which speaks of “all the people” and attributes to them the demand for Jesus’ crucifixion. Matthew is certainly not recounting historical fact here: How could the whole people have been present at this moment to clamor for Jesus’ death? It seems obvious that the historical reality is correctly described in John’s account and in Mark’s. The real group of accusers are the current Temple authorities, joined in the context of the Passover amnesty by the “crowd” of Barabbas’ supporters.

Here we may agree with Joachim Gnilka, who argues that Matthew, going beyond historical considerations, is attempting a theological etiology with which to account for the terrible fate of the people of Israel in the Jewish War, when land, city, and Temple were taken from them (cf. *Matthäusevangelium* II, p. 459). Matthew is thinking here of Jesus’ prophecy concerning the end of the Temple: “O Jerusalem, Jerusalem, killing the prophets and stoning those who are sent to you! How often would I have gathered your children together as a hen gathers her brood under her wings, and you would not! Behold, your house

is forsaken . . .” (Mt 23:37–38: cf. Gnllka, *Matthäusevangelium*, the whole of the section entitled “*Gerichtsworte*”, II, pp. 295–308).

These words—as argued earlier, in the chapter on Jesus’ eschatological discourse—remind us of the inner similarity between the Prophet Jeremiah’s message and that of Jesus. Jeremiah—against the blindness of the then dominant circles—prophesied the destruction of the Temple and Israel’s exile. But he also spoke of a “new covenant”: punishment is not the last word; it leads to healing. In the same way Jesus prophesies the “deserted house” and proceeds to offer the New Covenant “in his blood”: ultimately it is a question of healing, not of destruction and rejection.

When in Matthew’s account the “whole people” say: “His blood be on us and on our children” (27:25), the Christian will remember that Jesus’ blood speaks a different language from the blood of Abel (Heb 12:24): it does not cry out for vengeance and punishment; it brings reconciliation. It is not poured out *against* anyone; it is poured out *for* many, for all. “All have sinned and fall short of the glory of God . . . *God* put [Jesus] forward as an expiation by his blood” (Rom 3:23, 25). Just as Caiaphas’ words about the need for Jesus’ death have to be read in an entirely new light from the perspective of faith, the same applies to Matthew’s reference to blood: read in the light of faith, it means that we all stand in need of the purifying power of love which is his blood. These words are not a curse, but rather redemption, salvation. Only when understood in terms of the theology of the Last Supper and the Cross,

drawn from the whole of the New Testament, does this verse from Matthew's Gospel take on its correct meaning.

Let us move now from the accusers to the judge: the Roman Governor Pontius Pilate. While Flavius Josephus and especially Philo of Alexandria paint a rather negative picture of him, other sources portray him as decisive, pragmatic, and realistic. It is often said that the Gospels presented him in an increasingly positive light out of a politically motivated pro-Roman tendency and that they shifted the blame for Jesus' death more and more onto the Jews. Yet there were no grounds for any such tendency in the historical circumstances of the evangelists: by the time the Gospels were written, Nero's persecution had already revealed the cruel side of the Roman State and the great arbitrariness of imperial power. If we may date the Book of Revelation to approximately the same period as John's Gospel, then it is clear that the Fourth Gospel did not come to be written in a context that could have given rise to a pro-Roman stance.

The image of Pilate in the Gospels presents the Roman Prefect quite realistically as a man who could be brutal when he judged this to be in the interests of public order. Yet he also knew that Rome owed its world dominance not least to its tolerance of foreign divinities and to the capacity of Roman law to build peace. This is how he comes across to us during Jesus' trial.

The charge that Jesus claimed to be king of the Jews was a serious one. Rome had no difficulty in recognizing regional kings like Herod, but they had to be legitimated

by Rome and they had to receive from Rome the definition and limitation of their sovereignty. A king without such legitimation was a rebel who threatened the *Pax Romana* and therefore had to be put to death.

Pilate knew, however, that no rebel uprising had been instigated by Jesus. Everything he had heard must have made Jesus seem to him like a religious fanatic, who may have offended against some Jewish legal and religious rulings, but that was of no concern to him. The Jews themselves would have to judge that. From the point of view of the Roman juridical and political order, which fell under his competence, there was nothing serious to hold against Jesus.

At this point we must pass from considerations about the person of Pilate to the trial itself. In John 18:34–35 it is clearly stated that, on the basis of the information in his possession, Pilate had nothing that would incriminate Jesus. Nothing had come to the knowledge of the Roman authority that could in any way have posed a risk to law and order. The charge came from Jesus' own people, from the Temple authority. It must have astonished Pilate that Jesus' own people presented themselves to him as defenders of Rome, when the information at his disposal did not suggest the need for any action on his part.

Yet during the interrogation we suddenly arrive at a dramatic moment: Jesus' confession. To Pilate's question: "So you are a king?" he answers: "You say that I am a king. For this I was born, and for this I have come into the world, to bear witness to the truth. Every one who is

of the truth hears my voice” (Jn 18:37). Previously Jesus had said: “My kingship is not of this world; if my kingship were of this world, my servants would fight, that I might not be handed over to the Jews; but my kingship is not from the world” (18:36).

This “confession” of Jesus places Pilate in an extraordinary situation: the accused claims kingship and a kingdom (*basileía*). Yet he underlines the complete otherness of his kingship, and he even makes the particular point that must have been decisive for the Roman judge: No one is fighting for this kingship. If power, indeed military power, is characteristic of kingship and kingdoms, there is no sign of it in Jesus’ case. And neither is there any threat to Roman order. This kingdom is powerless. It has “no legions”.

With these words Jesus created a thoroughly new concept of kingship and kingdom, and he held it up to Pilate, the representative of classical worldly power. What is Pilate to make of it, and what are we to make of it, this concept of kingdom and kingship? Is it unreal, is it sheer fantasy that can be safely ignored? Or does it somehow affect us?

In addition to the clear delimitation of his concept of kingdom (no fighting, earthly powerlessness), Jesus had introduced a positive idea, in order to explain the nature and particular character of the power of this kingship: namely, truth. Pilate brought another idea into play as the dialogue proceeded, one that came from his own world and was normally connected with “kingdom”: namely, power—authority (*exousía*). Dominion demands power; it even defines it. Jesus, however, defines as the essence

of his kingship witness to the truth. Is truth a political category? Or has Jesus' "kingdom" nothing to do with politics? To which order does it belong? If Jesus bases his concept of kingship and kingdom on truth as the fundamental category, then it is entirely understandable that the pragmatic Pilate asks him: "What is truth?" (18:38).

It is the question that is also asked by modern political theory: Can politics accept truth as a structural category? Or must truth, as something unattainable, be relegated to the subjective sphere, its place taken by an attempt to build peace and justice using whatever instruments are available to power? By relying on truth, does not politics, in view of the impossibility of attaining consensus on truth, make itself a tool of particular traditions that in reality are merely forms of holding on to power?

And yet, on the other hand, what happens when truth counts for nothing? What kind of justice is then possible? Must there not be common criteria that guarantee real justice for all—criteria that are independent of the arbitrariness of changing opinions and powerful lobbies? Is it not true that the great dictatorships were fed by the power of the ideological lie and that only truth was capable of bringing freedom?

What is truth? The pragmatist's question, tossed off with a degree of scepticism, is a very serious question, bound up with the fate of mankind. What, then, is truth? Are we able to recognize it? Can it serve as a criterion for our intellect and will, both in individual choices and in the life of the community?

The classic definition from scholastic philosophy designates truth as “adaequatio intellectus et rei” (conformity between the intellect and reality; Thomas Aquinas, *Summa Theologiae* I, q. 21, a. 2c). If a man’s intellect reflects a thing as it is in itself, then he has found truth: but only a small fragment of reality—not truth in its grandeur and integrity.

We come closer to what Jesus meant with another of Saint Thomas’ teachings: “Truth is in God’s intellect properly and firstly (*proprie et primo*); in human intellect it is present properly and derivatively (*proprie quidem et secundario*)” (*De Verit.*, q. 1, a. 4c). And in conclusion we arrive at the succinct formula: God is “*ipsa summa et prima veritas*” (truth itself, the sovereign and first truth; *Summa Theologiae* I, q. 16, a. 5c).

This formula brings us close to what Jesus means when he speaks of the truth, when he says that his purpose in coming into the world was to “bear witness to the truth”. Again and again in the world, truth and error, truth and untruth, are almost inseparably mixed together. *The* truth in all its grandeur and purity does not appear. The world is “true” to the extent that it reflects God: the creative logic, the eternal reason that brought it to birth. And it becomes more and more true the closer it draws to God. Man becomes true, he becomes himself, when he grows in God’s likeness. Then he attains to his proper nature. God is the reality that gives being and intelligibility.

“Bearing witness to the truth” means giving priority to God and to his will over against the interests of the

world and its powers. God is the criterion of being. In this sense, truth is the real “king” that confers light and greatness upon all things. We may also say that bearing witness to the truth means making creation intelligible and its truth accessible from God’s perspective—the perspective of creative reason—in such a way that it can serve as a criterion and a signpost in this world of ours, in such a way that the great and the mighty are exposed to the power of truth, the common law, the law of truth.

Let us say plainly: the unredeemed state of the world consists precisely in the failure to understand the meaning of creation, in the failure to recognize truth; as a result, the rule of pragmatism is imposed, by which the strong arm of the powerful becomes the god of this world.

At this point, modern man is tempted to say: Creation has become intelligible to us through science. Indeed, Francis S. Collins, for example, who led the Human Genome Project, says with joyful astonishment: “The language of God was revealed” (*The Language of God*, p. 122). Indeed, in the magnificent mathematics of creation, which today we can read in the human genetic code, we recognize the language of God. But unfortunately not the whole language. The functional truth about man has been discovered. But the truth about man himself—who he is, where he comes from, what he should do, what is right, what is wrong—this unfortunately cannot be read in the same way. Hand in hand with growing knowledge of functional truth there seems to be an increasing blindness toward “truth” itself—toward the question of our real identity and purpose.

What is truth? Pilate was not alone in dismissing this question as unanswerable and irrelevant for his purposes. Today too, in political argument and in discussion of the foundations of law, it is generally experienced as disturbing. Yet if man lives without truth, life passes him by; ultimately he surrenders the field to whoever is the stronger. "Redemption" in the fullest sense can only consist in the truth becoming recognizable. And it becomes recognizable when God becomes recognizable. He becomes recognizable in Jesus Christ. In Christ, God entered the world and set up the criterion of truth in the midst of history. Truth is outwardly powerless in the world, just as Christ is powerless by the world's standards: he has no legions; he is crucified. Yet in his very powerlessness, he is powerful: only thus, again and again, does truth become power.

In the dialogue between Jesus and Pilate, the subject matter is Jesus' kingship and, hence, the kingship, the "kingdom", of God. In the course of this same conversation it becomes abundantly clear that there is no discontinuity between Jesus' Galilean teaching—the proclamation of the kingdom of God—and his Jerusalem teaching. The center of the message, all the way to the Cross—all the way to the inscription above the Cross—is the kingdom of God, the new kingship represented by Jesus. And this kingship is centered on truth. The kingship proclaimed by Jesus, at first in parables and then at the end quite openly before the earthly judge, is none other than the kingship of truth. The inauguration of this kingship is man's true liberation.

At the same time it becomes clear that between the pre-Resurrection focus on the kingdom of God and the post-Resurrection focus on faith in Jesus Christ as Son of God there is no contradiction. In Christ, God—the Truth—entered the world. Christology is the concrete form acquired by the proclamation of God’s kingdom.

After the interrogation, Pilate knew for certain what in principle he had already known beforehand: this Jesus was no political rebel; his message and his activity posed no threat for the Roman rulers. Whether Jesus had offended against the Torah was of no concern to him as a Roman.

Yet Pilate seems also to have experienced a certain superstitious wariness concerning this remarkable figure. True, Pilate was a sceptic. As a man of his time, though, he did not exclude the possibility that gods or, at any rate, god-like beings could take on human form. John tells us that “the Jews” accused Jesus of making himself the Son of God, and then he adds: “When Pilate heard these words, he was even more afraid” (19:8).

I think we must take seriously the idea of Pilate’s fear: Perhaps there really was something divine in this man? Perhaps Pilate would be opposing divine power if he were to condemn him? Perhaps he would have to reckon with the anger of the deity? I think his attitude during the trial can be explained not only on the basis of a certain commitment to see justice done, but also on the basis of such considerations as these.

Jesus’ accusers obviously realize this, and so they now play off one fear against another. Against the superstitious

fear of a possible divine presence, they appeal to the entirely practical fear of forfeiting the emperor's favor, being removed from office, and thus plunging into a downward spiral. The declaration: "If you release this man, you are not Caesar's friend" (Jn 19:12) is a threat. In the end, concern for career proves stronger than fear of divine powers.

Before the final verdict, though, there is a further dramatic and painful interlude in three acts, which we must consider at least briefly.

The first act sees Pilate presenting Jesus as a candidate for the Passover amnesty and seeking in this way to release him. In doing so, he puts himself in a fatal situation. Anyone put forward as a candidate for the amnesty is in principle already condemned. Otherwise, the amnesty would make no sense. If the crowd has the right of acclamation, then according to their response, the one they do *not* choose is to be regarded as condemned. In this sense, the proposed release on the basis of the amnesty already tacitly implies condemnation.

Regarding the juxtaposition of Jesus and Barabbas and the theological significance of the choice placed before the crowd, I have already written in some detail in Part One of this book (pp. 40–41). Here I shall merely recall the essentials. According to our translations, John refers to Barabbas simply as a robber (18:40). In the political context of the time, though, the Greek word that John uses had also acquired the meaning of terrorist or freedom

fighter. It is clear from Mark's account that this is the intended meaning: "And among the rebels in prison, who had committed murder in the insurrection, there was a man called Barabbas" (15:7).

Barabbas ("Son of the Father") is a kind of Messianic figure. Two interpretations of Messianic hope are juxtaposed here in the offer of the Passover amnesty. In terms of Roman law, it is a case of two criminals convicted of the same offense—two rebels against the *Pax Romana*. It is clear that Pilate prefers the nonviolent "fanatic" that he sees in Jesus. Yet the crowd and the Temple authorities have different categories. If the Temple aristocracy felt constrained to declare: "We have no king but Caesar" (Jn 19:15), this only *appears* to be a renunciation of Israel's Messianic hope: "We do not want *this* king" is what they mean. They would like to see a different solution to the problem. Again and again, mankind will be faced with this same choice: to say yes to the God who works only through the power of truth and love, or to build on something tangible and concrete—on violence.

Jesus' followers are absent from the place of judgment, absent through fear. But they are also absent in the sense that they fail to step forward *en masse*. Their voice will make itself heard on the day of Pentecost in Peter's preaching, which cuts "to the heart" the very people who had earlier supported Barabbas. In answer to the question "Brethren, what shall we do?" they receive the answer: "Repent"—renew and transform your thinking, your being (cf. Acts 2:37–38). This is the summons which, in view of the Barabbas scene and its many recurrences

throughout history, should tear open our hearts and change our lives.

The second act is succinctly summarized by John as follows: "Then Pilate took Jesus and scourged him" (19:1). In Roman criminal law, scourging was the punishment that accompanied the death sentence (Hengel and Schwemer, *Jesus und das Judentum*, p. 609). In John's Gospel, however, it is presented as an act during the interrogation, a measure that the Prefect was empowered to take on the basis of his responsibility for law enforcement. It was an extremely barbaric punishment; the victim was "struck by several torturers for as long as it took for them to grow tired, and for the flesh of the criminal to hang down in bleeding shreds" (Blinzler, *Der Prozess Jesu*, p. 321). Rudolf Pesch notes in this regard: "The fact that Simon of Cyrene has to carry the cross-beam for Jesus and that Jesus dies so quickly may well be attributable to the torture of scourging, during which other criminals sometimes would already have died" (*Markusevangelium* II, p. 467).

The third act is the crowning with thorns. The soldiers are playing cruel games with Jesus. They know that he claims to be a king. But now he is in their hands; now it pleases them to humiliate him, to display their power over him, and perhaps to offload vicariously onto him their anger against their rulers. Him whose whole body is torn and wounded, they vest, as a caricature, with the tokens of imperial majesty: the purple robe, the crown plaited from thorns, and the reed scepter. They pay homage to him: "Hail, King of the Jews"; their homage consists of

blows to his head, through which they once more express their utter contempt for him (Mt 27:28–30; Mk 15:17–19; Jn 19:2–3).

The history of religions knows the figure of the mock king—related to the figure of the “scapegoat”. Whatever may be afflicting the people is offloaded onto him: in this way it is to be driven out of the world. Without realizing it, the soldiers were actually accomplishing what those rites and ceremonies were unable to achieve: “Upon him was the chastisement that made us whole, and with his stripes we are healed” (Is 53:5). Thus caricatured, Jesus is led to Pilate, and Pilate presents him to the crowd—to all mankind: “Ecce homo”, “Here is the man!” (Jn 19:5). The Roman judge is no doubt distressed at the sight of the wounded and derided figure of this mysterious defendant. He is counting on the compassion of those who see him.

“Ecce homo”—the expression spontaneously takes on a depth of meaning that reaches far beyond this moment in history. In Jesus, it is man himself that is manifested. In him is displayed the suffering of all who are subjected to violence, all the downtrodden. His suffering mirrors the inhumanity of worldly power, which so ruthlessly crushes the powerless. In him is reflected what we call “sin”: this is what happens when man turns his back upon God and takes control over the world into his own hands.

There is another side to all this, though: Jesus’ innermost dignity cannot be taken from him. The hidden God remains present within him. Even the man subjected to violence and vilification remains the image of God.

Ever since Jesus submitted to violence, it has been the wounded, the victims of violence, who have been the image of the God who chose to suffer for us. So Jesus in the throes of his Passion is an image of hope: God is on the side of those who suffer.

Finally, Pilate takes his place on the judgment seat. Once again he says: “Here is your King!” (Jn 19:14). Then he pronounces the death sentence.

Indeed the great “Truth” of which Jesus had spoken was inaccessible to Pilate. Yet the concrete truth of this particular case he knew very well. He knew that this Jesus was not a political criminal and that the kingship he claimed did not represent any political danger—that he ought therefore to be acquitted.

As Prefect, Pilate represented Roman law, on which the *Pax Romana* rested—the peace of the empire that spanned the world. This peace was secured, on the one hand, through Rome’s military might. But military force alone does not generate peace. Peace depends on justice. Rome’s real strength lay in its legal system, the juridical order on which men could rely. Pilate—let us repeat—knew the truth of this case, and hence he knew what justice demanded of him.

Yet ultimately it was the pragmatic concept of law that won the day with him: more important than the truth of this case, he probably reasoned, is the peace-building role of law, and in this way he doubtless justified his action to himself. Releasing this innocent man could not only cause him personal damage—and such fear was certainly

a decisive factor behind his action—it could also give rise to further disturbances and unrest, which had to be avoided at all costs, especially at the time of the Passover.

In this case peace counted for more than justice in Pilate's eyes. Not only the great, inaccessible Truth but also the concrete truth of Jesus' case had to recede into the background: in this way he believed he was fulfilling the real purpose of the law—its peace-building function. Perhaps this was how he eased his conscience. For the time being, all seemed to be going well. Jerusalem remained calm. At a later date, though, it would become clear that peace, in the final analysis, cannot be established at the expense of truth.