

John 18:28-32

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The Priests bring and accuse Jesus to Pilate.

Not permitted by Roman law to execute Jesus themselves, the Jews bring Jesus to the Roman governor Pilate early in the morning for His Roman (or Civil) Trial. Pilate begins the proceedings asking them what accusation they bring against the Man. When they have none, Pilate appears to dismiss the case and tells them to judge Him according to their own customs. They complain they are unable to judge Him because Rome won't permit them to put Him to death. This fulfills Jesus's prophecies predicting He would be crucified.

This event is part of the first phase of Jesus's Civil Trial. It is known as Jesus's Arraignment before Pilate.

The parallel Gospel accounts of this event are found in Matthew 27:2; Mark 15:1; and Luke 23:1-2.

This event is the beginning portion of the first phase of *Jesus's* civil trial. It is known as “Jesus's Arraignment before Pilate.” The happenings of this account took place outside *the Praetorium*, where the Roman military authorities were housed. At the time of *Jesus*, this was most likely a part of what had been Herod's Palace complex, prior to his death. After Herod's death, the Roman governor resided there whenever he was in Jerusalem. This palace complex is thought to have been built near the modern Jaffa Gate of the city wall.

This event happened while it was early in the morning (likely before 7:00 am). According to the Jewish calendar the date was likely Nisan 15—the first day of Unleavened Bread. By Roman reckoning the day was probably a Friday.

To learn more about the timing and sequencing of these events, see The Bible Says' [“Timeline: Jesus's Final 24 Hours.”](#)

After the Jewish religious leaders officially condemned *Jesus* to die for blasphemy at a hastily arranged and pre-determined sunrise trial (Matthew 27:1; Mark 15:1; Luke 22:66-71), *they then led Jesus from Caiaphas* the Jewish high priest *into the Praetorium* (v 28a) to begin His civil or Roman trial.

This marks the beginning of *Jesus's* Civil trial. Just as His religious prosecution took place over three trials, so will His civil or political trial occur over the course of three distinct phases.

The three phases of *Jesus's* political trials under the Roman authorities were:

1. Jesus's Arraignment before Pilate
(Matthew 27:1-2, 11-14; Mark 15:1-5; Luke 23:1-7; John 18:28-38)

2. Jesus's Audience before Herod Antipas
(Luke 23:8-12)
3. Pilate's Judgment
(Matthew 27:15-26; Mark 15:6-15; Luke 23:13-25; John 18:38-19:16)

Earlier that Night...

It had already been an eventful night.

When Jesus's disciple Judas reported to the chief priests that *Jesus* had identified him as His betrayer and had knowledge of their plot to murder *Him*, the priests and elders scrambled to take action. They requested and received a Roman Cohort and sent their temple guard, who was led by Judas to locate and identify *Jesus*. Judas brought them to the Garden of Gethsemane where *Jesus* submitted to arrest sometime after midnight (Matthew 26:47-56; Mark 14:43-51; Luke 22:47-53; John 18:1-11).

Jesus was immediately brought to the house of Annas, the former high priest, who, in a preliminary trial, illegally interrogated *Him* in search of something that could be used to charge and condemn *Him* (John 18:12-13; 19-23). Annas found nothing. This was *Jesus*'s first of three religious trials.

Meanwhile, the chief priests and elders of the Jewish ruling Sanhedrin Council had been summoned from their homes that *Passover* night (v 28b) to the home of *Caiaphas*, the sitting high priest, to hold an illegal, night-time tribunal to discover and/or manufacture the charges that would condemn *Jesus* to death.

Once *Jesus* was brought to the home of *Caiaphas* from Annas (John 18:24), His second religious trial began (Matthew 26:57-68; Mark 14:53-65). After many false witnesses failed to substantiate a charge, *Caiaphas* intervened. He ordered *Jesus* to answer whether or not *He* was the Christ, the Son of God. When *Jesus* answered in the affirmative, *Caiaphas* blasphemously tore his priestly robes, in a hypocritical display of outrage, and asked the Council to convict and condemn *Him* at once—again, violating Jewish law. As a result, *Jesus* was condemned.

The vote was unanimous, which meant *Jesus* should have been acquitted, according to Jewish law (Mark 14:64). Afterward, *they* greatly mocked and physically abused *Him*, further violating Jewish law.

Then as the sun was coming up, the Sanhedrin with *Caiaphas* presiding, held *Jesus*'s third trial (Matthew 27:1; Mark 15:1; Luke 22:66-71) in their Council chamber located on the temple grounds. *They* speedily recreated *Jesus*'s "crime" of blasphemy, in an apparent attempt to cover up their illegal night-time trial, and officially condemned *Him* to death.

To learn more about the illegality of *Jesus*'s religious prosecution, see The Bible Says' article, ["Jesus's Trial, Part 1. The Laws Broken By The Religious Leaders: A Summary."](#)

But as we will see, *the Jews* had no authority to put anyone to death under Roman rule (v 31). Therefore, *they* had to bring *Jesus* to the Roman governor *Pilate* to have *Him* tried, condemned, and executed.

During the course of *Jesus's* first two religious trials, Peter denied *Jesus* three times (Matthew 26:69-75; Mark 14:66-71; Luke 22:54-62; John 18:15-18, 25-27). Around the time of *Jesus's* third trial, Judas felt remorse over his betrayal and returned the silver to the priests in the temple. When *they* refused to accept the money, Judas ran away and hanged himself (Matthew 27:3-5). As we will soon see, Judas's remorse and suicide appears to have jeopardized the Jews' case against *Jesus* in His Roman trials.

To learn more about *Jesus's* religious trials, see the Bible Says' article, [“The 5 Stages Of Jesus's Trial.”](#)

The Praetorium, Pilate, and the Religious Leaders

As mentioned above, this event is known as “Jesus's Arraignment before Pilate.”

- John details the beginning and middle of the first phase of Jesus's political trial before the Roman authorities (John 18:28-38a), and he summarizes the end (John 18:38b).
- Matthew and Mark focus on the middle and end of this first phase (Matthew 27:11-14 and Mark 15:1-5).
- Luke summarizes the entire first phase (Luke 23:1-7).

Reading all four Gospel accounts together gives us a complete picture of what happened during this phase of *Jesus's* civil trial.

John begins his account of what took place at Jesus's Arraignment before Pilate:

Then they led Jesus from Caiaphas (v 28a).

The pronoun, *they*, refers to the Jewish religious leaders. More specifically, *they* refers to the chief priests (Sadducees) and the elders (Pharisees) of the Jewish Council (the Sanhedrin). This Council had just illegally condemned *Jesus* to death for breaking the Jewish law of blasphemy at His sunrise trial under the supervision of *Caiaphas*, the high priest. This trial, led by *Caiaphas*, was where *they led Jesus from* in order to transport *Him* to *Pilate's* residence.

They led Him into the Praetorium (v 28a).

The Praetorium was the Jerusalem residence and office of the Roman governor of Judea. *The Praetorium* was located in the western side of the upper city along the city wall. Inside was a luxurious fortress-palace that had been built by Herod the Great. Because it was constructed under Herod, *the Praetorium* is sometimes called “Herod's Palace.” Its judgment hall, with its paved court and judgment seat, was built on the outer side of the city wall and was likely canopied. *The Praetorium* ruins can be visited at the time this commentary is written (2023).

The Roman governor at this time was Pontius *Pilate* (v 29).

Pilate was appointed under Tiberius Caesar to be the Roman governor of the imperial province of Judea in 26 A.D. and served until 36 A.D. *Jesus*'s trial likely took place around the midpoint of his tenure. *Pilate* was greatly disliked by the Jews. According to the Jewish historian, Josephus, *Pilate* had a habit of provoking Jews by flaunting Rome's supremacy and pouring salt on Jewish sensibilities (Josephus. Antiquities of the Jews XVIII. 3.1-2).

Pilate was also known to be intolerant, bloody, and cruel. For instance, in the Gospel of Luke, *Jesus* discusses a recent incident where *Pilate* had executed some Galileans and mixed their blood with their sacrifices (Luke 13:1-2). Later, *Pilate* will be recalled to Rome and relieved of his appointment by the Emperor after the Samaritans complained about how he slaughtered their worshippers on Mount Gerizim (Josephus. Antiquities of the Jews XVIII. 4.1-2). History shows Pontius *Pilate* to be the opposite of a merciful or sympathetic man. He had all the qualities of an insecure, overbearing, appointed-politician who was oppressive and quick to violence.

Pilate's main residence as the Roman governor of Judea was in the town of Caesarea on the Mediterranean coast. Even though Jerusalem was the cultural and religious capital of Judea, Caesarea was the Roman capital, and its location was optimal for communicating quickly with Rome. But as governor, *Pilate*'s duties necessitated that he visit Jerusalem from time to time. The annual Jewish festival of Passover was apparently one of those occasions.

After explaining how *Jesus* was led into the *Praetorium*, John inserts the phrase: *and it was early* (v 28). This phrase let his readers know what time of day it was when *they led Jesus* to be judged by *Pilate*. The other three Gospels all touch upon the fact that *Jesus*'s final religious trial under the Jews began at first sunlight (Matthew 27:1; Mark 15:1; Luke 26:66).

John's timestamp for the beginning of *Jesus*'s Roman trial at the *Praetorium* indicates that *Jesus*'s official condemnation by the Jews in the Council Chamber did not last long because *it was still early* in the morning when *they led Him to Pilate*. This tells us that the third trial—the daylight trial—was a rubber stamp to cover up the illegality of the night-time trial.

From Mark's account we know that *Jesus* was on the cross by the third hour—9:00 am by modern time (Mark 15:25). Working backward from the time Mark says He was crucified to when *He was brought into the Praetorium*, *Jesus* will be condemned, scourged, interviewed by *Pilate* multiple times, sent to and returned from Herod, and His fate haggled over between the governor and the religious leaders, all of which suggests that this trial began no later than 7:00 am, and probably earlier. As John said: *it was early*.

One of the reasons the Roman trial may have begun *early* was because *Pilate* was possibly expecting it. After all, *Pilate* would have been the one to grant the chief priests' (probably *Caiaphas*'s) mid-night request for a Roman cohort (a hundred or more troops) to arrest *Jesus* (John 18:3).

Knowing that He'd been arrested and that it was a Jewish festival day, *Pilate* may have been awaiting an *early* trial. He may have been awake because of his wife's fitful night (Matthew 27:19). It is also possible that *Pilate* had to be awakened because *it was so early*.

In any case, John mentions that even though *they led Jesus into the Praetorium, they* (the chief priests and elders) *themselves did not enter into the Praetorium* (v 28b). Normally this would seem like odd behavior for accusers to do—refusing to enter the court. But John explains their reasoning. Their reason was *so that they would not be defiled, but might eat the Passover* (v 28b). In a great irony, the Jews are committing the worst possible crime of murdering an innocent man while worrying about keeping up religious appearances; they are murdering the God they are pretending to honor through their customs.

A word about Passover and the day of Jesus’s Death

As mentioned earlier, *the Praetorium* also served as *Pilate’s* place of residence in Jerusalem. *Pilate* was a Gentile. *The Praetorium* was likely built and adorned in a Roman fashion with statues of their gods and goddesses. According to Jewish custom, if a Jew entered the home of a Gentile or came into too close a proximity to pagan idols, he would be deemed unclean for a period of time. If the priests and elders entered *the Praetorium*, *they* would be considered *defiled* and unable to *eat* a portion of *the* eight-day *Passover* celebration.

John’s mention of *Passover* is worth discussing.

Passover was the holy day commemorating God’s deliverance of Israel from bondage in Egypt. It was the first of three consecutive holy festivals: *Passover*; Unleavened Bread; and First Fruits.

To learn more about these festivals, see The Bible Says article: [“The Original Passover.”](#)

These festivals began one day after another and depending on when the Sabbath came, lasted anywhere from eight to nine days (the Jewish calendar was a lunar calendar, so the days floated year by year). This eight-or-nine-day festival began on Nisan 14 but the preparation for *Passover* began on the tenth day of the Jewish month of Nisan.

The *Passover* lamb was slaughtered on the afternoon of the 14th of Nisan and eaten at sundown, which according to Jewish customs marked the beginning of a new day—Nisan 15—and the beginning of the seven-day Festival of Unleavened Bread. Jews customarily refer to this entire eight day holy-day festival as *Passover* or “Unleavened Bread.”

Thus, when John mentions that *they did not enter the Praetorium so they might eat the Passover* does not necessitate that it was the actual day of preparation for *Passover*—Nisan 14—but rather it could be any number of celebratory meals that were enjoyed during the week of *Passover/Unleavened Bread*.

When we consider how all four Gospels mention how *Jesus* ate *the Passover* the night before (Matthew 26:17-30; Mark 14:12-26; Luke 22:14-23; John 13:1-30) and that Matthew and Mark both indicate that *Jesus* ate this meal on the actual day of *Passover*, on “the first day” of the *Passover/Unleavened Bread* festival (Matthew 26:17; Mark 14:12), we can conclude that this was the morning of Nisan 15, the morning after the official *Passover Seder* was celebrated.

Therefore, *the Passover* meal that John is referring to, which the priests were mindful of not entering *the Praetorium* so that they might eat, is likely not the *Passover* meal itself, but rather another sacrificial meal associated with *Passover/Unleavened Bread* festival celebration.

Jesus's Civil Trial Begins

Because the priests, *Jesus's* accusers, would *not enter into the Praetorium, therefore Pilate went out to them* (v 29).

Throughout *Jesus's* civil trial, *Pilate* (and *Jesus*) will be going *into* and *out* of *the Praetorium* to accommodate *the Jews* who would *not enter into* it.

He began the proceedings *and said, "What accusation do you bring against this Man?"* (v 29).

Unlike Jewish judicial proceedings which were to begin with a statement on behalf of the defendant (the priests and elders appeared to violate this law in all three of His religious trials), Roman judicial proceedings began with an *accusation*. *Pilate* was following Roman protocol when he began the trial with this question.

At this point, the religious leaders who were prosecuting *Jesus* should have made their *accusation* and named their witness whose testimony would be the primary evidence that a Roman law had been broken.

It is likely that *they* had intended to name Judas, the disciple who betrayed *Jesus* to *them*, as their star witness and have Judas testify that *Jesus* was setting Himself up as a rival to Caesar, and thus have *Jesus* condemned and executed on the charge of insurrection. But Judas had a dramatic change of heart and hanged himself in remorse (Matthew 27:3-5). Without Judas to testify against *Jesus*, the religious leaders had little to work with. And apparently, *they* did not have another witness to support their accusations.

So, when *Pilate* asked *what accusation do you bring against this Man?—They answered and said to him, "If this Man were not an evildoer, we would not have delivered Him to you"* (v 30).

This was a ridiculous answer. The religious leaders were asking *Pilate* to disregard Roman law and condemn *Jesus* on the basis of their hatred of *Him*. Their answer was neither satisfactory nor sufficient; not to mention condescending. *They* had no real evidence or basis on which to bring a serious accusation *against Jesus* to *Pilate*. Their lack of evidence was apparent from the start.

Upon hearing their ridiculous answer, *Pilate* immediately dismissed *them* and tossed their case.

So Pilate said to them, "Take Him yourselves, and judge Him according to your law" (v 31a).

Pilate's response could be taken one of two ways. It could be taken as a wicked offer or it could be taken as a dismissal.

Pilate's offer could be interpreted as essentially telling *them*: “Do whatever you want to *Jesus*, don't bother me any further, I don't care.” On one hand, this is consistent with the basic picture we get of *Pilate*; he was callous and unjust.

But it seems unlikely that such an offer was *Pilate's* intent. Rome valued duty, order, and the rule of law. It would be uncharacteristic for a Roman official to flippantly toss those values aside without a second thought. Also, *Pilate* genuinely appears to be mindful of the rule of law throughout *Jesus's* trial. Throughout the trial he does not wish to crucify *this Man* whom he genuinely believes to be innocent (Luke 23:4; 14-15; 20; 22), until at last, he is diabolically pressed and caves to the Jewish leaders' demands (Luke 23:23-24). Therefore, *Pilate* does not seem to be offering the religious leaders a blank check to punish *Jesus* however *they* see fit at the beginning of this trial.

Instead, *Pilate* seems to be simply telling *them* that *they* have no case in a Roman court, and curtly reminds *them* that *they* are free to judge *Jesus* according to their own law as authorized by Rome. *Pilate* threw out their case because *they* had nothing valid to bring *against Jesus* in a Roman court of law. Therefore, he told *them* to judge *Jesus* according to their own Jewish law.

Pilate's answer did not please the religious leaders. The most apparent (and stated) reason his reply did not please the religious leaders was because *they* wanted *Jesus* dead. Jewish officials were not authorized to enforce capital punishment under Roman law. If *Jesus* were to be executed, *Pilate* had to issue the order. Further, now *they* knew through Judas that *Jesus* and His followers knew of their plot, so if they simply murdered *Him*, their foul deed could become known. So, *they* desperately needed Rome to do their dirty work.

The Jews said to him, “*We are not permitted to put anyone to death*” (v 31b).

The Jews's response reiterates how much *they* feared and despised *Jesus*. *They* wanted to put *Him* to death. But their reply was also a way to remind *Pilate* that *they* were unable to judge and punish *Him* according to their law, because *they were not permitted* by Rome to put anyone to death. It was a ploy to manipulate *Pilate* into trying *Jesus*.

At this point it seems that *Pilate* gave *them* a second chance to bring forth their accusations. This time they gave three charges. All are recorded by Luke,

“And they began to accuse Him, saying, ‘We found this man misleading our nation and forbidding to pay taxes to Caesar, and saying that He Himself is Christ, a King.’” (Luke 23:2).

Their charges were:

1. “We found this man misleading our nation.”

This charge amounted to teaching heresies that would unsettle public order and stir up riots. *They* were claiming *Jesus* was a disturber of the peace and a nuisance to Roman stability in the province.

2. He was “forbidding [Jews] to pay [their] taxes to Caesar.”

This charge was a lie. *Jesus* never taught this. Recall how when the pro-Roman Herodians and the pro-Jewish Pharisees tried to trick *Jesus* in the temple when they asked Him whether or not it was lawful to pay taxes to Caesar (Matthew 22:15-17):

“But *Jesus* perceived their malice, and said, ‘Why are you testing Me, you hypocrites? Show Me the coin used for the poll-tax. And they brought Him a denarius. And He said to them, ‘Whose likeness and inscription is this?’ They said to Him, ‘Caesar’s. Then He said to them, Then render to Caesar the things that are Caesar’s; and to God the things that are God’s.’”
(Matthew 22:18-21)

It seems their accusation was grounded in the answer they wished He had given to their malicious question rather than the answer *Jesus* actually gave. What *Jesus* taught was to pay Roman taxes. But *Jesus*’s accusers claimed *He* taught the people to reject Roman authority and disregard the law.

3. “And [He was] saying that He Himself is Christ, a King.”

This charge was the most serious, and one *Pilate*, as a responsible Roman governor, had to investigate. It was the charge of sedition. *Pilate* was sensitive to the Jewish provinces bristling under the Roman yoke and their dangerous streak of militant nationalism. He was likely cognizant of the Jewish fever for a Messiah (Christ).

But *Jesus*’s Jewish accusers made sure that *Pilate* was keenly alerted that anyone who claimed to be the Messiah also claimed to be a King and rival to the Caesar as the supreme authority. And anyone guilty of this would be summarily executed.

With these three accusations brought *against Jesus*, especially the charge of insurrection, *Pilate* was obliged to investigate. But without a witness or any evidence to support these accusations (because Judas was dead), *Pilate* had to interview *Jesus* himself. As seen in the following scripture, that is precisely what *Pilate* did (Matthew 27:11; Mark 15:2; Luke 23:3; John 18:33-38).

John’s Observation

Before we look at *Pilate*’s interview of *Jesus* (John 18:33-38) we must look at the final verse of this section. It is a remark from John’s commentary about this early phase of *Jesus*’s civil trial.

After *the Jews* replied to *Pilate* that *they* were unable to *judge Jesus according to their own law* because they were *not permitted to put anyone to death* (v 31), John observes that this was *to fulfill the word of Jesus which He spoke, signifying by what kind of death He was about to die* (v 32).

Jesus had previously told His disciples on multiple occasions that *He* would be crucified:

“From that time Jesus began to show His disciples that He must go to Jerusalem, and suffer many things from the elders and chief priests and scribes, and be killed, and be raised up on the third day...If anyone wishes to come after Me, he must deny himself, and take up his cross and follow Me.”

(Matthew 16:21, 24—See also: Mark 8:31-32 and Luke 9:22-23)

“Behold, we are going up to Jerusalem; and the Son of Man will be delivered to the chief priests and scribes, and they will condemn Him to death, and will hand Him over to the Gentiles to mock and scourge and crucify Him, and on the third day He will be raised up.”

(Matthew 20:18-19)

“Now judgment is upon this world; now the ruler of this world will be cast out. And I, if I am lifted up from the earth, will draw all men to Myself.’ But He was saying this to indicate the kind of death by which He was to die.”

(John 12:32-33).

In saying these things, *Jesus* not only predicted His *death*, but specifically the *kind of death He was about to die*. The Jewish form of execution was stoning; the Roman form was crucifixion. In making these predictions *Jesus* was prophesying that *He* would be *put to death* by the Romans.

The kind of death Jesus was about to die was crucifixion.

Roman crucifixion entailed fastening its victims to a raised wooden beam by the wrists (often with nails) and hanging them there until they died. Archeological evidence also shows that the ankles were sometimes nailed, not together on the front of the cross, but separately on either side of its main beam. Crucifixions were done in public places with the crimes posted for all to see as a way to deter future crime. Criminals would sometimes agonize on their crosses for days before they died from suffocation, dehydration, or cardiac arrest. The entire process was designed to be torturous and humiliating, and serve as a warning for breaking Roman law.

Interestingly, it appears that for most of *Jesus*’s life, and for a good portion of His ministry, Rome did permit the *Jews* to *put people to death according to their law*. For instance, *the Jews* tried to execute and/or stone *Him* themselves on several occasions earlier in His ministry (Luke 4:28-29; John 8:59, 10:31-33). Moreover, ancient Jewish records testify that *the Jews* did have authority to enforce capital punishment until the end of *Jesus*’s life.

The Mishnah says: “Forty years before the destruction of the Second Temple, the Sanhedrin was exiled from the Chamber of Hewn Stone and sat in the store near the Temple Mount [and] no longer judged cases of capital law” (Mishnah. Sanhedrin 41a.25). The Talmud says something very similar (Talmud. Shabbat 15a.9).

The destruction of the Second Temple took place in 70 A.D. Forty years before its destruction would have been 30 A.D. *Jesus* is believed to have been crucified between the years 30 and 33 A.D.

John's comment about *the Jews'* retort whining about how *they were not permitted to put anyone to death* highlights the remarkableness of *Jesus's* prediction *signifying by what kind of death He was about to die*. Had *He* been executed earlier in His ministry, or even perhaps when *He spoke this word*, it would not have been fulfilled because *the Jews* would have been able to stone *Him according to* their own *law* without the trouble of involving Rome. In other words, had His trial taken place perhaps even months earlier, *He* may not have been crucified as *He* prophesied. The implication of John's remarks is that *Jesus's* incredible and accurate prophecy concerning the manner of His *death* is another verification that *Jesus* is the true Messiah and not a false one (Deuteronomy 18:21-22). God used human agency—in this case the Roman Senate, hundreds of miles away in Rome. Its vote to change the law about capital punishment in Judea brought about the fulfilment of His promises.

Biblical Text

28 Then they led Jesus from Caiaphas into the Praetorium, and it was early; and they themselves did not enter into the Praetorium so that they would not be defiled, but might eat the Passover. 29 Therefore Pilate went out to them and said, "What accusation do you bring against this Man?" 30 They answered and said to him, "If this Man were not an evildoer, we would not have delivered Him to you." 31 So Pilate said to them, "Take Him yourselves, and judge Him according to your law." The Jews said to him, "We are not permitted to put anyone to death," 32 to fulfill the word of Jesus which He spoke, signifying by what kind of death He was about to die.