

# Criminal Injustice

## Luke 23:1-25

**Series:** The Climax of the Cross (Luke, Spring 2020)

**Preaching Date:** March 29, 2020

**Worship:** Christ the Suffering King

**Key Sentence:** Self-seeking, self-serving men condemn the other-seeking innocent Jesus by both false and true charges.

**Outline:**

I. Injustice before Pilate (Luke 23:1-7)

II. Injustice before Herod (Luke 23 8-12)

III. Injustice before the crowd (Luke 23:13-25)

**Luke 23:1-25** Then the whole company of them arose and brought him before Pilate. <sup>2</sup>And they began to accuse him, saying, “We found this man misleading our nation and forbidding us to give tribute to Caesar, and saying that he himself is Christ, a king.” <sup>3</sup>And Pilate asked him, “Are you the King of the Jews?” And he answered him, “You have said so.” <sup>4</sup>Then Pilate said to the chief priests and the crowds, “I find no guilt in this man.” <sup>5</sup>But they were urgent, saying, “He stirs up the people, teaching throughout all Judea, from Galilee even to this place.” <sup>6</sup>When Pilate heard this, he asked whether the man was a Galilean. <sup>7</sup>And when he learned that he belonged to Herod’s jurisdiction, he sent him over to Herod, who was himself in Jerusalem at that time.

<sup>8</sup>When Herod saw Jesus, he was very glad, for he had long desired to see him, because he had heard about him, and he was hoping to see some sign done by him. <sup>9</sup>So he questioned him at some length, but he made no answer. <sup>10</sup>The chief priests and the scribes stood by, vehemently accusing him. <sup>11</sup>And Herod with his soldiers treated him with contempt and mocked him. Then, arraying him in splendid clothing, he sent him back to Pilate. <sup>12</sup>And Herod and Pilate became friends with each other that very day, for before this they had been at enmity with each other.

<sup>13</sup>Pilate then called together the chief priests and the rulers and the people, <sup>14</sup>and said to them, “You brought me this man as one who was misleading the people. And after examining him before you, behold, I did not find this man guilty of any of your charges against him. <sup>15</sup>Neither did Herod, for he sent him back to us. Look, nothing deserving death has been done by him. <sup>16</sup>I will therefore punish and release him.” <sup>17</sup> <sup>18</sup>But they all cried out together, “Away with this man, and release to us Barabbas”— <sup>19</sup>a man who had been thrown into prison for an insurrection started in the city and for murder.

<sup>20</sup>Pilate addressed them once more, desiring to release Jesus, <sup>21</sup>but they kept shouting, “Crucify, crucify him!” <sup>22</sup>A third time he said to them, “Why, what evil has he done? I have found in him no guilt deserving death. I will therefore punish and release him.” <sup>23</sup>But they were urgent, demanding with loud cries that he should be crucified. And their voices prevailed. <sup>24</sup>So Pilate decided that their demand should be granted. <sup>25</sup>He released the man who had been thrown into prison for insurrection and murder, for whom they asked, but he delivered Jesus over to their will.

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### Luke 23:1-25

Good morning again. As I said when we started, we're at an interesting moment in our study of Luke. Though on our calendars Palm Sunday is still a week away, we're studying Friday of Easter week, Good Friday. We're taking these last chapters of Luke slowly. Last week was the arrest of Jesus, Thursday night, and this week is the trial of Jesus, but not til next week will we study the actual crucifixion. So, it's Friday, and in today's text we see the awful injustices that were done to the innocent Jesus. It's Friday, but Sunday's coming. Maybe that's a word we need to hear in a world turned upside down by Coronavirus.

Do you recognize the reference? S. M. Lockridge, one of the great African American preachers of the last generation had a sermon called "Sunday's Coming." I won't try to do his voice, but here's some of it: "It's Friday. Jesus is praying. Peter's a sleeping. Judas is betraying. But Sunday's comin'. It's Friday. Pilate's struggling. The council is conspiring. The crowd is vilifying. They don't even know that Sunday's comin'. It's Friday. The disciples are running, like sheep without a shepherd. Mary's crying. Peter is denying. But they don't know that Sunday's a comin'. It's Friday. The Romans beat my Jesus. They robe him in scarlet. They crown him with thorns. But they don't know that Sunday's comin'." Well, it goes on, but that's about as far as we'll get today. It's Friday, the day of the world's greatest injustice. But Sunday's comin'.

We talked last week about the first interrogation of Jesus, where Annas and the chief priests asked him if he was the Messiah, which they didn't believe and if he was the Son of God, which they held to be blasphemous. Yet both those things were true. In today's text this injustice multiplies as Pilate, Herod and the crowd condemn Jesus for claiming to be what he was, the Christ, the Son of God, and the promised king. We'll see again today that self-seeking and self-serving men condemn the other-seeking, God-serving and innocent Jesus.

This is the point of connection. Jesus is unlike anyone else in this story and unlike me, and unlike any of us, because Jesus is wholly innocent of all these charges leveled against him. The others in these accounts are acting out character traits that we have as well, and these can drive us, in our own spheres to injustice against the innocent. If we look at the bad guys in last week's account, Annas, the chief priests, and leaders of the people, we find they were acting out of self-interest, trying to preserve their place, their power, their influence. This is common. We call it "getting defensive." We want to preserve our place, the little authority we have, our reputation, our opinions.

When someone questions or threatens those things, our impulse is to push back, to disagree, to think poorly of their character and disregard their thinking. What is the internet these days but a massive example of that? And yet I find it to be present inside me as well. So often I have to disregard those first impulses and bathe my actual responses in self-examination and prayer.

Their self-serving charges are now taken to Pilate the Roman governor, who has a different set of character flaws and circumstances. Luke 23:1-7 *Then the whole company of them arose and brought him before Pilate. <sup>2</sup>And they began to accuse him, saying, "We found this man misleading our nation and forbidding us to give tribute to Caesar, and saying that he himself is Christ, a king." <sup>3</sup>And Pilate asked him, "Are you the King of the Jews?" And he answered him, "You have said so." <sup>4</sup>Then Pilate said to the chief priests and the crowds, "I find no guilt in this man." <sup>5</sup>But they were urgent, saying, "He stirs up the people, teaching throughout all Judea, from Galilee even to this place." <sup>6</sup>When Pilate heard this, he asked whether the man was a Galilean. <sup>7</sup>And when he learned that he belonged to Herod's jurisdiction, he sent him over to Herod, who was himself in Jerusalem at that time.*

Jesus had prophesied that the chief priests and leaders of the people would betray him to the Gentiles and he would be mocked and flogged and crucified. Here Jesus is turned over to the Romans, who had the power of life and death in Palestine, and whose chief instrument of death for criminals and rebels was crucifixion. The leaders of the people begin with blatantly false accusations about Jesus. "We found this man misleading our nation and forbidding us to give tribute to Caesar." If anyone was misleading the nation it these chief priests, who refused to see that Jesus was leading the nation into a new kind of kingdom, an upside down kingdom of righteousness. They had taken his criticism of them as an attack against Israel, when his goal was to rescue Israel.

The second part of the accusation was a flat out lie. They had tried to get him to oppose paying taxes to Caesar, and he had said: "Give to Caesar what is Caesar's and to God what is God's" Notice the guilt of the Jewish leaders. They knew this charge was a lie. It was they who had conspired to ask Jesus the question in the first place. It was they who had been confounded by his answer. But with amazing hardness of heart they ignore his clear answer and accuse him of what they had hoped he would say.

But the third thing they bring is absolute truth: "He claims to be the Christ, a king." We've already seen that the Christ was expected to be a king. Jesus himself understood the Christ to be the one in authority, sitting at the right hand of God. And what had Jesus talked about for three years? The kingdom of God.

“Repent, for the kingdom of heaven is near.” “Blessed are the poor in spirit, for theirs is the kingdom of heaven.” “Let the little children come to me, for the kingdom of heaven belongs to such as these.” “The kingdom of God is within you.” “No one can see the kingdom of God unless he is born again.” Jesus was preaching a kingdom and a kingdom requires a king. It was him.

Jesus was preaching a kingdom, but it was not a political kingdom in Jerusalem and Judea and Galilee. It was present, it was within you, all who followed in faith were part of that kingdom. But it was also “not yet.” It was a feast yet to come, an anticipated return, a final vindication. Yet neither the kingdom of all who followed him nor the kingdom to come had anything to do with overthrowing the Romans, nor with setting up a throne in Jerusalem nor with subduing the nations. Nothing Jesus had said or done implied that, and in fact when they tried to make him king by force he had evaded them. So he was innocent, despite the fact that the charge against him was true. He was the king. But his kingdom was not brought in by rebellion, and not seen in political and earthly power. All political victory would be part of the second coming he prophesied.

Luke does not record all the conversation between Jesus and Pilate. He only records Pilate’s conclusion: “I find no basis for a charge against this man.” The Gospel of John fills in the blanks. John 18:33-38 So Pilate entered his headquarters again and called Jesus and said to him, “Are you the King of the Jews?”<sup>34</sup> Jesus answered, “Do you say this of your own accord, or did others say it to you about me?”<sup>35</sup> Pilate answered, “Am I a Jew? Your own nation and the chief priests have delivered you over to me. What have you done?”<sup>36</sup> Jesus answered, “My kingdom is not of this world. If my kingdom were of this world, my servants would have been fighting, that I might not be delivered over to the Jews. But my kingdom is not from the world.”<sup>37</sup> Then Pilate said to him, “So you are a king?” Jesus answered, “You say that I am a king. For this purpose I was born and for this purpose I have come into the world—to bear witness to the truth. Everyone who is of the truth listens to my voice.”<sup>38</sup> Pilate said to him, “What is truth?” After he had said this, he went back outside to the Jews and told them, “I find no guilt in him.

Pilate, struggling to understand Jesus, concluded that he was no threat. So the Jewish leaders threw more accusations at him: “But they were urgent, saying, ‘He stirs up the people, teaching throughout all Judea, from Galilee even to this place.’” It’s true that Jesus started in Galilee and purposely came to Jerusalem. It’s true that he was stirring up people. Anyone who could raise a dead man, or heal a blind man, was bound create a stir. But rebellion? Insurrection? Plots against the Romans? Pilate was smart enough to see that none of those could be true. But he wasn’t courageous enough to release Jesus.

So, he latches on to the mention of Galilee, and sends Jesus over to Herod. Verse 6: “When Pilate heard this, he asked whether the man was a Galilean. <sup>7</sup>And when he learned that he belonged to Herod’s jurisdiction, he sent him over to Herod, who was himself in Jerusalem at that time.” This ‘Herod’ is Herod Antipas, son of Herod the Great. He ruled one fourth of his father’s kingdom, Galilee. We’ve heard about Herod in this gospel. He had married his brother’s wife, had been called out by John the Baptist, ended up having John beheaded, and then became curious about Jesus: “John I beheaded, but who is this about whom I hear such things?” He sought to see him, but apparently had not, yet.

Now he has his chance. Luke 23:8-12 *When Herod saw Jesus, he was very glad, for he had long desired to see him, because he had heard about him, and he was hoping to see some sign done by him. <sup>9</sup>So he questioned him at some length, but he made no answer. <sup>10</sup>The chief priests and the scribes stood by, vehemently accusing him. <sup>11</sup>And Herod with his soldiers treated him with contempt and mocked him. Then, arraying him in splendid clothing, he sent him back to Pilate. <sup>12</sup>And Herod and Pilate became friends with each other that very day, for before this they had been at enmity with each other.*

Herod doesn’t seem to have any intention of either judging Jesus or releasing him. He just wants a show. He wants to be entertained. He’s a lot like us, I’m afraid. Even the Coronavirus pandemic, so far, has mostly been out there, elsewhere, fascinating us. I think for Herod Jesus was a novelty. A bit threatening because of his calls for integrity, but mostly entertaining: “he was hoping to see some sign done by him.” Herod wanted him to prove he was a miracle worker.

Once again this was a true accusation. Jesus did miracles, but not to satisfy curiosity. Most of his miracles are acts of compassion. At times, as when he calmed the storm or fed the 5000, his miracles are also spectacular. But whenever someone asked him for a sign, he rebuked them. So, as Herod plied him with questions, Jesus did not answer, and did no miracles. Like a lamb silent before its shearers, as the prophet had said, Jesus stood silent.

R. Kent Hughes comments “Jesus was willing to reason with the scoundrel high priest Caiaphas. Jesus conversed with Pilate and give him great substance for thought. . . . But this same Jesus maintained a dreadful silence before Herod.” Hughes suggests that in killing John Herod had deadened his conscience. Nothing Jesus could have said would have aroused it. Instead, Herod “stood face-to-face with God the Son who is absolute righteousness and absolute goodness and saw nothing in him.” Are we like Herod? Have we so dulled our consciences with entertainments that Jesus is less compelling than the latest streaming series or video game? Lord, let it not be so!

With this childish attitude, Jesus' silence throws Herod into a rage. Verse 11: "Herod with his soldiers treated him with contempt and mocked him." This is more of what we saw last week, what we'll see up to the moment of Jesus' death. He suffered the physical pain of crucifixion and the much worse spiritual pain of sin-bearing, but he also suffered mocking and contempt. As the hymn "O Sacred Head Now Wounded," says "How pale thou art with anguish, with sore abuse and scorn." Evidently, they were taunting him about being a king, because they dressed him in an elegant robe, and sent him back to Pilate.

What have we seen so far? Jesus is being charged with things that, even if true, are no reason for death. Was he the Messiah? Yes, but not the political messiah they hoped for. Was he the Son of God? Yes, but since it was true, it was not blasphemy. Was he the King of the Jews? Yes, but his kingdom was not a political threat. Was he a miracle worker? Yes, but not a sensationalist. Their reasons for condemning him show more about themselves than about him.

What is Jesus to you? Is he the true Messiah? The one who came to rescue men from sin, who died to pay the penalty for sins, who lives to make men righteous? Have you put your trust in this Messiah? Is he the Son of God? The God who is infinitely powerful and infinitely loving? Do you know you can depend on him utterly, even in crisis. Is he your king? The one who reigns within, over your heart and life? Do you give him honest and wholehearted obedience? Is he, heaven forbid, one of many sources of entertainment? Or does he have your heart, soul, mind and strength? You don't want to be a childish Herod, or a political Pilate or scheming and self-serving like the Jewish leaders.

Luke 23:13-19 *Pilate then called together the chief priests and the rulers and the people, <sup>14</sup>and said to them, "You brought me this man as one who was misleading the people. After examining him before you, behold, I did not find this man guilty of any of your charges against him. <sup>15</sup>Neither did Herod, for he sent him back to us. Look, nothing deserving death has been done by him. <sup>16</sup>I will therefore punish and release him."<sup>18</sup>But they all cried out together, "Away with this man, and release to us Barabbas,"<sup>19</sup>a man who had been thrown into prison for an insurrection started in the city and for murder.*

I would think Pilate would be offended to have Herod send Jesus back. But verse 12 said that after this Herod and Pilate became friends. That they'd had previous disputes seems inevitable, given what we see of their characters. Maybe Pilate saw in this return a concession that he could make judgments in some Galilean cases. Herod may have seen it as Pilate taking the heat in a hotly contested decision. And they both may have seen it as sly agreement by the other that no judgment of life or death was due in this case.

But even with that conviction, Pilate is not ready to stand against the crowd. Oh, he tries. Verse 14: “You brought me this man as one who was misleading the people. And after examining him before you, behold, I did not find this man guilty of any of your charges against him. <sup>15</sup>Neither did Herod, for he sent him back to us. Look, nothing deserving death has been done by him.” Pilate sees that the Jewish leaders are threatened. Matthew tells us that “He knew it was out of envy they had delivered him up.” But rather than just releasing Jesus, Pilate tries to compromise. “I’ll release him, but I’ll have him flogged.”

Now the crowd of people who had gathered comes into the scene. Probably goaded by their leaders, they understand this to be an offer to release Jesus because of the feast. “But they all cried out together, ‘Away with this man, and release to us Barabbas’” Verse 17, which either doesn’t appear in your Bible or is a footnote, gives a brief explanation of the circumstances that cause them to say this: “Now he was obliged to release to them at the feast one prisoner.” In other words, there was a custom that the Roman Governor would pardon one criminal at the time of the Passover Feast. It appears however, that this word of explanation was added by helpful copyists sometime later. They would have seen the explanation in Matthew and Mark, and included some of those words here. But at least a dozen of the best and oldest manuscripts don’t have this verse, including the very oldest complete manuscript of Luke. Apparently, Luke felt it was enough to say, verse 19, that Barabbas was “a man who had been thrown into prison for an insurrection started in the city and for murder.”

But the leaders know that one prisoner will be released that day, and so they have primed the crowd to call for the release of Barabbas. Matthew tells us that “the chief priests and the elders persuaded the crowd to ask for Barabbas and destroy Jesus.” Even in Luke’s account, the crowd is actually calling for the death penalty. When they cry, “Away with this man, and release to us Barabbas,” they are calling for Jesus to be killed in the murderer’s place.

The last section shows that in the eyes of this swayed crowd, Jesus is worse than a murderer. Verses 20-25: *Pilate addressed them once more, desiring to release Jesus, <sup>21</sup>but they kept shouting, “Crucify, crucify him!” <sup>22</sup>A third time he said to them, “Why, what evil has he done? I have found in him no guilt deserving death. I will therefore punish and release him.” <sup>23</sup>But they were urgent, demanding with loud cries that he should be crucified. And their voices prevailed. <sup>24</sup>So Pilate decided that their demand should be granted. <sup>25</sup>He released the man who had been thrown into prison for insurrection and murder, for whom they asked, but he delivered Jesus over to their will.*

Pilate has not quite caved. But the key function of Roman provincial government was to keep the provinces quiet and to keep the taxes flowing. This crowd in front of him was rapidly becoming a riot. With at least hundreds and maybe thousands shouting “Crucify, Crucify” By giving in to their demands he could defuse the unrest he was seeing, and also appear to be zealous in prosecuting insurrection. Even so, he tries once more. “I’ll have him punished and release him.” But the crowd will have none of it: they demand that he be crucified.

Isn’t this an incredible scene? Pilate, seated on the judgment seat. Jesus standing alone, helpless, beaten and abused below him. Between them stands a half ring of Roman soldiers, facing outward, making sure no one in the crowd attempts violence toward Pilate. Beyond the soldiers are several knots of Jewish leaders and temple guards, those who had accused Jesus. And beyond them was the crowd, a huge Passover crowd, pouring out of the houses of the noisy city, stirred up by their own religious leaders. The people had been for Jesus only five days before. But like so many today, they were swayed by the party line, bought the lies and had swung over to adamant opposition of Jesus.

Don’t you see Satan at work: He had personally intervened when Judas betrayed Jesus. He had been permitted to test Peter. He had tempted Jesus almost to the breaking point. Now he was hard at work in this crowd, encouraging each one to give vent to their hatred, to forget the good Jesus had done, and believe the lies told of him. Too many in our day would have the same failure, willing to falsely portray Jesus as hateful or patriarchal or exclusionary or a cruel myth. Even believers can be troubled by these lies, or agree with them by silence.

Pilate, the wily politician finally proves too weak to follow his conscience. He caves in, forfeits his integrity in a cowardly submission to the will of sinners. He literally washes his hands of the whole situation. But you can’t avoid making a choice about Jesus. Not to decide for him is to decide against him. Pilate allowed the death of the innocent one, and became guilty. There is a legend in which Pilate’s eternal home is a mountain lake where he daily surfaces, still plunging his hands in the water, forever trying to wash away his guilt.

But if Pilate was guilty, so was this sin-swayed crowd and the leaders that coerced them. Pilate released to their will the man who had been thrown into prison for insurrection and murder, and surrendered to their will Jesus to be crucified. What irony: the innocent man is crucified, that the guilty might go free. No one knows what happened to Barabbas after the crucifixion, but if he wasn’t affected by it, he should have been. For him even more literally than for us, Jesus died in his place. He would have been on that cross if Jesus had gone free. But because Jesus was condemned, he walked.

That's an incredible picture of what Jesus did for us that day. We were in prison to sin, condemned to death, and guilty. All of us have been self-seeking and self-serving, rebels against a loving God, doomed to be forever separated from him. But Jesus, in his innocence, took the penalty we deserved, hung on the cross in our place, so that we might live eternally with God. When we turn from our sinfulness and trust in him, he rescues us and calls us his own. You see, he was innocent of murder, insurrection and every other sin. But he was guilty of being the Messiah, Son of God, and King. That's what he is to us.

I want you to imagine for a moment that the trial of Jesus took place in the United States. He was tried before a state criminal court, and by a jury of our peers. The charges were these very same charges: Insurrection. Treason. Tax evasion. Incitement to riot. Also, claiming the false identity of a Savior, the Son of God, and the King. The closing arguments are presented loudly by the persecut - prosecution. The defense rests without a word. The jury retires and deliberates. When they return the foreman stands to read the verdict: "On the charge of insurrection, we find the accused innocent. On the charge of treason, we find the accused innocent. On the charge of tax evasion, we find the accused innocent. On the charge of being the Messiah, we find the accused guilty. On the charge of being the Son of God, we find the accused guilty. On the charge of being the King of God's kingdom, we find the accused guilty."

The courtroom looks to the judge, expecting the sentence. But the foreman of the jury continues. For the sins of Barabbas, we find the accused guilty. For the sins of Peter, we find the accused guilty. For the sins of Paul the Apostle, we find the accused guilty. For the sins of Robert DeGray, we find the accused guilty. Then follows a long, long list of names, and by grace yours is on it.

Now the judge speaks. "Let it be known to all present that the accused, though himself guilty of no punishable offenses, has willingly taken on himself the sins of the aforementioned parties. He has voluntarily accepted the sentence of death in payment for those sins. I therefore instruct that he be taken immediately to the place of execution and hung from the tree until dead."