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JESUS' TRIAL BEFORE HEROD ANTIPAS

The account of Herod Antipas' trial of Jesus is unique to Luke's Gospel (23:6-12), as none of the other Gospels offers any parallel to it. This episode is something of an enigma and, in the modern history of exegesis, is seen by a number of authors as a pure compositional fiction with no basis in the real history of Jesus' trial. The main charge against the authenticity of this story is the observation that it does not bring any noticeable development into the overall plot of Jesus' trial. The questioning, accusations, mockery, all have been already described in the previous narrative. As E. Buck noted: "To have all of these things happen again, seems like meaningless repetition. What is more, the story contains several almost unintelligible references. Jesus is questioned, but it is not said about what; Jesus is silent, but we are not told why; the accusers bring charges, but the content of these remains a mystery"[1]. However, the historicity of the episode cannot be denied on the ground of the above mentioned observation. As F. Bovon noted: "Paradoxically, the incident (…) seems useless and, at the same time, full of meaning." Bovon

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[1] E. Buck, "The Function of the Pericope 'Jesus before Herod' in the Passion Narrative of Luke", *Wort in der Zeit. Neutestamentlische Studien. Festgabe für Karl Heinrich Rengstorf zum 75. Geburstag* (ed. W. Haubeck – M. Bachmann) (Leiden 1980) 165.

observed that there are at least three new elements in the story with respect to the immediate literary context: "Jesus comes back to Pilate ridiculed and honored, dressed ostentatiously (v. 11); Herod and Pilate have been reconciled (v. 12); as a result, Pilate no longer has (v. 12) the way of evading the situation he had at the beginning (vv. 6-7)"[2]. While the episode can be just a new version, with new elements, of the previous narrative (to use Bovon's words: "history is never repeated in exactly the same way"), at the same time, it can be also rooted in historical reality.

Besides the issue of source, which is connected with the question of the historicity of the encounter between Herod and Jesus, there are at least five strictly exegetical questions, enumerated by M.L. Soards, which exegetes have raised in connection with the Herod pericope: (1) Why does Pilate send Jesus to Herod? (2) Why does Jesus remain silent? (3) Why does Herod ridicule Jesus? (4) Why does Herod put a robe on Jesus? (5) Why do Herod and Pilate become friends?[3]

Without diminishing the importance of the above questions, the chief goal of this article is to present the most plausible reason(s) for incorporating this episode into the Lukan Passion Narrative. In our search for the main purpose of this story, special attention will be paid to the theological context of the Lukan Passion Narrative, within both the Gospel itself and Luke's larger two-volume work. In so doing, we take for granted the principle that each evangelical story somehow reflects both history and theology. Before delving into this issue, however, which constitutes the forth section of this study, we present the literary and exegetical analyses of the pericope, with the help of the historical-critical method. In the course of these analyses each of the aforementioned five questions as well as the problem of the source of this story will be addressed. The debatable point of the historicity of the encounter between Jesus and Herod will be dealt with separately.

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[2] F. Bovon, *Luke 3. A Commentary on the Gospel of Luke 19:28–24:53* (Hermeneia. A Critical and Historical Commentary on the Bible; Minneapolis, MN 2012) 261. Somewhat similarly, M.L. Soards, "Tradition, Composition and Theology in Luke's Account of Jesus before Herod Antipas", *Biblica* 66 (1985) 363, argued that the new elements of the narrative are (1) Herod's involvement in Jesus' trial and (2) Herod's and Pilate's hostility toward each other at one time.

[3] Soards, "Tradition", 344.

1. Literary Analysis

After first delimiting the Lukan passage on Jesus' trial before Herod, some crucial critical-textual problems as well as the most intriguing issues related to the syntactical texture of the story will be examined. Then, a very general overview of the structure of the pericope will be given. Finally, a panoramic review of scholars' opinions regarding the origin of the pericope is presented.

1.1. Delimitation of the Text

There is no general agreement on the extent of the passage which deals with Jesus' trial before Herod. It is most often defined as either Luke 23:6-12 or 23:6-16, but one can also find other delimitations: vv. 1-15; 4-15; 5-16; and 8-12. According to M. Corbin the narrative of Luke 23:6-12 formed "l'épisode central de la Passion". Perhaps his stance on the centrality of this episode in the whole of Luke's Passion narrative is an overstatement[4], but one may still wholeheartedly consent to Corbin's delimitation of the Herod pericope, which stems from his detailed structural examination of this text. He observed that the Herod episode is framed by two accounts reporting the hearing before Pilate (23:1-5 and 23:13-23), which in turn are framed by two other episodes ascribing responsibility for the death of Jesus to the leaders of the Jews (22:66-71 and 23:24-25)[5]. The changes in both the place of the action (Pilate's tribunal versus Herod's) and the central character (Pilate versus Herod) allows a reader to distinguish the pericope 23:6-12 from its immediate context, namely 23:1-5.13-23.

1.2. Textual Criticism

The silence of Jesus, mentioned in verse 9, disturbed ancient copyists, who made emendations. *Syrus Curetonianus* (5th century) adds at the end of v. 9: *as if he were not present.* Latin *Codex Colbertinus* (10th century) adds *as if he did not hear*[6].

[4] J.F. Fitzmyer, *The Gospel According to Luke (X-XXIV). Introduction, Translation, and Notes* (Anchor Bible Commentary 28A; Garden City, NY 1985) 1480, states on the contrary: "In the Lukan passion narrative this scene is actually a minor one. It has no significance for the understanding of Jesus' person or fate."

[5] M. Corbin, "Jésus devant Hérode. Lecture de Luc 23,6-12", *Christus* 25 (1978) 190-197.

[6] R.E. Brown, *The Death of Messiah. From Gethsemane to the Grave. A Commentary on the Passion Narratives in the Four Gospels* (The Anchor Bible Reference Library; New York, NY 1994) 772, note 17.

Moreover, the three verses 10-12 are completely lacking from the famous Syriac Sinai palimpsest, discovered by Agnes Smith Lewis in the Convent of St. Catharine in 1892[7], possibly because of the contradiction between v. 10 and 15: the chief priests and scribes seem to accompany Jesus to Herod and they accuse him there (v. 10), while, at the same time, they are also, after being summoned (v. 13), present with Pilate to whom Jesus is sent back in v. 15. M. Dibelius thought that the text was shortened because it was regarded as uninteresting or repetitive[8]. Indeed, J. Wellhausen, in his commentary, follows the shorter text[9]. But the omission is not original: the external evidence is too thin, since the verses appear in all the Greek manuscripts. Nevertheless, the case of omission is negligible at best. According to M.L. Soards, "the alleged conflict between vv. 10 and 15 is not necessarily apparent, since the text of Luke names two different groups in these verses"[10]. In his opinion the language and sense of v. 10 as well as vv. 11-12 suggest that these verses have a comprehensible place in the text. It is also possible that the chief priests and scribes returned to their homes after the trial before Antipas and then were again summoned by Pilate. Some of them could have also accompanied Jesus to Pilate's residence, which is not *expressis verbis* said in the text, but is implied. Similarly, the presence of *rulers* (οἱ ἄρχοντες) is implied but not explicitly mentioned during Jesus' *via crucis*, since they appear at the trial before Pilate (23:13) and at the cross (23:35). They are included among *the great multitude of the people* (πολὺ πλῆθος τοῦ λαοῦ - 23:27), which accompanied Jesus during his way to the place of his crucifixion.

In verse 11 the mention of Herod is emphasized if the text contains the syntactically awkward καί (*even, also*), which is absent in some important witnesses (e.g. *Codex Vaticanus*). The longer reading, present in very old P^{75} as well as in *Codex Sinaiticus*, is harder and appears to be preferred as pro-

[7] Cf. *The Four Gospels in Syriac Transcribed from the Sinaitic Palimpsest* (ed. R.L. Bensly – J.R. Harris – F.C. Burkitt – A. Smith Lewis) (Cambridge 1894) 244.

[8] M. Dibelius, "Herodes und Pilatus", *Zeitschrift für neutestamentliche Wissenschaft und die Kirche der älteren Kirche* 16 (1915) 121-123.

[9] J. Wellhausen, *Das Evangelium Lucae übersetzt und erklärt* (Berlin 1904) 129-130. Similarly, J. Weiss, *Die Schriften des Neuen Testaments neu übersetzt und für Gegenwart erklärt* (Göttingen ^{2}1907) I, 479, argues that v. 10 is taken from Mark 15:3 (καὶ κατηγόρουν αὐτοῦ οἱ ἀρχιερεῖς πολλά – *The chief priests were accusing him of many things*) and is out of place here. He claims that it is clear from Luke 23:15 that the Jewish leaders did not visit Antipas.

[10] Soards, "Tradition", 354, note 31.

bably original. Nevertheless, it has been bracketed by the editors of the critical edition of the Greek New Testament[11].

At the end of verse 12 there is a prepositional expression πρὸς αὐτούς. The pronoun αὐτός is read here in the reflexive manner (with the sense of the reciprocity), which is not so obvious, if we are conscious that it was not used in this manner beginning in the first century BC. Moreover, during the Classical and Hellenistic periods, for all three persons in the plural only the pronoun ἑαυτῶν was used[12]. Probably, because of it, there are witnesses of this last pronoun (ἑαυτούς) in some mss (e.g. A Ω Θ Ψ). This variant of the text carries a certain importance for establishing the exact meaning of αὐτούς (i.e. reflexive-reciprocal one).

1.3. The Outlook on Syntax

Pilate's question in v. 6 is introduced by the interrogative particle εἰ (*if, whether*), which has the value of introducing an indirect question[13], indeed not very common feature in Lukan writings[14]. As it turns out, it might be a sign of Lukan Semitic Greek[15].

[11] B.M. Metzger, *A Textual Commentary on the Greek New Testament* (Stuttgart [2]1994) 152-153. See B. Aland – K. Aland – J. Karavidopoulos – C.M. Martini – B.M. Metzger (ed.), *Novum Testementum Graece* (Stuttgart [28]2012) 281.

[12] Cf. F. Blass – A. Debrunner – F. Rehkopf, *Grammatik des neutestamentlichen Griechisch* (Göttingen: Vandenhoeck & Ruprecht [17]1990) § 64 and § 287. It was not certain that αὐτός could have had a reflexive sense at all (§ 64). In Classical Greek ἑαυτῶν could have substituted for ἀλλήλων, but only close to this last pronoun as a general rule. The perfect example of it is found in Luke 23:12. In the same verse, in P^{75} f^{1} (and the equivalents in some Latin, Syriac and Bohairic manuscripts) the pronoun ἐκείνῃ is used instead of αὐτῇ, which means that instead of the reciprocal pronoun (in the sense *in the same day* or *in that very day*) they tried to substitute the demonstrative pronoun *in this day.* It could be seen as an attempt to smooth the style by avoiding the threefold use of the reciprocal pronoun in the same sentence (in the first and the third occurrence it is unfortunately the same pronoun αὐτῇ and αὐτούς) (cf. § 288).

[13] M. Zerwick, *Biblical Greek* (Scripta Pontificii Instituti Biblici 114; Roma [7]2001) § 402; A.T. Robertson, *A Grammar of the Greek New Testament in the Light of Historical Research* (New York [4]1923) 916.

[14] The indirect interrogative εἰ is used frequently in classical Greek. Nevertheless, Luke is not prone to use it very often. Cf. M.C. Chico Cano, *Der Prozess Jesu. Eine literarkritische und redaktiongesichtliche Untersuchung zu Lk 23,1-25* (Diss., Münster 1980) 33: "diese Konstriktion [εἰ introducing an indirect question] (ist) nicht sehr beliebt bei Lukas."

[15] N. Turner, *A Grammar of the New Testament Greek.* IV. *Style* (Edinburgh 1976) 54, states: „This undoubted Semitism appears only in Biblical Greek. Doubtless it originated in the

At first sight the syntax of verse 8 seems complicated, despite the clear sense of the sentence. First, the reader learns that Herod was very glad (ἐχάρη λίαν) to see Jesus (ἰδεῖν αὐτὸν). Then the *γάρ* has the causal value (*since, for*), which is the equivalent of imperfect, expressing the durative quality of Herod's desire to see Jesus. The periphrastic construction (ἦν… θέλων) is used, which is more likely a Septuagintism rather than the product of direct Hebrew/Aramaic influence[16]. This periphrastic imperfect required the pluperfect in English (*he had been wanting*)[17] and catches the intensity of Herod's wish to see Jesus[18]. The next segment, the prepositional phrase, makes clear the motive for Herod's desire: *because of what he had heard about him* (διὰ τὸ ἀκούειν περὶ αὐτοῦ). Also the final main clause made still more explicit Herod's motive for wanting to see Jesus: *he was hoping to see some sign performed by him* (ἤλπιζέν τι σημεῖον ἰδεῖν ὑπ᾽ αὐτοῦ γινόμενον). The clause διὰ τὸ ἀκούειν πολλὰ περὶ αὐτοῦ one can literally translate as *on account of the hearing about him.* Luke uses the preposition διά and the accusative of the articular infinitive τὸ ἀκούειν (literally *because of the to hear*)[19]. which is frequently seen in the writing of Luke[20]. There are at least three gramma-

translated books of the LXX, rendering *'im*, and thence passed into the free Biblical Greek of 2 Maccabees, the Clementine Homilies, the Gospel of Thomas, and the Testament of Abraham. This idiom is Luke's own, not from sources, plain evidence that he is writing free Semitic Greek".

[16] F. Neirynck, *The Minor Agreements and a Horizontal-line Synopsis* (Studiorum Novi Testamenti Auxilia 15; Leuven 1991) 122-123. Against this opinion is Zerwick (*Biblical Greek*, § 361), who also observes: "The use of the periphrastic construction has in the NT a distribution which gives more than a half of the total number occurrences to the writings of Luke alone."

[17] M. Zerwick – M. Grosvenor, *A Grammatical Analysis of the Greek New Testament* (Rome [5]1996) 275.

[18] Brown, *Death*, 768.

[19] There is no way to translate the preposition with the accusative articular infinitive into good English. This infinitive has the character of a substantive, yet it retains the function of the verb. It is the accusative object of the preposition διά which itself has a causal force (*because*). There are a variety of styles found in modern English translations: *having heard about him* (NEB); *he had heard about him* (JB, NJB, ESV, NAB, NLT); *because he had heard about him* (RSV, TEV, NET, NRS, RWB); *because he had been hearing about him* (NAS, NAU); *from what he had heard about him* (NIV, NIB); *he had heard concerning him* (ASV); *because of hearing many things concerning him* (DBY); *because of hearing many things about him* (YLT); *because he had heard many things of him* (GNV, KJV, NKJ, WEB); *for he had had accounts of him* (BBE); *from the reports about him* (NAB).

[20] Cf. 2:4; 6:48; 8:6; 9:7; 11:8; 18:5; 19:11.

tically defensible ways to render this clause: (1) taking the *present* articular infinitive in a *perfect* sense: *because he had heard about him;* (2) taking this infinitive with the force of an *imperfect: because he had been hearing about him*[21], (3) a reading emphasizing the substantive quality of τὸ ἀκούειν: *because of what he had heard about him.* This last one seems to be most convincing[22].

Verses 9 and 10 seem to constitute one compound sentence. One can presume it, looking at the postpositive particle δέ, which is used here three times, once in each of the three main clauses that make up this sentence. These three main clauses are coordinated into one compound sentence by understanding the three successive occurrences of δέ as *so… but… even though.* In the first occurrence δέ is taken in a copulative sense[23]. The second one in v. 9, translated *but*, contrasts Herod's garrulousness (λόγοις ἱκανοῖς - *in many words*) with Jesus' silence (αὐτὸς δὲ οὐδὲν ἀπεκρίνατο αὐτῷ - *but he answered him nothing*). The third δέ, translated *even though*, functions, like the second δέ, in an adverse fashion, contrasting Jesus' refusal to speak (v. 9) and the vigorous speech attributed to the Jewish leaders (v. 10)[24].

In verse 11, in the expression ὁ Ἡρῴδης σὺν τοῖς στρατεύμασιν αὐτοῦ (*Herod with his soldiers*), after J.F. Fitzmyer, one ought to translate the preposition σύν as *and*, giving *Herod and his soldiers.* This Lukan usage of σύν is found in 20:1; Acts 14:5; 15:22; 16:32[25].

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[21] Zerwick – Grosvenor, *Grammatical Analysis*, 275-276.

[22] We have seven occurrences of this grammatical pattern (διά + accusative articular infinitive) in Luke's Gospel (see the note 13 above). In five of these occurrences (2:4; 8:6; 11:8; 18:5 and 9:11) – as M.L. Soards ("Herod Antipas' Hearing in Luke 23:8," *Biblical Theology* 37 [1986] 147) observed – "Luke supplies either an accusative subject or an accusative object for the accusative articular infinitive, and in each of these cases the articular infinitive should be translated to emphasize the verbal force. But in two instances (at 9:7 and 23:8) no accusative subject or object is supplied – rather the accusative articular infinitive is modified by a prepositional phrase (περὶ αὐτοῦ in 23:8 and ὑπό τινων in 9:7). In these two cases the articular infinitives are of verbs of hearing and saying, and they appear to connote the substantive quality of what is said or heard more than the act per se."

[23] This δέ seems to introduce what is practically an extended parenthesis reporting the activity of Herod that comes as a result of his desire to see Jesus performing a sign (v. 8). Cf. NET with its note; Blass – Debrunner – Rehkopf, *Grammatik*, § 447.

[24] Cf. Soards, "Tradition", 352. Brown (*Death*, 769) observes that there is an overuse of the particle δέ in this scene (7 times in 7 verses) and translates coordinatively, after M.L. Soards, the first δέ as *accordingly.* To break up the confusing repetition of *he* and *him* R.E. Brown introduced the subject *Jesus* in v. 9.

[25] Fitzmyer, *Luke*, 1482.

In the last verse, our interest could be aroused by the puzzling presence of the construction ὅ τε before the proper name of Herod (Ἡρῴδης) to which the article refers. The enclitic particle τέ, the preferred word in Acts, modifies the conjunction καί, creating with it the correlative structure (*Herod and Pilate*)[26]. In that case τέ has to go after the first word of the correlative structure (i.e. ὅ). The construction τέ… καί directs our attention to the significance of the term φίλοι (*friends*)[27].

1.4. Structure

M. Corbin noted a discernible concentric structure in Luke 23:6-12:[28]

A *Pilate sends Jesus to Herod* (vv. 6-7)
B *The joy of Herod* (v. 8)
C *Questioning, silence and accusation* (v. 9-10)
B' *The mocking of Jesus by Herod and his soldiers* (v. 11)
A' *The friendship of Pilate and Herod* (v. 12)

Looking at the protagonists of the actions, one can clearly identify this symmetry. In **A** and **A'** the protagonists are Pilate and Herod, while in **B** and **B'** there is only Herod (and his soldiers). Interestingly enough, the remaining segment **C**, centered on Jesus, reveals its own concentric structure:

a – Herod's questioning,
b – Jesus' silence,
a' – Scribes' accusation.

In a nutshell, the structure points out the central theme of this pericope, namely Jesus' behavior.

[26] J. Jeremias, *Die Sprache des Lukasevangelium. Redaktion und Tradition im Nicht-Markusstoff des dritten Evangeliums* (Meyers Kritisch-Exegetischer Kommentar über das Neue Testament. Sonderband; Göttingen 1980) 85, points out another occurrence of this construction in 2:16 (*Maria and Joseph*) and at least 40 occurrences in Acts, which almost exclusively connect information about persons or places.

[27] Blass – Debrunner – Rehkopf, *Grammatik*, §§ 443-444.

[28] Corbin, "Jésus devant Hérode", 192-193. He concluded that the concentric symmetry of the passage and the correspondences between the verses are the proof that the Herod pericope derived from a single source.

1.5. The Origin of the Text

Since none of the other three canonical Gospels offers any parallel to the narrative of Luke 23:6-12, scholarly opinion is well divided over the question of Luke's source for this passage. Indeed, J.H. Neyrey argued that the source question is "the most important issue connected with Jesus' trial before Herod"[29]. One of the best studies of this problem is J.M. Harrington's monumental work (1003 pages!) which groups the scholarly proposals as follows:[30] (1) a continuous source or tradition[31]; (2) separate sources or traditions[32]; (3) unspecified sources independent of Mark[33]; (4) an unspecified source or sources in conjunction with Mark[34]; (5) a historical account with no reference

[29] J.H. Neyrey, *The Passion according to Luke. A Redaction Study of Luke's Soteriology* (Theological Inquiries. Studies in Contemporary Biblical and Theological Problems; New York, NY 1985) 69.

[30] J.M. Harrington, *The Lukan Passion Narrative. The Markan Material in Luke 22,54-23,25. A Historical Survey: 1891-1997* (New Testament Tools and Studies 30; Leiden 2000) 691-709.

[31] P. Feine (1892) is listed as the first author, while P. Richardson (1987/1996) and E. Schweizer (1989/1991) as the most recent ones [The dates of publications in brackets refer to the bibliography provided by J.M. Harrington].

[32] F. Ferrar, *The Gospel according to St. Luke* (The Cambridge Bible for Scholars and Colleges; Cambridge 1891) 341, seems to be the first to propose that Luke had access to special information about Herod's court, which Luke took from Manaen at Antioch (Acts 13:1). H. Burton, *The Gospel according to St. Luke* (New York, NY 1896) 4 and 7, was the first to suggest that Luke was primarily influenced by Paul and may have had some associations with certain individuals (mainly Chuza and Manaen) in contact with Herod. Later G. Salmon, *Commentaire critique et moral sur l'Évangile selon Saint Luc* (Paris 1903) 21 and 517, has pointed to Joanna, the wife of Herod's steward Chuza (8:3; 24:10), as the likely source of information. A. Deissmann, *Bibelstudien. Beiträge zumeist aus den Papyri und Inschriften zur Geschichte der Sprache des Schrifttums und der Religion des hellenistischen Judentums und des Urchristentums* (Marburg 1895) 178-181, commenting on the figure of Manaen as a source, also provides parallels in the works of Philo (who likewise mentioned Pilate and Herod), Josephus and Plutarch for the term ἀναπέμπω (Luke 23:7; Acts 25:21).

[33] The chain of authors starts with H.J. Holzmann (1863) and goes to G. Schneider (1973; 1977) and P.-G. Müller (1984/²1986). A good explanation of that view was given by B.I. Reicke, *The Gospel of Luke* (Richmond, VA 1963) 31: "It is clear that Luke has included this material without Hellenizing it to suit the stylistic reverence for these traditions, and included them in unamended form, since these traditions were Jewish Christian and went back to the early church in which Luke, because of his conception of redemptive history, had a vigorous interest."

[34] The first who opted for this view was again H.J. Holzmann in his subsequent writings (1886/1892), and in our times W. Schmithals (1980).

to the nature and the extent of the source (either oral or written)[35]; (6) an entirely Lukan composition[36]; (7) a narrative inspired by Matthew[37]; (8) a non-historical source, without further information; (9) an undetermined source[38].

One of the most convincing theories seems to be that of Lukan composition. Many exegetes insist on the Lukan character of many words, expressions, phrases and syntactical features of the pericope. It has been convincingly argued that all the elements found in the Herod pericope can also be found in other sources. Thus, it may beg the conclusion that the origin of the narrative is redactional[39]. As to the exact sources which Luke might have used in his literary composition, there is a daunting diversity of opinion among scholars. Basic views include: (a) Lukan dependency on traditional materials (Goguel, Rau, Rengstorf, Taylor, Schweizer, Moo, Soards); (b) Lukan redaction of Mark's material (Loisy, Finegan, M-É. Boismard, Soards, Gaston, Pesch, Senior, Evans, Harrington); (c) Lukan use of Psalm 2 (Dibelius, Klostermann, Bultmann, Creed, Lietzmann, Finegan, Lampe, Dupont, Tyson);

[35] Among this group one can find several renowned scholars: A.B. Bruce (1897/^{2}1907), A. Harnack (1911), M.-J. Lagrange (1921), P. Benoit (1940, 1966), E. Dąbrowski (1968), I.H. Marshall (1970, 1978), L. Morris (1974, ^{2}1988), J.A. Fitzmyer (1985), D.L. Bock (1994), R.A. Culpepper (1995).

[36] In this group of scholars one can find yet other famous names: J. Wellhausen (1904), M. Dibelius (1915), A. Loisy (1908, 1924/1936), E. Klostermann (1919), R. Bultmann (1921), F. Hauck (1934), E. Haenchen (1966), J. Dupont (1967/1979/1984), K.H. Rengstorf (^{15}1974), M.-É. Boismard (1972, with A. Lamouille 1990), V. Taylor (1972), R. Pesch (1977, with R. Kratz 1980), G. Schneider (1977-1988), R. F. O'Toole (1984, 1993), J. Neyrey (1985), M. L. Soards (1985, 1987), J. Kremer (1988), R. Pesch (1988), C.K. Barrett (1992, 1994), F. Neirynck (1993) and many others (see the complete list given by Harrington).

[37] Only H.W. Hoehner (1972) and M.D. Goulder (1988) represent that view.

[38] There are a plethora of scholars who, while dealing with the Passion Narrative in Luke, do not present any view on the source question. E.g. A. Barr (1963), W.G. Kümmel (1964, 1973), W. Harrington (1967), A. Vanhoye (1967, 1981), W.C. van Unnik (1973), A. George (1978), E.A. LaVerdiere (1980), F. Bovon (1981, 1996), J. Sanders (1987), J. Nolland (1989, 1993), C. A. Evans (1990), W. Schenk (1990), J.P. Heil (1991). Harrington (*Lukan Passion*, 709) also added the names of eleven authors who either give no information on this subject or present an unclear opinion.

[39] G. Rossé, *Il Vangelo di Luca. Commento esegetico e teologico* (Roma ^{3}2001) 949, concludes: "L'impressione d'insieme è che non abbiamo niente di nuovo. Tutti gli elementi, in qualche modo, sono già presenti altrove e non aggiungono nulla allo svolgimento della procedura né alla figura di Gesù. Insomma, nella trama della Passione, la comparizione di Gesù dinanzi a Erode non ha alcun ruolo particolare: non è né un processo, né una consultazione (voluta da Pilato). La presenza della scena si spiega soltanto a livello redazionale."

(d) Lukan dependency on Acts, namely Paul's trail before Felix and Agrippa recounted in Acts 24–26 (Talbert, Mattill, Kurz, Gaston, Omerzu); (e) Lukan use of other materials (e.g. the Daniel-haggadah[40], Acts 4:27).

The very detailed J.M. Harrington study went to great lengths to bring its reader to accept the view of Lukan dependence on Mark's Gospel[41]. And as for now, this is probably one of the most popular views. At the same time, other authors find similarly convincing arguments in favor of other sources. In our view, it is not necessary to exclude the possibility of multiple sources in the process of redaction of Luke's Herod story[42]. Indeed, it is quite difficult to believe that Luke would be a slave to only one literary source (e.g. Mark, Psalm 2:1-2 Lxx). On the other hand, it is equally hard to assume that Luke's work consisted in a laborious putting together of small pieces of vocabulary from many sources. It is safe to assume that Luke could have used some literary or oral sources – or even one source (e.g. the tradition reflected in the *Gospel of Peter*) – in pursuit of his own, very specific, theological purpose. He was also capable of rendering any of it within his own vocabulary and style[43].

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[40] Both Jesus and Daniel were vigorously accused (Daniel 6:5 LXX; cf. Luke 12:10), both maintained silence during their trials. Cf. J.D.M. Derrett, "Daniel and Salvation-History", *Downside Review* 100 (1982) 62-68. Against this view cf. Fitzmyer, *Luke*, 1480.

[41] Cf. J. Kilgallen (rev. of J.M. Harrington, *The Lukan Passion Narrative. The Markan Material in Luke 22,54-23,25* [New Testament Tools and Studies 30; Leiden 2000], *Biblica* 82 [2001] 574) evaluates it: "Some examples of a constrained dependency on Mark are in order (…) Perhaps Harrington is correct, that Luke depends on Mark in the Herod story". In the end, however, Kilgallen (*ibid.*, 574) is critical of Harrington's proposal: "Harrington puts a great deal of effort into demonstrating Luke's dependence on Mark. But it is hard to fit together the picture of a Luke who has in the last 50 years earned the reputation of being an excellent writer and who, in this case of Jesus before Herod, creates his story, with a Luke who laboriously takes from here and there often small bits of vocabulary and style. Perhaps to make reasonable a theory of such dependence, we must be able to describe more satisfactorily than heretofore how a person of talent goes about constructing his story so as to leave behind telltale bits from sources".

[42] To give one example taken from the study by J.H. Neyrey (*Passion*, 79): "In short, all of the materials in Lk 13:6-12 may be found either in the Markan source to the passion narrative (Mk 15:3-5.16-20), in the Lukan redactional addition to Mark's text (Lk 9:9 to Mk 6:14-16) or in Scriptural prophecies which are fulfilled (Acts 4:25-26)."

[43] It must be noted, after F. Bovon (*Luke*, 265), that "Luke did not invent the episode, because not all of the patristic witnesses depend on him." The tradition about the encounter between Jesus and Herod is found in Ignatius of Antioch, Justin Martyr, Tertullian, the *Acts of Thomas*, the *Didascalia apostolorum*, and the *Gospel of Peter.*

2. The Historicity of the Event

The historicity of the encounter between Jesus and Herod Antipas, as reflected in Luke 23:6-12, is called into question by those who speak about the pure compositional origin of this pericope, for either a theological (e.g. a legend based on Psalm 2:1-2, a re-writing of the Markan text) or apologetic purpose (i.e. to exonerate Romans, to blame the Jews, to defend the Christians). In this case, it is assumed that the very meeting between Jesus and Herod Antipas never occurred. In defending the historicity of the event, one must assume the existence of a source (understood even as an oral report) with a good historical base, which has been subsequently used by Luke and written down by Luke in his own style. The existence of such a source is historically plausible. It may have been originated from (1) Joanna, Jesus' companion, whose husband Chuza was a financial minister of Antipas (Luke 8:3), or (2) Manaen, a member of Antiochian church, who was an intimate friend of Antipas (Acts 13:1). Thus, both Joanna and Manaen had close ties with Herod's court[44]. In addition, (3) any of the soldiers who mocked Jesus may well have bragged or lamented about their involvement in the episode. In this way, Jesus' trial before Herod might have become publically known. Finally, (4) as D.L. Bock argued, "any of the Jewish leaders, defending their action, would want to report how Jesus snubbed his chance to defend himself by saying nothing and thus (in their view) admitting guilt"[45].

At the outset it must be said that a meeting between Jesus and Herod, taking place in Jerusalem during the Passover, is historically plausible[46]. Herod's presence in Jerusalem for the feast of Passover should not surprise us, even though he was not of purely Jewish origin. He may have come to Jerusalem, not primarily out of piety, but, following his father's example, for the political

[44] H.W. Hoehner (*Herod Antipas* [Society for New Testament Studies Monograph Series 17; Cambridge 1972] 232) argued that Luke knew Chuza and Manaen very well. In the case of the latter, taking into account the Antiochian origin of Luke, it becomes very probable. Hoehner pointed also to some intimate details in the story which can only derive from an eyewitness. For instance, the joy of Antipas upon seeing Jesus, the reason for his wanting to see him, his long questioning of Jesus, the placing of the bright robe on Jesus, and the forming of a friendship between Pilate and Antipas.

[45] D.L. Bock, *Luke 9:51-24:53* (Baker Exegetical Commentary on the New Testament 3B; Grand Rapids, MI 1996) 1817.

[46] H. Cohn, *The Trial and Death of Jesus* (London 1972) 181, denied the historicity of the Herod episode because of its timing. G. Gander, *L'Évangile pour les étrangers du monde. Commentaire de l'Évangile selon Luc* (Lausanne 1986) 983, specified also the hour of Jesus' trial before Herod: Friday, between 7:00 and 7:30 AM.

importance of a correct religious gesture[47]. Josephus records the fact of Antipas' presence in Jerusalem during a Jewish festival, but unfortunately he does not specify which festival it was[48]. Moreover, it has been argued that Pilate's attack on the Galilean pilgrims at the previous Passover (cf. Luke 13:1) might have prompted Herod to attend the following Passover in Jerusalem in person[49]. The Hasmonean palace on the Western Hill was the place where Herod could have been staying at that time, about "a ten minute walk from Pilate"[50].

Usually, the following reservations regarding the historicity of the event reported by Luke are put forward: (1) Why should Pilate have given Jesus over to Herod, when Pilate had superior authority? (2) Was Herod legally competent to judge Jesus in Jerusalem? (3) When Pilate speaks of Jesus being sent back to *us* (ἡμᾶς - v. 15), he includes the Jewish leadership, but verse 10 indicates that the Jewish entourage went to Herod[51]. (4) The mocking during the trial before Herod is paralleled to the mocking conducted by Pilate's soldiers reported by Mark 15:16-20 and therefore is a created (redactional) detail. (5) Why do Mark and Matthew omit this event? (6) How can we reconcile Herod's attitude toward Jesus during the trial with his desire to get rid of Jesus (Luke 13:31)? (7) Is the animosity between Herod and Pilate historically plausible?[52] In what follows, each of the above mentioned objections will be addressed in turn, showing that it is possible to defend the historicity of this episode.

1) Pilate handed Jesus over to Herod not because he was obliged to do so, but because he wanted to. The precise reasons of handing Jesus over may have been multiple. (a) Justin (*Dial.* 103,4) argued that Pilate send Jesus to Herod out of kindness, as a compliment[53]. (b) Pilate's decision might be dri-

[47] Brown, *Death*, 761.

[48] *Ant.* 18,122.

[49] H.W. Hoehner, "Why Did Pilate Hand Jesus over to Antipas?", *The Trial of Jesus. Cambridge Studies in Honour of C. F. D. Moule* (ed. E. Bammel) (Studies in Biblical Theology. Second Series 13; London 1970) 86.

[50] Bock, *Luke*, 1819. Bovon (*Luke*, 266, note 41) thinks that it is more reasonable to assume that the Hasmonean palace was used as a residence by the Roman governor, and, in such a case, Herod Antipas could only have occupied one wing of the palace.

[51] Among others, W.R. Wilson, *The Execution of Jesus. A Judicial, Literary and Historical Investigation* (New York, NY 1970) 130, employs this argument against the historicity of the event.

[52] See Bock, *Luke*, 1816-1817; P. Richardson, *Herod. King of the Jews and Friend of the Romans* (Edinburgh 1999) 311-312.

[53] Tertullian (*Adv. Marc.* 4.42.3), in light of Hos 10:6 LXX, understood the sending of Jesus to Herod as a gift.

ven by a diplomatic (political) courtesy, aimed at improving his relations with Antipas, which were strained at this time[54]. (c) Knowing that Antipas wants to see Jesus (Luke 9:9), Pilate might have wanted to ingratiate himself to the tetrarch by handing Jesus over to him[55]. (d) Pilate, sensing strong Jewish feelings and conflicting opinions about Jesus, was afraid of Jesus as a potential threat to public order. Thus he wanted to "pass the buck", either to avoid the moral burden of whatever transpired[56], to get out of an embarrassing, problematic case[57], or simply to share the responsibility[58]. (e) Others argue that Herod, as the tetrarch of Galilee, would be highly competent in detecting insurrectionists, so asking for Herod's opinion would reflect Pilate's juridical or political ingenuity[59]. (f) Pilate might have also acted out of fear of Herod[60]. The Roman governor could have noted that "Herodian princes place themselves at the head of a mob during a feast to make protest against him. Thus, inviting Antipas to do an *anakrisis* about Jesus might have been an ingenious diplomatic way to neutralize the tetrarch and prevent further trouble"[61].

2) The governor of a Roman province where a criminal was being tried could allow the governor of another province to conduct the trial. It might have occurred that Antipas was allowed to sit in judgement over the people of his territory (Galilee) in his palace in Jerusalem, but only if Pilate, the procurator of Judea, permitted it[62]. Obviously, Pilate was under no obligation to remand Jesus to the authority of Antipas and could conduct the entire trial on his own[63]. It has been rightly argued that "[d]iscussions about whether

[54] Hoehner, *Herod Antipas*, 245: "Pilate handed Jesus over to Antipas as a diplomatic gesture of courtesy. Antipas treated it as no more than that."

[55] Hoehner, "Why Did Pilate Hand Jesus over to Antipas?", 88.

[56] D.L. Tiede, *Luke* (Augsburg Commentary on the New Testament; Minneapolis, MN 1988) 406. However, this argumentation has no support, either in the Gospel or in history.

[57] R.C. Tannehill, *Luke* (Abingdon New Testament Commentaries; Nashville, TN 1996) 333.

[58] J. Nolland, *Luke 18:35–24:53* (Word Biblical Commentary 35C; Dallas, TX 1993) 1122.

[59] Brown, *Death*, 766. Brown thinks here of *anakrisis* (as a delegated investigation or preliminary investigation), which Roman provincial officials employed precisely because they did not bring a large bureaucracy with them and thus had to depend on locals of various sorts.

[60] Cf. Fitzmyer, *Luke*, 1480.

[61] Brown, *Death*, 767.

[62] Hoehner, *Herod Antipas*, 237-238.

[63] Some scholars (e.g. T. Mommsen) argue that in the earlier principate a trial was conducted in the province of the domicile of the accused (*forum domicilii*), after a preliminary examination, and only later this practice was changed so that the accused was tried in the province in which his crimes were committed (*forum delicti*). Others (e.g. A.N. Sherwin-White) proved the contrary: *forum delicti* was in operation in the early principate and the

Antipas had inherited his father's rights of extradition (almost certainly not) or about the state of development of Roman law concerning whether a trial should be held in the home province of the accused or in the province where the crime was committed (more likely the latter) are beside the point here. Jesus is understood to have committed the alleged criminal activity as much in Galilee as in Judea and to have begun in Galilee: the problem arose in Galilee, so it was not unreasonable to refer to the Galilean jurisdiction"[64]. For A.N. Sherwin-White one of the arguments in favour of the historicity of the event is the privilege accorded to Herod the Great by the emperor to request the extradition of his subjects who had escaped to territories lying outside his legal jurisdiction[65]. That being so, it is possible (although there is no documentary proof of it) that Herod Antipas could have inherited some vestige of this privilege, which in Jesus' case, was respected by Pilate[66].

3) Luke specifically states in 23:13 that, after Jesus returned from Antipas, Pilate called together *the chief priests, the rulers and the people* (τοὺς ἀρχιερεῖς καὶ τοὺς ἄρχοντας καὶ τὸν λαόν), whereas the group that went to Antipas to accuse Jesus was composed of only *the chief priests and the scribes* (οἱ ἀρχιερεῖς καὶ οἱ γραμματεῖς - v. 10). Hence, the group before Pilate was more inclusive than that before Antipas. Furthermore, why did Pilate have to *call together* a group of people, if they all went to Antipas? Surely, some of them did not participate in Jesus' trial before Herod Antipas. Therefore the group in 23:15 does not seem to be identical with that of 23:10.

4) Luke does not describe any mocking conducted by Pilate's soldiers. The details of the mocking and the vocabulary used by Luke in 23:6-12 differ from Mark 15:16-20 (describing the mocking of Jesus by Roman soldiers), so that copying is unlikely. Moreover, from a methodological point of view, even the fact that a certain detail appears in both Mark and Luke would not automatically imply that one author depends upon the other. In addition, such mocking by soldiers is likely to have been repeated[67].

forum domicilii came in later. For this reason, Bovon (*Luke*, 266) argues that Luke must be mistaken by suggesting that at that time *forum domicilii* was in operation. Looking at one example from the NT itself, however, we see that Felix and later Festus tried Paul in Caesarea on their own and did not send him to the legate of Syria-Cilicia, even though Paul was a Cilician. Cf. Hoehner, "Why Did Pilate Hand Jesus over to Antipas?", 86-87.

64 Nolland, *Luke*, 1122.

65 Cf. Josephus, *War* 1.474.

66 A.N. Sherwin-White, "The Trial of Christ in the Synoptic Gospels", *Roman Society and Roman Law in the New Testament. The Sarum Lectures 1960-1961* (Oxford 1963) 31.

67 Bock, *Luke*, 1817. The declaration of innocence in Luke 23:6-12 argues against the theory of a creative detail formed from Psalm 2:1-2, which looks at a hostile conspiracy.

5) There could be at least three reasons for the exclusion of the episode by other evangelists. (a) The trial before Herod does not appear to contribute anything concrete to the Passion Narrative as a whole[68]. (b) Mark and even John show some disinterest in Herod, so they often omit details about him[69]. (c) According to R.E. Brown, "Mark, followed by Matthew, supplies a simplified preaching outline of the Passion Narrative and may not do justice to popularly preserved oral tradition about minor incidents of the passion that could be historical"[70]. The trial before Herod might have been regarded as one of those minor incidents.

6) It is intriguing to note that Antipas finds no guilt in Jesus (cf. 23:15) and, at the same time, wants to kill Jesus (Luke 13:31; cf. Mark 3:6; 12:12-13). P. Richardson counters this objection in the following way, "The evidence for a decision to kill Jesus is slanted, probably exaggerated, and perhaps a result of a "Herodian" party's views. But it is not altogether implausible, given Antipas's execution of John; since Jesus did not personally attack Antipas, he probably felt Jesus was not as guilty as John was"[71].

7) The mutual animosity between Herod and Pilate is historically plausible, although there is no direct evidence of it apart from the Lukan narrative. In the same vein, the new friendship forged between Antipas and Pilate as depicted in the Lukan narrative is not improbable, but it has by no means been proven. As to the reasons for their mutual animosity, P. Richardson noted that "since Antipas was the logical person to inherit Judea, Samaritis, and Idumaea when Archelaus was deposed in 6 CE (in one earlier will he was the sole heir), he would have been unhappy being subordinate to a succession of Roman prefects of Judea"[72]. There were also at least three specific actions and attitudes of Pilate which might have provoked Herod's antipathy toward the Roman prefect: (1) It is possible that Pilate at the Passover of AD 32 had offended Antipas by the Galilaean massacre (cf. Luke 13:1) and (2) at the Feast of Tabernacles in AD 32 he had offended both the Jews and Antipas by setting up votive shields in Jerusalem[73]. (3) Pilate had ordered the forfeiture of Tem-

[68] Dibelius, "Herodes", 121.

[69] Hoehner, *Herod*, 249; Bock, *Luke*, 1817.

[70] Brown, *Death*, 784.

[71] Richardson, *Herod*, 312.

[72] Richardson, *Herod*, 311.

[73] About this incident see Josephus, *War* 2,169-174; *Ant.* 18,55-59. According to Philo (*Leg.* 299-304), Antipas helped to persuade Tiberius to force Pilate to remove the offending images. Probably, Pilate received the emperor's instructions around the winter of AD 32/3 or early 33. See Hoehner, *Herod Antipas*, 237.

ple funds (the *Corban*) to build an aqueduct. This action met the resistance of Jerusalem residents toward which Antipas might have been sympathetic[74].

R.E. Brown noted that in the NT writings three men appear to bear the name of Herod. Most importantly, each of them is called king[75]. Brown is convinced that for the first century hearers and readers of the NT all these three Herods were one and the same person. Brown is rhetorically asking, "What would early Christians have understood when they heard 'Herod the king', since they scarcely had at hand a Herodian family tree? (…) How many hearers or readers would have known that these were three different men?"[76] According to Brown, behind the Herod pericope in Luke 23:6-12 there is an early tradition about Herod, which in Mark appears as the group of Herodians seeking to kill Jesus; in Matthew's infancy narrative as Herod (the Great) trying to kill Jesus in Bethlehem; and in Luke-Acts as Herod (Antipas) wanting to kill Jesus and taking part in his trial, and perhaps even Herod (Agrippa I) putting Jesus' leading follower(s) to death. Therefore he concludes, "In my judgment we must settle for the Lukan author of 23:6-12, who is neither a simple recorder of historical fact nor totally a creative, imaginative novelist. He transmits early tradition about Herod Antipas – tradition that had a historical nucleus, but had already developed beyond simple history by the time it reached Luke"[77].

3. Exegesis of the Text

3.1. Pilate Sends Jesus to Herod (vv. 6-7)

The Galilean origin of Jesus is the motive for sending Jesus to Herod[78]. The chief priests and the crowds accused Jesus saying: *he incites people by te-*

[74] Cf. Josephus, *War* 2,175-177; *Ant.* 18,60-62.

[75] Herod the Great in Matthew 2:1.3.9; Luke 1:5; Herod Antipas in Mathew 14:9; Mark 6,14.2.25.26.27; Acts 4:26-27; Herod Agrippa I in Acts 12:1.20.

[76] Brown, *Death*, 785.

[77] Brown, *Death*, 785.

[78] Though born in Bethlehem (2:4-7), Jesus would have been regarded as a Galilean because of his parents (1:26 and 2:4) and his upbringing (cf. 4:16.24). In 4:24, Nazareth (in Galilee) has been called Jesus' πατρίς (*homeland*). Verse 23:6 is the unique place (besides Matthew 28:69) in which Jesus is described by the adjective Γαλιλαῖος. That term is found only five times in Luke (describing Galileans - 13:1.2 [*bis*]; Peter - 22:59; Jesus - 23:6) and three times in Acts (Jesus' disciples - 1:11; 2:7; Judas the Galilean, the rebel - 5:37). In Mark 13:1 it identifies Galileans *whose blood Pilate had mingled with the blood of their sacrifices*, and in John 4:45 the Galileans who welcomed Jesus. In total, it is found 11 times in the NT.

aching throughout all Judea, beginning from Galilee until here! (ἀνασείει τὸν λαὸν διδάσκων καθ' ὅλης τῆς Ἰουδαίας, καὶ ἀρξάμενος ἀπὸ τῆς Γαλιλαίας ἕως ὧδε - 23:5). The mention of Galilee, which was considered a hotbed of revolutionary activity, gives a hint to the aorist participle ἀκούσας (*heard*) in 23:6, creating a link between the Pilate trial and that of Herod. Fundamental for the Herod pericope are two details, one found in Luke 3:1, where Herod is presented as the tetrarch of Galilee, and the other in 9:7-9 where Herod is described as the one who *was seeking to see him [Jesus]* (v. 9). Luke needs these motives, in view of the part played by Herod later in the departure of Jesus from Galilee and in the Passion[79]. Evoking Galilee emphasizes the fact of Jesus' ministry in the territories of both Pilate and Herod[80].

The subject of *hearing* is Pilate, who is also named in 3:1 (where Pilate occurs together with Herod), in 13:1, and in the Passion Narrative (23:1.3.4). The action of Pilate in 23:6 is expressed by the aorist of the compound verb ἐπερωτάω (*to ask, to inquire, to question*) which indicates the action subsequent to that described by the participle ἀκούσας: *he had heard and then asked.* The verb ἐπερωτάω was employed in what has been described as the parallel passage (viz. Acts 23:34), where Paul is questioned (ἐπερωτήσας) by the governor about his province of origin (cf. a similar context in Acts 5:27)[81]. According to F. Bovon, this verb differs from a simple ἐρωτάω (*to ask*), as found in 23:3, by conveying a legal overtone. It "indicates a knowing that is the fruit of an investigation, a *cognition*, of the judge"[82].

It has been suggested that the term ὁ ἄνθρωπος (*man*) belongs to typically Lukan vocabulary[83]. Nevertheless, its use here "was no doubt derogatory"[84].

[79] As for Herod Antipas in the NT, he is named eight times in Mark (but seven of them in 6:14-29), four times in Matthew, 13 times in Luke and twice in Acts. These statistics indicate Luke's special interest in Herod Antipas and his relation with Jesus.

[80] H. Conzelmann, *The Theology of St. Luke* (New York, NY 1961) 51.

[81] The connection between ἀκούσας and δέ seems to be an element of Lukan style. Cf. 7:3.9; 14:15; 18:22.36; Acts 7:12; 8:14; 14:14; 18:26; 22:26; 23:16; cf. M.-É. Boismard, *En quête du Proto-Luc* (EB 37; Paris 1997) 124; Harrington, *Lukan Passion*, 722. Luke employed the phrase ἤκουσεν δέ in 9:7, which is one of the verses which sets the stage for Jesus' encounter with Herod. The same construction (ἀκούσας + δέ) appears in Acts 22:26 in relation to a plot against Paul's life.

[82] Bovon, *Luke*, 266.

[83] M.D. Goulder, *Luke. A New Paradigm* (Journal for the Study of the New Testament 20; Sheffield 1989) II, 801.

[84] I.H. Marshall, *The Gospel of Luke. A Commentary on the Greek Text* (New International Greek Testament Commentary 3; Carlisle – Grand Rapids, MI 1978) 855.

Some commentators call attention to Luke 2:25, where the same lexeme is used to describe Simeon. In this way the trial before Herod could recall the prophecy uttered by Simeon and signify its fulfillment. One should also consider the phrase *in this man* (ἐν τῷ ἀνθρώπῳ τούτῳ) in 23:4, which becomes part of Pilate's first declaration of Jesus' innocence, and then occurs twice more in 23:14, in the same context of Jesus' innocence.

Pilate *learned* (ἐπιγνούς) that Jesus is a Galilean. Both in the Gospel and in Acts evpiginw,skw has the meaning of *to learn* or *to thoroughly ascertain*[85]. Here it almost has the force of *to discover*[86]. Its use in Acts 22:29 is symptomatic since *ἐπιγνοὺς ὅτι* occurs in the account of Paul standing before the Roman tribune.

The noun ἐξουσία denotes *authority*, but here carries the connotation of the *domain* or *jurisdiction* in which that authority is exercised (cf. 4:6; Acts 23:34)[87]. The word can be translated as *(sphere of) power*[88]. R.E. Brown argues that Lukan readers might well think that there is a Satanic threat when Jesus is sent into Herod's ἐξουσία. One should also note the usage of ἐξουσία in the account of the temptation of Jesus (Luke 4:5-6), and thus the connection of that scene with the passion, the time when Satan returns to test Jesus (cf. 22:3.53)[89].

Luke described the passing of Jesus to Herod by the verb ἀναπέμπω (literally *to send up*). It occurs only five times in the NT and is employed in a technical sense to indicate that someone is either sent to a higher authority (Paul is to be sent to Caesar - Acts 25:21) or sent back to a previous location (Luke 23:11.15; Phlm 12). Rather than higher authorities, the term might have the connotation of competent authorities, since "it is used both when Pilate refers Jesus to Herod and later when Herod refers Jesus to Pilate (Luke 23.11)"[90]. It is also possible that ἀναπέμπω in the Herod pericope has the same meaning as its shorter form

[85] Cf. Luke 7:37; Acts 9:30; 12:14; 22:24.29; 23:28; 24:8.11; 28:1. A. Plummer, *A Critical and Exegetical Commentary on the Gospel according to S. Luke* (International Critical Commentary; Edinburgh 1896) 521. Some want to shift the sense of the verb ἐπιγινώσκω (*ascertained*) away from the simple γινώσκω (*know*) implying even an investigation. Zerwick (*Biblical Greek*, § 484) observes that Biblical Greek prefers compound verbs over the simple form, without any implication of special significance.

[86] Bock, *Luke*, 1818.

[87] Fitzmyer, *Luke*, 1481; Nolland, *Luke*, 1122.

[88] Brown, *Death*, 762.

[89] Brown, *Death*, 765.

[90] H.J. Cadbury, "Roman Law and the Trial of Paul", *The Beginnings of Christianity* (ed. F.J. Foakes Jackson – K. Lake) (London 1933) V, 309.

πέμπω. Indeed, during the Hellenistic period, this compound verb often had the same meaning as the simple form (πέμπω - *to send*)[91]. Further, Luke shows a preference for compounds, which is perhaps also evidence of Septuagintal influence[92]. To sum up, J.B. Green stated that "little can be decided from the use of ἀναπέμπω"[93]. Yet, it seems that if Luke really drew on technical terminology here he wanted only to give the scene a more realistic sense[94]. R.E. Brown rightly summarizes the problem: "The best solution is to avoid either extreme (whereby it would mean either simply *to send* or legally *to remand* a prisoner) and to recognize that Luke uses it to enhance the legal atmosphere"[95].

Regarding the name Ἱεροσόλυμά some authors draw situational (special) and theological conclusions concerning the Lukan use of the two names of this city, namely both the archaic and solemn Ἱεροσόλυμα and the common and neutral Ἰερουσαλήμ. It has been argued that Luke uses Ἱεροσόλυμα in a negative and profane (political) context, and Ἰερουσαλήμ in a positive and sacred one[96]. Any mention of Jerusalem is significant in light of the role that the city plays in Luke (9:31.51.53; 13:22; 17:11; 18:31; 19:28) and continues to play in Acts (cf. 10:39), however the particular meaning of this place arises especially from the conviction that *it is impossible that a prophet should be killed outside Jerusalem* (οὐκ ἐνδέχεται προφήτην ἀπολέσθαι ἔξω Ἰερουσαλήμ - 13:33).

3.2. Herod's Examination and Jesus' Silence (vv. 8-9)

The verb ἰδών, describing Herod who *sees* Jesus, creates the link with Herod's wish to see (*ἰδεῖν*) Jesus reported in 9:9. One should notice the threefold presence of the aorist of the verb *ὁράω* in Luke 23:8, which points to Herod's intense desire to see Jesus and to see a sign performed by him. Looking for τι σημεῖον (literally *some sign*) Herod is, according to J.F. Fitzmy-

[91] Cf. C. Spiq, *Theological Lexicon of the New Testament* (Peabody, MA 1994) I, 107; Zerwick, *Biblical Greek*, § 484.

[92] Cf. Robertson, *Grammar*, 561.

[93] J.B. Green, *The Death of Jesus. Tradition and Interpretation in the Passion Narrative* (Wissenschaftliche Untersuchungen zum Neuen Testament II/33; Tübingen 1988) 81.

[94] Harrington, *Lukan Passion*, 730.

[95] Brown, *Death*, 765.

[96] I. de la Poterrie, "Les deux noms de Jérusalem dans l'évangile de Luc", *Recherches de science religieuse* 69 (1981) 57-70. Brown (*Death*, 762-763) noted that in the context of Jesus' trial before Herod the particular form of the city name "is probably meaningless."

er, "depicted as one of the sign-seekers of Jesus' generation". This evokes a previous narrative: *others were asking for a sign* (*σημεῖον*) *from heaven from him* (11:16), but Jesus replied: *no sign* (σημεῖον) *will be given to it* [this generation], *except the sign of Jonah* (11:29)[97]. Obviously, as noted by J. Nolland, Herod's interest in signs should not be understood as "the demand that Jesus prove himself with signs", as in the examples above. In Herod's wish, there is nothing theological (i.e. coming out of his faith) or political (i.e. an expectation of the coming of the king-Messiah). This interest reflects his mere desire "to see something spectacular"[98]. F. Bovon observed, "Herod hopes for a proof that would relieve him of the risk of personal engagement and faith"[99]. R.E. Brown adds, "Request for the marvellous (without the word *sign*) constitute for Jesus a diabolic testing in 4:9-12 and a lack of faith in 4:23-24. Here, as there, a sign will not be granted; and so the tetrarch will not see what is granted only to those of faith: *Many… kings have wished to see what you see and have not seen, and to hear what you hear and have not heard* (10:24)"[100].

The reaction of Herod to Jesus' presence is expressed by the verb χαίρω. Here the term means *rejoice* rather than *greet.* This rejoicing is reinforced by the adverb λίαν (*greatly*). The expression θέλων ἰδεῖν αὐτόν (*he was wishing to see him*) recalls 9:9 (ἐζήτει ἰδεῖν αὐτόν - *was seeking to see him*) and perhaps also 19:3 (Zacchaeus, who ἐζήτει ἰδεῖν τὸν Ἰησοῦν - *was seeking to see Jesus*). The periphrastic imperfect (ἦν… θέλων - *was wishing*) could also recall Herodias' attitude toward John the Baptist (ἤθελεν αὐτὸν ἀποκτεῖναι - *wanted to kill him* - Mark 6:19) which might have served as the inspiration for Herod's desire to kill Jesus in Luke 13:31 (Ἡρῴδης θέλει σε ἀποκτεῖναι - *Herod wanted to kill him*)[101]. As H.W. Hoehner pondered over a possible historical background to Antipas' rejoicing at the sight of Jesus, "Antipas did not do anything to fulfil his desire [to see Jesus – A.K.] for fear of agitating the people. Pilate now presented him with an excellent opportunity for seeing Jesus without any responsibility or repercussions on the part of his subjects. There is no indication that his delight was to see Jesus because of some past misconduct. Perhaps he hoped that Jesus would perform some sort of sign –

[97] Fitzmyer, *Luke*, 1481.

[98] Nolland, *Luke*, 1122.

[99] Bovon, *Luke*, 267.

[100] Brown, *Death*, 770.

[101] The word θέλω was used four times in the account of the Baptist's death (Mark 6:19.22.25.26), and also when Pilate asked the crowd whether they wanted Jesus or Barabbas released (Mark 15:9.12). Cf. Harrington, *Lukan Passion*, 739-740.

possibly to show that he was a prophet, or at least act as a court magician. He wanted to see him perform, and perhaps felt that Jesus would do what he was asked in order to gain the tetrarch's favour. But to a man so disposed Jesus answered not a word"[102].

Luke 23:8-9 combines two important themes: seeing and listening. The same combination is also present when the messengers of John the Baptist ask Jesus about his identity: they have to report to John what they had seen and heard (7:22; cf. also 9:35-36). The verb ἀκούειν (*to hear*) with περί (with genitive) is considered a Luke-Acts characteristic form[103], but it does not give any clear exegetical insights, apart from its connection with 9:9 (describing Herod's question about Jesus) and Acts 24:24 (referring to Paul's trial)[104].

Verse 9a can be translated literally: Herod *kept questioning him with many words / a good number of words*[105]. The expression ἐν λόγοις ἱκανοῖς (with the instrumental ἐν) shows Luke's penchant for repeating terms he used only shortly before (v. 8) and makes clear that Herod tries for some time to get Jesus to respond (*he tried to question him at length*). This temporal dimension of Herod's action is also expressed by the imperfect tense of the verb ἐπηρώτα (*was questioning*) which already occurred in v. 6. The description of the talkative Herod (v. 9a) as well as the vehement accusation of the chief priests and scribes (v. 10) served to heighten the contrast with the silence of Jesus (v. 9b). The subject matter of questioning by Herod could be the charges brought against Jesus as he stood before Pilate (to be *the King of the Jews*) or the issues related to what Herod had heard about Jesus (cf. 9:9).

J.A. Darr finds in vv. 8-9 a recognition-response pattern that has a rhetorical function[106]. The emotions that Jesus provokes in Herod (they are even described before Luke narrates the background that makes the reaction intelligible) are in sharp contrast to the unemotional behavior of Pilate. Darr underlines also in his argumentation the triple use of the verb *see*, which provides a frenetic thrust. As R.E. Brown wrote, "Herod's attitudes might be classified

[102] Hoehner, *Herod Antipas*, 240.

[103] Goulder, *Luke*, 800.807.

[104] Luke 5:15 ([ἀκούειν]… ὁ λόγος περὶ αὐτοῦ); 7:13 (ἀκούσας δὲ περὶ τοῦ Ἰησοῦ); the very important preparatory passage of 9:9 (τίς δέ ἐστιν οὗτος περὶ οὗ ἀκούω τοιαῦτα); Acts 11:22 (ἠκούσθη… περὶ αὐτῶν with the ἐχάρη in its context); and the very significant 24:24 (Felix ἤκουσεν αὐτοῦ [Paul] περὶ τῆς εἰς Χριστὸν Ἰησοῦν πίστεως).

[105] Fitzmyer, *Luke*, 1481; Zerwick – Grosvenor, *Grammatical Analysis*, 276.

[106] J. A. Darr, *"Glorified in the Presence of Kings." A Literary-Critical Study of Herod the Tetrarch in Luke-Acts* (Diss., Nashville, TN 1987) 288.

in a range between childish and petulant; but earlier Lukan statements gave the impression of an unstable character capable of homicidal violence"[107] (cf. 3:19-20; 9:7-9; 13:31-33). Jesus foretold his own death in connection with the threat of Herod (characterized as a fox), when he was informed that Herod sought to kill him (13:31-33). Herod's joy (v. 8) has something to do with his malicious intent and it has been accomplished without any cost to him.

Why was Jesus silent? M.L. Soards systematized scholars' opinions on this issue into four groups:[108] (1) Jesus' silence should be interpreted theologically (W. Manson, E. Schweizer)[109]. In this case, Jesus' silence demonstrates his acceptance of God's will which consisted in his suffering. The charges against Jesus were leading toward this suffering and death, and as such to the fulfillment of God's will. That being so, Jesus refuses to submit to arbitration with Herod. (2) Jesus' silence is the fulfillment of the role of the Servant of God from Isaiah 53:7 (I.H. Marshall, G.S. Sloyan, J. Nolland)[110]. Since Luke knew Isaiah 53:12, quoted in Luke 22:37, he must have known Isaiah 53:7. In the Herod pericope there is a contrast between speaking (Herod, high priests, scribes) and not speaking, which is also found in Isaiah 53:7 – the oppression and affliction of the servant versus his own silence. (3) Jesus' silence is understood in relation to the literature roughly contemporary to Luke: W. Grundmann argued that, in light of the Mithras liturgy, pagans would understand Jesus' silence as a sign of his divinity, his godliness. F.W. Danker pointed to Wisdom 8:12, which relates Jesus' silence to divine Wisdom, and consequently to Jesus' divine identity[111]. (4) The "form critical" interpretations read the episode in relation to the situation faced by later Christians: M. Dibelius argued that Herod's pericope derives from early Christian preaching on Psalm 2:2. E. Buck suggested that Jesus' silence serves as a model to Christians facing "bigots" and "malicious accusers"[112].

[107] Brown, *Death*, 769.

[108] Cf. M.L. Soards, "The Silence of Jesus before Herod: An Interpretative Suggestion," *Australian Biblical Review* 33 (1985) 41.

[109] Cf. W. Manson, *The Gospel of Luke* (MNTC; London – New York 1930) 256; E. Schweizer, *Das Evangelium nach Lukas übersetzt und erklärt* (NTD 3; Göttingen 1982) 234.

[110] Marshall, *Luke*, 859; G.S. Sloyan, *Jesus on Trial. The Development of the Passion Narratives and Their Historical and Ecumenical Implications* (Philadelphia, PA 1973) 96-100; Nolland, *Luke*, 1122.

[111] W. Grundmann, *Das Evangelium nach Lukas* (THKNT 3; Berlin ^{9}1981) 425; F.W. Danker, *Jesus and the New Age according to St. Luke. A Commentary on the Third Gospel* (St. Louis, MO 1972) 232-33.

[112] Dibelius, "Herodes", 113-126; Buck, "Function", 165-178.

Beyond Soards' four main categories there are other specific views on Jesus' silence that are worthy of attention. M.L. Soards himself suggested that the first readers of Luke's Gospel likely had two types of understandings of Jesus' silence before Herod Antipas: biblical and cultural. The biblical meaning ought to be looked for in Isaiah 53:7, whereas the cultural one in the wider pattern of victims suffering before their accusers in silence[113]. Soards argues that both these interpretations "are complementary to, rather than exclusive of, one another and work in tandem to suggest that Luke's readers would have understood Jesus' refusal to speak as an indication of the noble character manifested by Jesus as he does God's will"[114].

Another rationale for Jesus' silence is given by J. Nolland, who argued that the lack of any answer from Jesus could also be interpreted as a sign of his disdain for the charges, which do not deserve any reaction[115]. Some argue that during his public ministry Jesus had already sent an answer to Herod, whom he called "that fox" (13:32; cf. 13:32-33), and "that may have been thought to obviate the need for further response"[116]. It should also be underlined that in light of the literary standards of ancient Greece, where a philosopher should defend his actions and teaching before the judges (see Socrates' *Apology*), Jesus' silence could be perceived as disappointing. In fact, Celsus, in his critique of Christianity, brought forth this very silence by Jesus as

[113] Josephus Flavius, contemporary to Luke, writes about the conduct of Mariamne, the wife condemned to death by Herod the Great: "[she] spoke not a single word nor did she show confusion… [she] went to her death with a wholly calm demeanour and without change of colour, and so even in her last moments she made her nobility of descent very clear to those who were looking on" (*Ant.* 15.7.6). Cf. also Sirach 20:1 (*There is a reproof which is not timely; and there is a man who keeps silent but is wise*) and Daniel 13:34-41 (Susanna maintains her silence while having been wrongly accused). According to J.A. Darr, *On Character Building. The Reader and the Rhetoric of Characterization in Luke-Acts* (Literary Currents in Biblical Interpretation; Louisville, KY 1992) 165, the silence for Greco-Roman readers indicated "strong self-control". Undoubtedly, such a silence was taken as a demonstration of the *nobility* that bears up under a cruel fate. Interestingly, Jesus' behaviour does not fit the conduct of Christian martyrs, with their eloquent professions of faith.

[114] Soards, "Silence", 43.

[115] Nolland, *Luke*, 1122.

[116] Bock, *Luke*, 1819; Brown, *Death*, 772. Brown (*ibid.*, 773) continues this explanation: "The answer Jesus gave to Herod during the ministry (13:32-33) showed Jesus' determination not to be deflected from his work that on the third day would come to a termination related to prophets perishing in Jerusalem. Now the termination has come and Jesus is in Jerusalem; a further answer would be irrelevant, for no matter what Herod decides, Jesus will perish."

inappropriate[117]. As L.T. Johnson noted, "It is a good sign of Luke's deepest allegiance that despite his sensitivity to Hellenistic cultural norms (…) and his shading of the portrayal of Jesus in the direction of a *sophos* elsewhere in the passion account, he remains so close to his source in this scene, resisting the temptation to elaborate a defense speech for Jesus"[118].

As to the historicity of this aspect of the story, Luke could be depending on Mark's tradition of Jesus' silence before the high priest (14:61) and also before Pilate (15:5). On the other hand, however, Jesus' silence could have its own actual historical basis. As argued by L.T. Johnson, Jesus' silence "surely had a historical basis, otherwise it would present no problem requiring interpretation"[119]. In other words, since the episode is essentially real, it is for this very reason difficult to interpret – since we (and possibly Luke himself) do not possess all the relevant data. Conversely, if the story were invented, it would be much easier to understand.

3.3. Accusations and Mocking of Jesus (vv. 10-11)

The shouting and insistent presence of the chorus of *the high priests and scribes* (v. 10) increases the atmosphere of Herod's frustration. They try to force him to take their position. The term ἀρχιερεύς (*high priest*) appears in Luke thirteen times and, surprisingly, is connected in every instance (except for 3:2) with either the death of Jesus (9:22; 22:2; 24:20), the controversy about his mission (20:1), or his trial (22:4.5.52.54; 23:4.10.15). The two terms ἀρχιερεύς and γραμματεύς (*scribe*) occur together in Luke five times (9:22; 20:1; 22:2.66; 23:10; but never in Acts), always in the above-mentioned context of enmity against Christ[120]. The historical reason for the presence of the accusers in Herod's trial might be "the meticulous Roman care to have the accusers personally confront the accused (Acts 23:30.35)"[121]. From a narrative standpoint, Luke could be using this Roman custom as the rationale

[117] See Origen, *Against Celsus*, 2:35.

[118] L.T. Johnson, *The Gospel of Luke* (Sacra Pagina Series 3; Collegeville, MN 1991) 367.

[119] Johnson, *Luke*, 367.

[120] The phrase εἱστήκεισαν δέ describes also all the acquaintances and the women from Galilee watching the crucified Jesus (23:49). As in the Herod pericope, in 23:49 this expression appears together with the present participle of the verb for seeing (ὁρῶσαι). The same construction (εἱστήκει + the present participle [θεωρῶν]) is also found in 23:35 in describing the third mockery.

[121] Brown, *Death*, 771.

for Pilate sending the accusers to Herod. On the other hand, knowing the historical reality of Jesus' hearings, the accusers might be acting on their own, as totally opposed to Jesus and looking for any opportunity to accuse him. The presence of the high priest shows that their case is purely religious and not political, a point which Luke might want to stress, thinking of the pagan (Greek-Roman) audience of his gospel.

The verb κατηγορέω (*accuse*) occurs four times in Luke, and always in the context of the accusation against Jesus from the side of Jews (6:7; 23:2.10.14)[122]. The adverb εὐτόνως (*vehemently, vigorously*), found again in Acts 18:28, focuses on the vigor with which the Jewish leaders were arguing their case. The use of this term makes a link with ἐπίσχυον (*they insisted*) in 23:5, and serves to strengthen the first accusation before Pilate in 23:2 (*they began to accuse him*). In fact, H.W. Hoehner argued: "It is not stated what the specific charges were, but probably they were the same as those given before Pilate in Luke 23:2." He continues, "Apparently, only one of the charges concerned Antipas and that was Jesus' claim to kingship. For around this charge the mockery centres"[123].

In Luke's Gospel, in the description of Jesus' various trials, there is no other mention of mockery on the part of Roman soldiers (as in Mark 15:16-20 and Matthew 27:27-31; cf. Luke 23:36-37). The Herod pericope, despite its abbreviated form, stands as the only Lukan reminiscence of such an event. This fact is reasonably explained as an apology directed toward Rome and Gentiles. It is probably also due, in part, to Luke's desire to soften the report of the mistreatment of Jesus[124]. The personal involvement of Herod in the mockery should be underlined, as he lowers himself to join his troops. The word στράτευμα (*troops, soldiers, army*) lends itself to many different explanations. In Classical Greek stra,teuma was used to describe an *army division*. J.F. Fitzmyer wants to see here only "bodyguards or retinue"[125]. D.L. Bock argued that because the lexeme used here, found elsewhere only in Acts 23:10.27, differs from other Lukan military vocabulary, it might refer to "a special regiment"[126].

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[122] In the Synoptics this verb always has a connection with Jesus. The references in Acts (9 times) all refer to Paul. Among the 23 instances in the NT, in 22 cases it carries a juridical sense (the exception is Rom 2:15). Luke borrowed this term twice from Mark, though he modified the word in both cases (6:7/Mark 3:2; 23:2/Mark 15:3).

[123] Hoehner, *Herod Antipas*, 240.

[124] Harrington, *Lukan Passion*, 753.

[125] Fitzmyer, *Luke*, 1482.

[126] Bock, *Luke*, 1820. Luke uses many terms to describe soldiers in his Gospel (e.g. στατηγός, στρατόπεδον, στρατιά, στρατευόμενοι etc.). P.W. Walaskay, "The Trial and Death of Jesus

The mockery by Herod and his soldiers is the second of three mockeries found in the Lukan Passion Narrative (22:63-65; 23:11; 23:35-37). The same verb ἐμπαίζω (*to mock*) is used in all three instances. In the first occurrence (22:63) Jesus was mocked and taunted to prophesy by those who held him in custody. In the third mockery (23:36), at the crucifixion, Roman soldiers abused Jesus and mocked him as king of the Jews. The second mockery is described by the expression *having put around him a bright robe* (περιβαλὼν ἐσθῆτα λαμπράν - v. 11b). The verb περιβάλλω (*put on, clothe, dress*) is already the third aorist participle in the sentence. Taken together, they express "the supreme contempt and mistreatment of Jesus"[127]. There is however some disagreement as to the proper coordination of the participle περιβαλών with two other participles (ἐμπαίξας and ἀνέπεμψεν). Some scholars (Delbrück, Grundmann, Marshall, Rossé) choose the connection with ἐμπαίξας and read: *made a mockery by clothing*. The mockery could consist in putting royal clothes on Jesus or (as others think) regular clothes were put on someone who claimed to be a king and who mocked Jesus. There is however, as R.E. Brown pointed out, a grammatical difficulty in having one aorist participle subordinated to the other in this manner. Therefore most scholars (Blinzer, Fitzmyer, Joüon, Klostermann, Merk, Nestle, Redberg, Verrall, Vogels) connect περιβαλών with ἀνέπεμψεν and read: *having put around him… sent*[128].

The adjective λαμπρός, which does not occur in the other canonical gospels, has the meaning of *bright*, *shining* or *brilliant*. The noun ἐσθής (*clothing*) is used by Luke for angels (24:4; Acts 1:10; 10:30) or for a king (12:21 - ἐσθῆτα βασιλικήν). It has been suggested that in this occurrence the expression *shining clothing* might be understood as *shining white clothing*[129]. The usage of

in the Gospel of Luke", *Journal of Biblical Literature* 94 (1975), 92, observed that "a study of Lukan military vocabulary reveals only that Luke does not clearly define which soldiers report to Jews and which are under the *imperium*". Plummer (*Luke*, 523), commenting on 23:11, made an intriguing proposal, suggesting that "it was one of these [soldiers] perhaps that [Herod] had sent to behead John in the prison (Mk vi.27; Mt xiv.10)."

[127] Fitzmyer, *Luke*, 1482. K. Bornhäuser, "Die Beteiligung des Herodes am Prozesse Jesu", *Neue kirchliche Zeitschrift* 40 (1929) 715-717, argues that περιβαλών is self-reflexive and so describes Herod dressing himself to go back with Jesus to Pilate: *having thrown on himself the royal robe* ("Staatsgewaand"). Consequently, this personal accompaniment not only allowed the friendship between the two leaders to develop, but was a testimony of respect (*ibid.*, 717). However, περιβάλλω in the active voice is always transitive in the New Testament, so Bornhäuser's proposal must be dismissed. Cf. Hoehner, *Herod Antipas*, 242.

[128] Cf. Brown, *Death*, 774.

[129] P. Joüon, "Luc 23,11: ἐσθής λαμπράν", *Recherches de science religieuse* 26 (1936) 80-85, argues that the color most appropriate for the shining or splendid character of the

the expression *shining clothing* in Luke-Acts shows that the objective of the mockery could be Jesus' *royal* (and consequently *messianic*) dignity[130] and/or, taking into consideration the *white* color of the robe and the occurrence of the same expression ἐσθῆτι λαμπρᾷ referring to a heavenly being in Acts 10:30, ἐσθῆτα λαμπράν in the Herod pericope might highlight Jesus' *divinity* (sanctity)[131]. Neither interpretation, however, excludes the other[132]. Obviously, there is a natural tendency to interpret this expression in light of Mark's statement *they dressed him in purple* (ἐνδιδύσκουσιν αὐτὸν πορφύραν – 15:17), as well as *they put a scarlet robe around him* (χλαμύδα κοκκίνην περιέθηκαν αὐτῷ) in Matthew 27:28, and *they put around him a purple garment* (ἱμάτιον πορφυροῦν περιέβαλον αὐτόν) found in John 19:2. In fact, Syriac *Peshitta* reads in Luke 23:11 *clothing of scarlet.* In the instances above, taken from the other Gospels, the mockery performed by the Roman soldiers was clearly aimed at Jesus' royal status. If Luke followed the same line of thinking, then the *shinning garment* should be seen as mockery of Jesus' kingship.

description is white ("d'un vêtement d'un blanc éclatant" - *ibid.*, 80), so that the Latin rendition *vestis alba* or *candidus* (Vg) is correct. This color is a symbol of nobility, joy, and purity. The Essenes were in the habit of wearing white, whereas the accused come before the Sanhedrin wearing black or dark garments (cf. Josephus, *War* 2.8.3 and *Ant.* 14.9.4). Some authors (e.g. W. Grundmann, H.W. Hoehner, J.D.M. Derrett) understand ἐσθής λαμπράν as the *toga candida* of Roman candidates for office (Latin *candidatus* designates the candidate who is dressed with the white toga).

130 Cf. J.M. Creed, *The Gospel according to St. Luke. The Greek Text with Introduction, Notes and Indices* (London 1930) 282; R. Delbrueck, "Antiquarisches zu den Verspottungen Jesu", *Zeitschrift für die neutestamentliche Wissenschaft und die Kunde der älteren Kirche* 41 (1942) 124-145, esp. 135-137 and 140-142 (Jesus' robe was a parody of the white royal garment); Hoehner, *Herod Antipas*, 245 ("Jesus […] was mocked by the placing of the bright vestment of Messiah upon him"). According to Josephus (*War* 2.1.1; *Ant.* 8.7.3), a white robe was royal clothing. According to Polybius (*The Histories*, 10.4.8), the white toga (*toga candida*) was appropriate for a pretender to the throne. F. Bovon (*Luke*, 270) states that "The white, shining wool cloak was reserved for the past, present, or coming king of Israel." Fitzmyer (*Luke*, 1482) on the contrary: "There is no suggestion in this Lukan episode that the gorgeous robe has anything to do with Jesus' alleged kingship. That is to read a Marcan nuance into it."

131 Harrington, *Lukan Passion*, 802. The vestment itself has a symbolic value and its white color could recall Jesus' transfiguration, i.e. Jesus' divinity. Cf. Joüon, "Luc 23,11", 80-85.

132 It is G. Marconi, "Le veste (*esthēs*) come categoria ermeneutica del 'vedere' e semantica del divino negli scritti lucani ovvero l'estetica non-umana di Luca", *Rivista biblica* 39 (1991) 9 and 20, who sees in Jesus' shining robe a sign of his kingship, messiahship and especially divinity.

Another possibility, which nevertheless does not exclude the two foregoing interpretations, is that *shinning clothing* is chosen to mock Jesus' *guiltlessness* (cf. 23:15)[133] or, in a similar vein, the clothing was intended as a message to Pilate about Jesus' *innocence*[134]. In this interpretation, it is possible to take the force of ἐσθής λαμπράν from the context in which Jesus was sent a prisoner to Herod and Herod sends him back in a white garment. This gesture might have meant that Herod had found nothing that warrants continuing to treat Jesus as a prisoner. The message is that Jesus is innocent, guiltless, and should not be treated as a prisoner any longer[135]. In support of this interpretation, let us quote H.W. Hoehner, who states:

> "If Antipas had reckoned him guilty then he would have either kept him or declined to put the robe of mockery on him. At least he would have been more explicit in what he said to Pilate. (…) If Antipas thought Jesus to have been guilty then he would not have sent him back to Pilate but would have had a further trial and pronounced a sentence of guilt. Secondly, if this were the case, then Antipas' verdict would have been of vital significance to the progress of the trial, and it would seem at least one of the other evangelists would have mentioned Herod's verdict. Thirdly, it seems from the pericope that Antipas does not consider Jesus guilty, for he apparently ignores the accusations raised by the Jewish leaders. Finally, if Antipas did pronounce Jesus guilty it would seem that the Jewish leaders would have used this to influence Pilate and/or at least brought it to the attention of the crowd. But this is not hint of this"[136].

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[133] Fitzmyer, *Luke*, 1482; Brown, *Death*, 776.

[134] Hoehner, *Herod Antipas*, 243; Darr, *Glorified*, 298. Darr (*ibid.*, 300) added: "In essence, it was a dramatic and sardonic way of indicating to Pilate that Herod had found nothing worthy of death in Jesus."

[135] There are still other, less convincing interpretations of the white robe. For P. Parker the garment emphasizes Herod's participation in the events and indicates that Herod felt that Jesus was a political rival. P. Parker, "Herod Antipas and the Death of Jesus", *Jesus, the Gospels, and the Church. Essays in honor of William R. Farmer* (ed. E. P. Sanders) (Macon, GA 1987) 207. A.W. Verral suggested that the gesture was a positive one, treating Jesus respectfully as king. There is no real contempt for Jesus in the scene, only contempt for the political process. A.W. Verral, "Christ before Herod (Luke xxiii 1-16)", *Journal of Theological Studies* 10 (1908-1909) 343-344. See a critique of this view in Brown, *Death*, 775.

[136] Hoehner, *Herod Antipas*, 244-245.

3.4. The Friendship of Pilate and Herod (v. 12)

This verse is one more of Luke's inconsequential explicative notes[137]. As the result of Jesus' trial before Antipas, Pilate and Herod became friends. The verb *became*, aorist *ἐγένοντο*, creates a link with Luke 13:2, where the same form of this verb occurs. The incident with the Galileans whose blood Pilate mingled with their sacrifices has frequently been suggested as a reason for Pilate's sending Jesus to Herod, that he wanted to make amends with the tetrarch of Galilee. The noun *friend* (φίλος) according to J.M. Harrington creates a link with 21:16, where Luke, contrary to Mark (13:12), added φίλος: *You will be betrayed even by parents, brothers, relatives, and friends* (φίλων), *and they will have some of you put to death*. He considers this passage as preparatory not only for 23:12, but also for Acts 4:26-27; 7:54-60 and 12:1-2[138]. This suggestion does not seem to do justice to the text, however, since in 21:16 it is the friend (and betrayer) of persecuted person, while in Luke 23:12 and passages taken from Acts the friendship is a characteristic of persecutors.

The reference to friendship denotes equality between both parties, which from the viewpoint of political history is not unlikely. Both figures shared the same high social and political status. With the lack of historical evidence, neither the attitude of hostility nor their new friendship can be judged implausible. J.A. Darr noted that a real friendship in the case of Pilate and Antipas might be "highly conjectural". Nevertheless, he added that this relationship, though hard to believe, does evoke Paul's trial (Acts 25–26) where a Herodian ruler and a Roman governor are on friendly terms[139]. J.F. Fitzmyer observed that the mutual relationship between Pilate and Herod "is carried further in the *Gospel of Peter* (2,5), where Herod addresses the Roman prefect as 'Brother Pilate'"[140]. P.W. Walaskay thinks that the friendship might be a Lucan deduction from the fact that Pilate and Herod were deposed about the same time (AD 36 and 39 respectively)[141]. While this interpretation is possible, there is nothing explicit in the Lukan narrative to suggest this understanding[142].

[137] Cf. also 1:66; 2:50; 3:15; 8:29; 9:14; 12:1; 16:14; 20:20. See Jeremias, *Die Sprache*, 72 and 302.

[138] Harrington, *Lukan Passion*, 765.

[139] Darr, *Glorified*, 303-305.

[140] Fitzmyer, *Luke*, 1482.

[141] Walaskay, "Trial", 89-90.

[142] Soards ("Tradition", 360) noted that this explanation is so abstract as to be unlikely.

The friendship between Pilate and Herod might also be seen as irony: the persecutors, being equal, understand each other and become friends, while between Jesus and Antipas, belonging to totally opposite worlds, there is no chance for any mutual understanding or, consequently, friendship[143]. The surprising outcome of Jesus' trial before Antipas, the mutual friendship between Herod and Pilate, might also be understood as "a reflection of 'Luke's theology of the passion as forgiveness and healing"[144]. R.E. Brown explains this interpretation in the following way: "Herod has shown himself Jesus' enemy in a previous desire to kill him and in an exercise of contempt and mockery during the trial; but Jesus has provided the occasion of grace for both Herod and Pilate by healing their enmity, even as he healed the ear of the servant who came to arrest him"[145] .Jesus, acting always in a redemptive manner (cf. Acts 10:30), was acting in the same way during his trial and death. The intertextual allusion to Proverbs 15:28 (LXX) cannot be ignored: *The ways of the righteous persons are acceptable to the Lord, and through them even enemies become friends* (NETS).

4. The Function of the Account within its Lukan Context

Speaking about the context – and understanding that in the largest possible sense, i.e. as the whole of Luke's Gospel (even together with the Book of Acts) – one should look for the reason that Jesus' trial before Herod was included in Luke's narrative. There are many possible answers to this question. Let us begin from the least probable and proceed to the most plausible.

Some argue that this story is the result of Luke's eclectic research and is, therefore, merely the preservation of a relatively insignificant tradition. The only rationale behind weaving this irrelevant episode into the Gospel is Luke's faithfulness in including all the collected data into the fabric of his narratives[146]. But on the other hand – as a critique of this view – Luke thought the tradition important enough that he *did* include it: That is, by putting it in the Passion Narrative, he must have envisioned some purpose for it.

The Herod pericope is sometimes understood as the anticipation of later apostolic preaching in the Book of Acts. In this sense, the passion of Christ is

[143] Rossé, *Luca*, 953.

[144] Brown, *Death*, 778; cf. Harrington, *Lukan Passion*, 770.

[145] Brown, *Death*, 778.

[146] H.A.W. Meyer, *Critical and Exegetical Commentary on the New Testament.* II. *The Gospels of Mark and Luke* (Edinburgh 1880) 335-336.

mirrored in the persecutions of the Church[147]. However, the discrepancy between Herod's disposition toward Jesus in Luke 23 (Herod recognizes Jesus' innocence) versus that in Acts 4 (Herod is aligned against Jesus) makes this explanation unlikely[148].

Some argue that the purpose of Luke 23:6-12 is to contrast Herod and Jesus[149]. This contrast is unquestionable, but at the same time it is possible to contrast Jesus with almost every other character, not only in the Passion Narrative but throughout the entire Gospel. The general nature of this proposal renders its value marginal.

For A. Vanhoye the goal of this pericope is to criticize a mistaken or false interest in the person of Jesus. Luke criticizes Herod's pure curiosity, his attraction to the entertainment aspect and desire to simply see miracles and wonders[150]. This explanation is plausible, but one might search for some theological agenda behind this Lukan episode.

M. Dibelius has stressed the relationship between Luke 23:6-12 and Acts 4:25-28 where Luke quoted Psalm 2:1-2. In his understanding, the Herod pericope has been entirely created by Luke himself in order to provide the necessary historical antecedent to Acts 4:27[151]. This view is followed by some recent scholars who, harking back to Acts 4:25-28, argue that the purpose of the Herod pericope is to fulfill Psalm 2[152]. But the discrepancy between the sense of Acts 4:25-28 and Luke 23:6-12 makes this view improbable[153]. On

147 Danker, *Jesus*, 232-233; Corbin, "Jésus devant Hérode", 194.

148 Darr, *Glorified*, 304. See e.g. Brown's line of argumentation against this view (*Death*, 779-781).

149 K.H. Rengstorf, *Das Evangelium nach Lukas* (Das Neue Testament Deutsch 3; Göttingen [15]1974) 263-264; J. Ernst, *Das Evangelium nach Lukas* (Regensburger Neues Testament 3; Regensburg [5]1977) 624-625; A. George, *Études sur l'œuvre de Luc* (Sources bibliques 4; Paris 1978) 278.

150 A. Vanhoye, *La Passion selon les quatre Évangiles* (Lire la Bible 55; Paris 1981) 38.

151 Dibelius, "Herodes", 113-126.

152 Marshall, *Luke*, 854-855; C.H. Talbert, *Reading Luke. A Literary and Theological Commentary on the Third Gospel* (New York, NY 1982) 217-218.

153 There are a few differences: (1) *Gattung:* In the Gospel there is a narrative, the fruit of Luke's redactional work (here Luke follows his source, which he reworked), while in Acts a liturgical prayer is quoted by the narrator (here Luke reproduces a liturgical tradition that he does not change in any significant way). (2) In the Gospel the intentions of Pilate and Herod diverge and they do not come together, as described in Acts, in a judgment against Jesus. (3) In the Gospel there is "neither a biblical quotation nor a theological reflection, while in Acts Psalm 2 nourishes the narrative memory, and the prayer shows the divine hand behind human actions." (4) "While Luke 23:6-12 stays with the innocence of

the other hand, the fact that the early church saw Psalm 2 fulfilled in this way is beyond dispute.

H.W. Hoehner argued that the main point of interest in the whole Herod pericope is the reconciliation between Pilate and Antipas. He suggested that "it may be that Theophilus, who was probably a Roman officer, would have been deeply interested in the relationship of the Herods with the prefects of Judaea. If this is the case, one can see the reason for its inclusion and yet at the same time the reason for its exclusion by the other evangelists, since it gives no help in the progress of Jesus' trial"[154]. This explanation is unlikely, since (1) there is no proof that Theophilus was indeed a Roman soldier and moreover a soldier interested in the political relationship between the Herodian house and Pilate. If Theophilus was a Christian, he would have been interested in any relationship in which Jesus was involved. (2) There is also no compelling argument that the reconciliation is indeed the main theme conveyed by this short narrative. It is rather Jesus' innocence[155].

Some authors suggest that the purpose of the Herod pericope is to inculpate the Jews and perhaps simultaneously to exculpate (exonerate) Pilate and the Romans[156]. P.W. Walaskay argues that Herod, being a half-Jew, provides the necessary link between the Empire and the Sanhedrin, and gives the entire text an anti-Jewish and pro-Roman interpretation[157]. M.L. Soards presents several objections to this view. For instance, (1) the Jewish leaders appear no worse in the Herod pericope (e.g. 23:10) than elsewhere in Luke's Passion Narrative. (2) The attribution of the mocking scene to Antipas does not really function as this interpretation suggests, i.e. one may wonder whether Herod Antipas (from a half-Jewish father and a Samaritan mother) appears here more obviously as a Jew or as a Roman official. (3) The subsequent acquie-

Jesus, Acts 4:25-28 differs by emphasizing the judgment against him." After Bovon, *Luke*, 262. Cf. also O.C. Edwards, *Luke's Story of Jesus* (Philadelphia, PA 1981) 90-91.

154 Hoehner, *Herod Antipas*, 249-250.

155 It is surprising, but H.W. Hoehner himself acknowledges this view by saying: "Luke himself thought of the incident as a sort of a climax to Jesus' trial in the sense that it gave support to Pilate's view of Jesus' innocence" (*Herod Antipas*, 250).

156 F.C. Baur, *Kritische Untersuchungen über die kanonischen Evangelien, ihr Verhältniss zu einander, ihren Charakter und Ursprung* (Tübingen 1847) 489; Dibelius, "Herodes", 120; Rengstorf, *Lukas*, 263-265; E.E. Ellis, *The Gospel of Luke* (New Century Bible; London ²1974) 260-261; Ernst, *Lukas*, 624-625; Corbin, "Jésus devant Hérode", 190-197; C.U. Manus, "The Universalism of Luke and the Motif of Reconciliation in Luke 23:6–13", *African Journal of Theology* 16 (1987) 121-135, esp. 126.

157 Walaskay, "Trial", 81.

scence by Pilate to the Jewish crowd does not really flatter Rome (although it is Pilate who tries hardest to have Jesus released)[158].

Another purpose posited for this story is that Herod provides a second (official) witness to Jesus' innocence[159]. This explanation is based on the requirements of Deuteronomy 19:15 (*A single witness may not testify against another person for any trespass or sin that he commits. A matter may be legal only on the testimony of two or three witnesses*). Some confirmation to this interpretation can be found in Luke 23:15, where Pilate cites Herod's testimony as a witness to Jesus' innocence: *Neither did Herod, for he sent him back to us. Look, he has done nothing deserving death*[160]. As there is no explicit indication in the text that Luke had this purpose in mind, in the opinion of most scholars this interpretation is debatable at least. In fact, R.E. Brown rightly argues: "For Luke (23:14-15) the important final effect is that two persuasive witnesses, the Jewish tetrarch and the Roman prefect, attest to Jesus being innocent of the charges advanced – persuasive not because Jewish law required two witnesses (Deut 19:15), but because of their status"[161].

Ephesians 2:11-23 speaks of the reconciliation between those who are circumcised and those uncircumcised (cf. 2:14). Beginning from antiquity with Ambrose of Milan and Cyril of Jerusalem, some authors argue that the Herod pericope speaks about the same event: Christ's passion, and his redemptive death, is the means of reconciliation within hostile humanity, especially between Jews (symbolized by Antipas) and Gentiles (symbolized by Pilate) or between Jewish Judaism and Gentile paganism[162]. Such an interpretation is

158 Soards, "Tradition", 361.

159 R. Morgenthaler (*Die lukanische Geschichtsschreibung als Zeugnis. Gestalt und Gehalt der Kunst des Lukas* [Abhandlungen zur Theologie des Alten und Neuen Testaments 14-15; Zürich 1949]) was the first to present this view. H. Van Vliet (*No Single Testimony. A Study on the Adoption of the Law of Deut. 19:15 par. into the New Testament* [STRT 4; Utrecht 1958] 3) argued that Luke was writing his two-volume work as a witness "and therefore took care to give twofold or threefold evidence".

160 It has been unconvincingly suggested that Luke included the pericope because "Herod is counterbalanced in Luke's system of dual witness by Caiaphas – i.e. Rome by Israel" – V.E. McEachern, "Dual Witness and Sabbath Motif in Luke", *Canadian Journal of Theology* 12 (1966) 267-280.

161 Brown, *Death*, 777.

162 Manus, "Universalism of Luke", 121-135; Talbert, *Reading*, 217; Schweizer, *Lukas*, 234; H.H. Hobbs, *An Exposition of the Gospel of Luke* (Grand Rapids, MI 1966) 328; Corbin, "Jésus devant Hérode", 190; J.-N. Aletti, *L'art de raconter Jésus Christ. L'écriture narrative de l'évangile de Luc* (Parole de Dieu; Paris 1989) 166. J. Drury, *Tradition and Design in Luke's Gospel. A Study in Early Christian Historiography* (London 1976)

corroborated by the symbolic reading of the friendship between Pilate and Herod favored by some commentators. Other authors doubt if this idea finds its place in the theological scheme of Luke at this point[163].

In a similar view, W. Hillmann sees Luke 23:1-25 as presenting Christianity (symbolized by Jesus) in relation to the Romans (Pilate) and the Jews (Herod)[164]. In the case of the relation to the Romans, the Herod pericope might function as an apology, defending Christians who are being accused as destroyers of the public order. Jesus' silent and peaceful attitude would dismiss any suggestion regarding Christian revolutionary spirit[165]. Indeed, it has been argued that the main purpose of the pericope is purely apologetic. The whole Lukan Passion Narrative – and the Herod pericope is no exception here – depicts Jesus as innocent of the political charges brought against him. Simply put, Jesus is shown as one posing no political threat to the Roman authorities[166]. Undoubtedly Luke was apologetic in the way in which he wrote Jesus' story, yet he was primarily addressing it to the church. As E. Buck noted, "his concerns are rather more hortatory than they are apologetic"[167]. As to the relation with Judaism, E. Buck argued that any silence on Jesus' part (before Pilate, the Sanhedrin and Herod) has specific reference to the opposition emanating from Judaism. The key to Jesus' silence is found in Luke 22:67-68. In the silence of Jesus before his Jewish adversaries, in E. Buck's opinion, "we see reflected the recognition of the early church that communication with Judaism as such has broken down. (…) in Jesus' appearance before Herod, Luke saw the example *par excellence* of how Jesus would have his church respond to the opposition emanating from the Jewish adversaries"[168].

17 ("The Jewish ruler is reconciled to the gentile on the very day of the shedding of Christ's blood.").

163 Brown, *Death*, 778. W. Grundmann (*Lukas*, 425) finds in the fact of reconciliation the theology of martyrdom: "Pilate and Herod from enemies became the witnesses of innocence, and in it becomes visible the victorious power of martyr."

164 W. Hillmann, *Aufbau und Deutung der synoptischen Leidensberichte. Ein Beitrag zur Kompositionstechnik und Sinndeutung der drei älteren Evangelien* (Freiburg 1941) 254-255.

165 According to A. Weiser (Πιλᾶτος, *DENT* II, 932) Luke defends both Jesus and Christians before the Roman state by having Pilate three times attest to Jesus' innocence (23:4.14f.22).

166 A. Büchele, *Der Tod Jesu im Lukasevangelium. Eine redaktionsgeschichtliche Untersuchung zu Lk 23* (Frankfurter Theologische Studien 26; Frankfurt 1978) 33.

167 Buck, "Function", 166.169.

168 Buck, "Function", 176. The same view is shared by G. Schneider, *Verleugnung, Verspottung und Verhör Jesu nach Lukas 22, 54-71* (Studien zum Alten und Neuen Testament 22; München 1969) 172.

A majority of commentators have suggested that the crucial reason for the inclusion of the Herod scene in the Lukan Passion Narrative is to emphasize the innocence of Jesus. Corroboration of this view again comes in v. 15, where Pilate explicitly confirms Jesus' innocence. As M.L. Soards wrote: "Indeed, by means of the threefold statement of Jesus' innocence by Pilate, Luke stresses Jesus' innocence. Herod's verdict compounds the force of this emphasis. If so wicked a man as Herod, who himself would kill Jesus (13,31), is obliged to recognize his innocence, one cannot help but see the injustice of Jesus' execution"[169].

The stress placed by the Herod Pericope on Jesus' innocence arguably has at least a four-fold purpose: historical, christological, pedagogical (parenetic-paradigmatic) and apologetic. (1) Luke, as a good historian, describes historical reality: Jesus was indeed innocent, despite having been place on trial. (2) Jesus' behavior helps to reveal his true identity. In this case, Jesus' silence might be related to Isaiah 53:7 (cf. Psalm 39:10), showing that Jesus is truly the Suffering Servant[170]. Jesus' guiltlessness, acknowledged by both Pilate and Herod, provokes the reconciliation between the two rulers, showing in fact the redemptive power of Jesus' death and consequently his true identity as the one who brings peace. (3) Jesus is presented as a model for later Christians to imitate[171]. Indeed, there as some interesting parallels between the Herod pericope and the narrative on Peter's arrest by Herod Agrippa in Acts 12:1-17, as well as between the trial of Jesus before the Sanhedrin and the appearance of Peter and John before the same body (Acts 4:1-22)[172]. In the same way, Jesus' trial before Pilate and Herod is paralleled by Paul's trial before both Roman (Festus, Felix) and Jewish authorities (Herod Agrippa II) as reflected in Acts 24–26[173]. It shows Luke's

[169] Soards ("Tradition", 361), speaking about the innocence of Jesus here, also sees as the purpose of this pericope to provide a model for later Christians to imitate.

[170] For Büchele (*Der Tod Jesu*, 33) it is one of the three main purposes of this pericope.

[171] Neyrey, *Passion*, 80.

[172] Both Jesus and Peter are arraigned before a Herodian ruler. It is the same time of year in both cases (Luke 22:1.7; Acts 12:3). Both Jesus and Peter must confront the Herodian guard. They both are presented as not speaking to the rulers. E. Buck ("Function", 174) continues: "Deliverance comes in such a way that the tetrarch Herod Antipas, who had wanted to see a sign performed by Jesus (Lk. 23:8), now gets a fulfillment of that wish in the miraculous escape of Peter. But the parallel breaks down right here: the humiliation of his Lord, Peter is not required to endure. Whereas Jesus was sent away from Herod with a white robe, intended to mark him as a fraud, Peter throws his own robe around himself and follows the angel out of prison, praising the Lord for his deliverance!"

[173] See H. Omerzu, "Das traditionsgeschichtliche Verhältnis der Begegnungen von Jesus mit Herodes Antipas und Paulus mit Agrippa II", *Studien zum Neuen Testament und seiner*

intention of portraying first members of the church – suffering the ill will of Judaism and the unfair administration of justice on the part of the Romans – as imitating Jesus, who had braved the same hostilities. Moreover, the negative example of the figures of Herod and Pilate, who experience reconciliation, can also be seen within the parenetic-pardigmatic frame. As F. Bovon noted, "The readers realize that only faith and not sight makes it possible to lay hold of the identity and the work of Jesus Christ. They understand that, even if the Christian religion often brings forces together against itself that previously were divided, it also bears witness to a reconciliation brought about the one who wears the messianic cloak not simply as an object of derision"[174]. (4) Luke's Passion Narrative is permeated by apologetic concerns. As to the Herod Pericope, a political-apologetic overtone in favor of Christians is encapsulated in the fact that Jesus' innocence is affirmed by two legal authorities. The identity of those authorities, corresponding to the Gentiles and Jews, is of ultimate importance in the context of the persecutions faced by early Christians from these two groups.

* * * *

The episode of the trial of Jesus before Herod Antipas, being unique to Luke's Gospel (23:6-12) – and despite the popular notion that it does not contribute to the development of the Lukan Passion Narrative – is nevertheless shown to fulfill a pertinent and multi-faceted function. In the course of the literary analysis, the most intriguing problem discussed was the origin of this narrative. Despite the prevailing opinion arguing for the Markan origin of the text, it seems more reasonable to assume the existence of an independent source (or sources), written or oral, which gave rise the whole tradition of the encounter between Jesus and Herod. Luke was fully responsible for the

Umwelt 28 (2003) 121-145. F. Bovon (*Luke*, 263) concludes: "The evangelist is concerned to make the fate of Jesus the Master and that of his disciple, Paul, as paralel as possible. In all probability the literary movement flows from the disciple to the Master. When he creates the Gospel episode, Luke is already thinking of Paul's appearance, which he will portray in his second work." For more on the feature called *synkrisis* in Luke's two-volume work, see A.J. Mattil, "The Paul-Jesus Parallels and the Purpose of Luke-Acts: H.H. Evans Reconsidered", *Novum Testamentum* 17 (1975) 15-46; J.-N. Aletti, *Il racconto come teologia. Studio narrativo del terzo vangelo e del libro degli Atti degli Apostoli* (Biblica; Bologna 2009); L. Rossi, *Pietro e Paolo testimoni del Crocifisso-Risorto. La* synkrisis *in At 12,1-24 e 27,1-28,16: continuità e discontinuità di un parallelismo nell'opera lucana* (Analecta Biblica 205; Roma 2014).

[174] Bovon, *Luke*, 272.

wording of this episode. As to the historicity of this encounter, there are good reasons to accept the fact that it really took place. All the objections advanced by a substantial number of authors can be reasonably countered. The exegetical analysis pointed out the importance of Jesus' silence, the act of putting a white robe on Jesus, and the reconciliation between Herod and Pilate. Each of these three realities has profound christological meaning, revealing Jesus' true identity.

The main objective of this article was the search for the most plausible reason(s) for including this episode within the Lukan Passion Narrative. Jesus always plays an active, dynamic role elsewhere in the Lukan Passion Narrative, but in the Herod pericope there is a striking contrast as Jesus remains passive. Jesus likewise usually dominates the Passion scenes, yet even when that domination is not by means of his words and deeds, as is the case in this episode, he remains in control through his silence. It seems that the main stress of the whole narrative lies on Jesus' innocence. Under that overriding theme, the passage is seen to have at least a four-fold purpose: historical (Jesus was guiltless despite being placed on trial); christological (the true identity of Jesus' person and mission is disclosed by Jesus' behavior and its effect, i.e. reconciliation); pedagogical (Jesus is a model for later Christians to imitate, and Herod is an anti-model by his lack of faith); and apologetic (Jesus, and consequently Christians, are innocent of the charges brought against them by both Rome and the Jews).

PROCES JEZUSA PRZED HERODEM ANTYPASEM

Streszczenie

Opowiadanie o procesie Jezusa przed trybunałem Heroda Antypasa, zamieszczone w Ewangelii Łukaszowej 23,6-12, ma jedną główną funkcję, mianowicie ukazanie niewinności Jezusa. Wśród egzegetów spotyka się opinie, iż opowiadanie jest kompozycyjną fikcją, nieopartą na faktach, gdyż narracja ta nie wnosi niczego istotnego do Łukaszowego opisu męki i śmierci Jezusa, powtarzając jedynie występujące wcześniej motywy. Okazuje się jednak, iż opowiadanie, kładąc nacisk na znany już fakt niewinności Jezusa, posiada nowe elementy oraz odgrywa istotną rolę w ogólnym teologicznym przesłaniu Łukaszowego opisu męki Jezusa. Można zatem mówić o czterech

funkcjach opowiadania, a właściwie funkcjach prezentacji niewinnego i milczącego Jezusa: historycznej (Jezus był niewinny, mimo że został postawiony przed sądem), chrystologicznej (milczenie Jezusa nawiązuje do proroctwa Iz 53,7 i wskazuje na jego tożsamość Cierpiącego Sługi Pańskiego; sąd nad Jezusem prowadzi do pojednania pomiędzy wrogami, Herodem i Piłatem, ukazując zbawienne skutki męki i śmierci Jezusa, co także wskazuje na Jego prawdziwą tożsamość, jako Zbawiciela i Dawcy Pokoju), pedagogicznej, czy inaczej parenetyczno-kerygmatycznej (prześladowany Jezus ukazany jest jako model do naśladowania dla prześladowanych chrześcijan) oraz apologetycznej (niewinność Jezusa potwierdzona jest przez dwa niezależne trybunały: żydowski i rzymski, co ma znaczenie w kontekście prześladowań pierwszych chrześcijan ze strony środowisk żydowskich i Cesarstwa).

Keywords: Herod Antipas, Jesus' trial, Passion Narrative, silence, innocence

Słowa klucze: Herod Antypas, proces Jezusa, męka Jezus, milczenie, niewinność