

'You Have Heard His Blasphemy'

By DAVID CATCHPOLE

THE PROBLEM LIES in the conflict between the sentence passed on Jesus and the definition of blasphemy in Sanhedrin 7: 5: 'The blasphemer is not culpable unless he pronounces the Name itself.'¹ Jesus, it seems, did not pronounce the divine Name, and yet was convicted as a blasphemer.

There are four possible solutions to this problem. Firstly, some scholars add this discrepancy to the already long list of illegalities in the trial of Jesus and conclude that only the Sadducees could ignore the rules so blatantly.² Secondly, many others claim that Mark betrays his ignorance of Jewish law, and that the account of the Sanhedrin hearing is a fiction.³ Thirdly, it has been argued by E. Stauffer⁴ that Jesus did pronounce the divine Name when he replied 'I am' (Mk. 14: 62; cf. Ex. 3: 14). And lastly, it is possible that the definition of blasphemy was wider in Jesus' time than that of Sanhedrin 7: 5.

For this last possibility there is some evidence.

1. In Tosephta Sanhedrin 1: 2, R. Eliezer the son of R. Jose the Galilean says 'Everyone who arbitrates (after judgment has been passed) is a sinner, and he who praises such a sinner blasphemes the Place'.⁵ R. Eliezer was a second century Tanna, a pupil of R. Akiba, and his view suggests that the strict definition of Sanhedrin 7: 5 was formulated later, and nearer A.D. 200 when R. Judah compiled the Mishna.

2. Mark 2: 7 and John 10: 33 ff. are often cited, but it may be objected that legal definition and non-legal use of the term may be different. However in John 10: 24-39 the setting is quasi-judicial.⁶ And when those who speak of blasphemy are themselves lawyers,

¹ Mishnaic citations from H. Danby, *The Mishnah* (Oxford University Press, 1933).

² E.g. D. Chwolson, *Das Letzte Passahmahl Christi* (H. Haessel, 1908).

³ R. H. Lightfoot, *History and Interpretation* (Hodder & Stoughton, 1935); G. Bornkamm, *Jesus of Nazareth* (Hodder & Stoughton, 1960); P. Winter, *On the Trial of Jesus* (De Gruyter, 1961).

⁴ *Jesus and His Story* (S.C.M., 1960).

⁵ Text in H. Danby, *Tractate Sanhedrin* (Oxford University Press, 1919).

⁶ P. Winter has noted the similarity between Lk. 22: 66-71 and Jn. 10: 24-36 (*Studia Theologica*, IX, 1955, pp. 112-115).

even if the setting is non-judicial, we cannot allow too wide a gap between usage inside and outside the court-room.

3. It is likely that offences not specifically covered in Pentateuch or Rabbinic law would necessitate an extension of the legal definition. And when this became necessary, the Sadducees would probably act with extreme harshness.

Where then are we to find the blasphemy? There have been five suggestions.

a. The claim to be Messiah

C. G. Montefiore⁷ writes: 'The claim to be Messiah, without any of the ordinary qualifications of a Messiah—a claim admitted by a solitary prisoner in the full power of his enemies—must have seemed a presumptuous insolence, a kind of taking God's holy promises in vain.' J. Blinzler⁸ also sees the blasphemy here, though he allows for possible injustice. His reasons are:

1. The law of blasphemy was only narrowed later, so that Bar Cochba could be innocent and Jesus guilty.
2. The Jews expected the Messiah to prove his identity, and a captivated rejected man could hardly be the Messiah.
3. The distance between such a crime of deceit, and blasphemy, must be very small, and particularly before such a court.

But (i) Tosephta Sanhedrin 1:2 suggests that the law of blasphemy was narrowed *after* Bar Cochba's revolt in A.D. 132-135, because R. Eliezer flourished after it. (ii) The claim to be Messiah, in itself, is no insult to God. Indeed it could not be among a people expecting a Messiah (*cf.* Jn. 1:19 ff., 7:25 ff., 10:24). (iii) The expected Messiah was no more than a man.⁹ (iv) To claim Messiahship falsely would be closer to the crimes of false prophecy or leading astray (Mk. 13:22; Josephus, *B. J.* II. xiii. 4 f.). It is therefore difficult to find the blasphemy in Jesus' Messianic claim.

b. The claim to be Son of God¹⁰

This view accepts that the high priest actually used the words 'Son

⁷ *The Synoptic Gospels*, I (Macmillan, 1927), p. 357.

⁸ *Der Prozess Jesu*³ (Friedrich Pustet, 1960), pp. 108 ff.

⁹ The texts cited by S. Zeitlin in the A. H. Silver Festschrift, *In the Time of Harvest* (Macmillan, 1963), pp. 447-459, to prove that apocalyptic Pharisaism expected a supernatural Messiah, do not establish this theory. Zeitlin rightly states that this idea was not accepted by normative Pharisaism.

¹⁰ *E.g.* by J. Salvador, *Histoire des Institutions de Moïse* (Porthieu, 1828), p. 87; H. Grätz, 'Un mot sur la Dogmatique du Christianisme Primitif', *Revue des Études Juives*, XX, 1890, pp. 11-15; M. J. Lagrange, *L'Évangile selon Saint Marc* (Gabalda, 1947) and W. C. Van Unnik, *The New Testament* (Collins, 1964).

of the Blessed'. J. Klausner¹¹ however raised two objections to this.

1. 'Son of the Blessed' is not a Hebrew expression and can scarcely be an abbreviation of 'the Holy One, blessed be He'.

2. It is inconceivable from the mouth of a Jewish high priest, and he a Sadducee. Scholars have also noted the apparent non-equation of the titles Messiah and Son of God in first century Judaism.¹²

Against this C. G. Montefiore remarked that the later meta-physical and more developed conception of Son of God had not yet arisen.¹³ Psalms 2 and 89, messianically interpreted, give grounds for linking the two titles. This corrective is still valuable, and though it is true that we do not have sources from that period applying Psalm 2: 7 to the Messiah it is quite likely that it was so used.

1. Some Jewish sources seem notably embarrassed by Psalm 2: 7 and 2 Samuel 7: 14 and interpret them in such ways as 'You are guiltless before me as if I had created you today' and 'I will be to him like a Father, and he will be to me like a Son'.¹⁴ This embarrassment may well be caused by Christian use of these ideas, and we should not be surprised at Rabbinic neglect of these verses.

2. Psalm 2 and 2 Samuel 7: 14 are interpreted messianically in 1 QSa 2: 1 ff. and 4 QFlor 18.¹⁵ We have to be cautious because only Psalm 2:1 is cited in the latter but this verse is used of 'the Elect of Israel in the last days' so that Jewish use of Psalm 2 in connection with the messianic era and the Gog-Magog struggle is put back into the first century. In 4 QFlor 2¹⁶ the scroll reads 'I will be to him as a father and he will be to me as a son.—He is the shoot of David etc.' Here is 2 Samuel 7: 14 used, and indeed modified, but here is evidence of a modified sonship being given to the Davidic Messiah.

3. The Psalms of Solomon, which give Pharisaic theology of the first century B.C., also show messianic application of Psalm 2; consequently the Qumran evidence cannot be dismissed as sectarian and non-representative. Psalms of Solomon 17: 27 reflects Psalm 2: 8 and Psalms of Solomon 17: 36; 18: 6, 8 correspond to Psalm 2: 2. Hence

¹¹ *Jesus of Nazareth* (George Allen & Unwin, 1925), p. 342.

¹² Thus e.g. G. Bornkamm, *op. cit.*; D. E. Nineham, *Saint Mark* (Penguin, 1963), *ad loc.* The view that Messiah and Son of God were equivalent is accepted by E. Klostermann, *Das Markus Evangelium* (J. C. B. Mohr, 1936), and J. Schniewind, *Das Evangelium nach Markus* (Vandenhoeck & Ruprecht, 1958) and is regarded as not impossible by A. J. B. Higgins, *Jesus and the Son of Man* (Lutterworth, 1963), p. 68.

¹³ *Op. cit.*, p. 359

¹⁴ See E. Lövestam in *Svensk Exegetisk Arsbok*, XXVI, 1961, pp. 93-107.

¹⁵ Published by J. M. Allegro in *Journal of Biblical Literature*, LXXVII, 1958, p. 350, 'Fragments of a Qumran Scroll of Eschatological Midrashim.'

¹⁶ See J. M. Allegro, 'Further Messianic References in Qumran Literature', *Journal of Biblical Literature*, LXXV, 1956, pp. 149 ff.

although there is no clearcut application of Psalm 2:7 to the Messiah, verses in its context are repeatedly used of the time of the Messiah. So the difficulty of the title of Son of God in Mark 14:61 is considerably weakened. Further, in view of the variety of messianic figures expected, *e.g.* Messiah ben David, ben Aaron, ben Joseph, ben Ephraim, the qualification of *χριστὸς* by *υἱὸς τοῦ εὐλογητοῦ* reads as a necessary qualification. There is no inherent objection to the term 'Son of the Blessed' involving a contraction of 'the Holy One, blessed be He'.

The question remains whether acceptance of the title would be blasphemous. It is doubtful, firstly, because it compels us to take Caiaphas' usage in a Christian, not a Jewish sense. Secondly, it would divide Son of God from Messiah whereas they are used as equivalents. Thirdly, if Son of God is a predicate of the Messiah there is no more offence in this than in the claim to be Messiah.

c. Speaking against the Temple

This view was given permanent currency by J. Wellhausen¹⁷ and has been accepted by E. Norden¹⁸ and G. D. Kilpatrick¹⁹ with modifications. It rests partly on Old Testament evidence, *i.e.* in Micah and Jeremiah attacks on the Temple are regarded as blasphemous. Kilpatrick also suggests that Acts 6: 11-14 with all its difficulties still implies that the writer 'must have thought that the charges he mentioned were such as would carry weight with a Jewish audience' and therefore this is first century evidence. Also the destruction of the Temple long before the final codification of the Mishnah accounts for the absence of any law defining a word against the Temple as blasphemy.

The great difficulty is that Mark 14: 63 f. follow Mark 14: 62. *ἠκούσατε τῆς βλασφημίας* refers more naturally to a word of Jesus than to the statement of the witnesses. If this statement by the high priest refers to the Temple saying, Mark 14: 60 is inexplicable and Mark 14: 61 f. redundant. Wellhausen excised 14: 61b., 62 but has been criticised by many scholars who take the high priest's question and Jesus' answer as the turning point of the trial. And the difficulty of Mark 14: 60 remains.

d. The claim to be God

E. Stauffer²⁰ has suggested that *ἐγὼ εἰμι* is a translation of the Aramaic Ani-Hu (or Ani We-Hu) which is the divine Name. The

¹⁷ *Das Evangelium Marci* (G. Reimer, 1903), *ad loc.*

¹⁸ *Agnostos Theos* (Wissenschaftliche Buchgesellschaft, 1956), p. 195.

¹⁹ *The Trial of Jesus* (Oxford University Press, 1953), pp. 10 f.

²⁰ *Op cit.*, pp. 149-159.

theory had been put forward by the Swedish Rabbi G. Klein²¹ who found in Sukkah 4:5 the clue to the significance of Jesus' words. Speaking of the rite of the willow-branch this passage says 'Each day they went in procession a single time around the Altar, saying Save now, we beseech thee, O Lord! We beseech thee, O Lord, send now prosperity. R. Judah says: 'Ani waho! Save us we pray! Ani waho! Save us we pray!' Danby's comment is immediately apposite: 'Instead of the repeated "We beseech thee, O Lord" (and Yahweh involves pronouncing the Sacred Name) they modify the sounds to ani waho.' Therefore though Ani waho is a name for the Lord it is still veiled, and the hidden Name remains unpronounced. This means that the theory has not uncovered an explicit mention of the divine Name, to which Sanhedrin 7: 5 would exactly and precisely apply. So again we are dependent on a wider conception of blasphemy.

The strength of Stauffer's advocacy of this view stems from his discussion of the question 'Did Jesus claim to be God?' as well as his filling in the background of the idea in Isaiah, contemporary Judaism, and later Jewish and Christian developments. This evidence convinces him that when Jesus said ἐγώ εἰμι during His ministry and at His trial, there was an implicit claim to be God. Briefly we must review the evidence.

Mark 6: 50 (and Jn. 6: 16) certainly support the view, though Stauffer recognizes that there is an ambiguity here. Ascension of Isaiah 4 (quoted *op. cit.*, p. 150) adds weighty support, as do John 8: 28, 58 and John 18: 5 ff. These last verses, taken by Stauffer as merely an introduction of himself by Jesus, seem to me rather more direct support, in view of the reaction of those present (*cf.* Yom. 6: 2).

Mark 13: 6 'Many shall come in my name, saying, I am he: and they will lead many astray' is a difficult verse. Matthew adds ὁ χριστὸς to the ἐγώ εἰμι. But Stauffer thinks that ἐγώ εἰμι here suggests Jesus' lordship and not as in Matthew's naive insertion, his Messiahship. I venture to suggest another approach. In the context there are several reflections of Deuteronomy 13: 1-5 and 18: 18-20 (LXX 13: 2-6 and 18: 18-20). Thus ἐπὶ τῷ ὀνόματί μου (Mk. 13: 6) occurs in Deuteronomy 18: 19 (LXX); σημείον (Mk. 13:4) in Deuteronomy 13: 2 ff. (LXX): πλάνησῃ (Mk. 13:5) in Deuteronomy 13: 6. Similarly these themes recur in Mark 13: 21 f. again reflecting Deuteronomy 13 and 18 with the technical term ἀποπλανᾶν and the σημεῖα καὶ τέρατα of Deuteronomy 13: 2 f.; though here in Mark we do not have the ἐγώ εἰμι but an objective report of ψευδόχριστοι καὶ ψευδοπροφῆται. If Mark 13: 5 f. and 13: 21-23 refer to the same events, they teach

²¹ *Ist Jesus eine historische Persönlichkeit?* (Tübingen, 1910).

that the reports will circulate that the Christ has come, and certain persons will claim to be that Christ. And in Mark 13 it is the prophetic character of the Messiah which pervades the teaching. How then are we to understand the ἐπὶ τῷ ὀνόματι μου and the ἐγὼ εἰμι of Mark 13: 6? Deuteronomy 18: 18-20 are part of the paragraph on the Mosaic figure who was interpreted as the Messiah in the time of Jesus. There is a correspondence between Moses and the Messiah. Now Moses' own authority was expressed to the people in the claim 'I AM has sent me to you' (Ex. 3: 14). Perhaps this is also the sense of Mark 13: 6. People will come, saying in effect 'I AM has sent me to you' on the Mosaic pattern. I AM is primarily the name of God Himself: but by virtue of saying this, the claimants imply something about their own identity, *i.e.* 'I am the Messiah'. Therefore Matthew's expansion to ἐγὼ εἰμι ὁ χριστός, while certainly shutting out half of the sense of Mark's ἐγὼ εἰμι still gives a correct interpretation of the other half of its meaning. The problem of ἐπὶ τῷ ὀνόματι μου which troubles W. Manson²² since he thinks it must mean that these people are Christians, is also solved because it means not that they profess to follow Jesus, nor that they identify themselves with Him, but that they take the name of Messiah, which is His alone, and also the right, which is strictly His alone, to say 'I AM has sent me to you'.²³ As a corollary, if this suggestion is allowed, the ἐγὼ εἰμι is not a claim by the Messiah to be God (for such a claim I am not aware of any parallels in Jewish literature) but a claim to the unique prophetic rank which enables Him to claim 'I AM has sent me' and consequently 'I am Christ'.

On John 4: 26, Stauffer criticises the interpretation of ἐγὼ εἰμι, ὁ λαλῶν σοι as an indirect messianic affirmation and thinks that 'John wishes Jesus' answer to be understood as the theophanic formula ANI HU' (*op. cit.*, p. 152). His reasons are as follows: (i) Nowhere else in John is there a messianic affirmation by Jesus. (ii) ἀναγγέλλω, the theophany word of Isaiah 40-55 appears in the woman's remark in John 4: 25. (iii) There is close similarity between John 4: 26 and the Qumran text of Isaiah 52: 6, suggesting that Jesus deliberately replied in these terms. (iv) The patristic variants to John 4: 26, which are similar to Isaiah 52: 6, may represent an independent textual tradition. (v) Jesus often turns from current titles to others, as in John 1: 49 ff., 3: 2 ff. and Mark 8: 29 ff., and parallel with

²² 'The ἐγὼ εἰμι of the Messianic Presence in the New Testament', *Journal of Theological Studies*, XLVIII, 1947, pp. 137-145.

²³ Compare also the emphasis in Jn. on 1. Jesus as the Sent One, and 2. the Mosaic frame of reference for the Messiah, used by the evangelist to show both comparisons and contrasts between Jesus and Moses.

this, Jesus deflects the Samaritan woman from Christ to the theophanic formula *Ani Hu*. (vi) ‘The Samaritan woman does not get away from her Messianic idea (see Jn. 4: 29, 39); she has not grasped the hidden meaning of the *Ani Hu*.’ This is as it should be because Jesus’ self-revelation remains a mystery.

Point (i) cannot be pressed because of the analogy of the one single self-affirmation that He is Son of man, John 9: 35-37 *ὁ λαλῶν μετὰ σοῦ ἐκεῖνός ἐστιν*.²⁴ Also there is sufficient similarity between the two replies, John 4: 26 and John 9: 37 to suggest that the one, like the other, is meant as an acceptance of the previously mentioned title. Point (ii) is certainly supported by the fourteen uses of *ἀναγγέλλω* in the LXX of Isaiah 40-55. Yet in view of Samaritan messianic thought (which Stauffer thinks Jesus ignores), Deuteronomy 18: 18 may well be in the background; and when the woman again alludes to Jesus’ exceptional ability to declare secrets, she uses *εἶπέν* (Jn. 4: 29). The question of that verse, ‘Can this be the Christ?’ could imply that no messianic claims had been made, or rather better, that the ability of Jesus to reveal in this way is being put forward as tentative evidence that He is Messiah. And the parallel use of *εἶπέν* weakens the use of *ἀναγγέλλω*. Yet it is quite true that *ἀναγγέλλω* is rare in John and the consequent significance of its usage when it does occur, supports Stauffer’s view. Point (iii) is impressive. On point (iv) I suspect the textual grounds for the originality of the patristic variants are not strong, and the similarity with Isaiah 52: 6 makes them suspiciously like assimilations to that verse for Christological reasons. Alternatively, as Stauffer admits, they may be just a paraphrase of what we already have in John 4: 26. As regards (v), turning from Christ to Son of man is hardly parallel in direction to turning from Christ to God. Point (vi), Stauffer allows that the woman goes away with the messianic idea undisputed. But where has she got the idea that her companion at the well is the Messiah? She gave no hint of this in verse 25. And it cannot be solely through His revealing secrets, for this meant only that He was a prophet (verse 19). A messianic claim fits neatly into the context. Stauffer also has a conflict here with point (ii): we cannot have the woman using theophanic language in 4: 25, and not realizing it in 4: 29.

²⁴ That *υἱὸν τοῦ ἀνθρώπου* (p⁸⁸ B D W *etc.*) is to be preferred to *υἱὸν τοῦ Θεοῦ* (Afr 13 pl latt) is almost certain because (i) it is more difficult, and the phrase ‘believe on the Son of man’ is strange and unparalleled; (ii) *Σὺ πιστεύεις εἰς τὸν υἱὸν τοῦ Θεοῦ*; reflects a familiar liturgical formula, Acts 8: 37; 1 Jn. 5: 1, 5; (iii) A change from Son of man to Son of God is credible, but not vice versa and (iv) Son of God fits more neatly into the context. Thus there is the confession of Christ in 9: 22, and since Christ and Son of God are parallel in Jn. (see 20: 31), an occurrence of the latter term would be much more polished.

Stauffer also uses jTaan. 65b and Yalkuth Shimoni § 766 (see *op. cit.*, p. 155). But it is not certain that Mark 14: 62 is in the background.²⁵ The Rabbis used Matthew, not Mark and according to Matthew, Jesus replied *οὐ ἐπιτασ*. Also, if Stauffer's view of the blasphemy is right, Jesus does not answer the high priest's question, whereas I am he = Ani Hu = *ἐγὼ εἰμι* is a normal Semitic affirmative answer to a question.

*e. The claim to sit at God's right hand*²⁶

We must first clear the ground. If this is a possible solution to the problem it is necessary to accept that the saying is authentic, and that Jesus equated the Son of man with Himself.²⁷ The resultant claim is that a man will sit at God's right hand and that in heaven. We have evidence that such a suggestion was abhorrent to the Rabbis.

1. b. Sanh. 38b. The context significantly deals with refuting the Minim, *i.e.* Jewish Christians. R. Johanan is quoted as saying, 'In all the passages which the Minim have taken [as grounds] for their heresy, their refutation is found near at hand.' There follows a series of pairs of verses, the second of each pair clarifying in a monotheistic way, the pluralist implication of the first, which has been taken by the Minim as implying the existence of more than one god. Lastly comes Daniel 7: 9, 'Till thrones were placed (*i.e.* the pluralist part) and one that was ancient did sit (the singular part).' Thus the Minim use the hint of 'thrones' as evidence for another God. Immediately after this, the problem is again raised: 'How explain "Till thrones were placed?"'—One throne was for himself and one for David. Even as it has been taught: One was for himself and one for David: this is R. Akiba's view. R. Jose protested to him: Akiba, how long wilt thou profane the Shechinah? Rather, one throne for justice, and the other for mercy.' The important point is the objection to any idea of the Messiah sitting on a throne in God's presence, and the terms of the protest—profaning the Shechinah. That Akiba, the messianist should use Daniel 7: 9 shows its adaptability to the Messiah. The violence of R. Jose's retort, and the

²⁵ See W. G. Kümmel, *Promise and Fulfilment* (S.C.M., 1957), p. 51.

²⁶ Cf. P. Lamarche, 'Le Blasphème de Jésus devant le Sanhédrin', *Recherches de Science Religieuse*, 1962, pp. 74-85. This view is rejected by S. Zeitlin in *Jewish Quarterly Review*, LIII, 1962, pp. 77-88, but on the grounds that it does not conform to the exact letter of Sanhedrin 7:5.

²⁷ It is not possible for reasons of space to discuss these problems here; though I believe there is good evidence in favour of both the saying itself and the self-identification with the Son of man. Contra P. Winter, 'The Marcan Account of Jesus' Trial by the Sanhedrin', *Journal of Theological Studies*, XIV, 1963, pp. 94-102.

attempts to spiritualize with the thrones of mercy and justice suggest that the Rabbis during this early period were engaged in vigorous polemic against the very idea suggested in Mark 14: 62. 2. Midrash Pss. I. 2 and CVIII. 1 both hand down a tradition from the first half of the third century which declares that sitting is prohibited in the presence of God. 2 Samuel 7: 18 has to be strained so that David's sitting in the Temple becomes the setting of his heart to prayer.

3. In the fourth century, as Mid. Pss. XVIII. 29 shows, there was not the same objection : both Abraham and David are allowed to sit by the Lord in the messianic era. This is explicitly authorized by Psalm 110: 1.

4. In Mid. Pss. CX. 1 Abraham is seated at God's right hand, according to R. Johanan—the same Rabbi as in b. Sanh. 38b. Therefore it appears that the Jewish reaction to the Christian claim that Messiah sits at God's right hand was either to say no one can do this, or that Abraham alone has this privilege.

In Sanhedrin 6: 4 it is said 'He blessed the name and the Name of Heaven was found profaned.' To profane the Name is therefore only a paraphrase of blasphemy. Therefore R. Jose's rebuke of R. Akiba was tantamount to an allegation of blasphemy. The cause of this allegation leads us back to the trial of Jesus.