

The Gospels describe three trials before the Sanhedrin, all of them presided over by the high priest, but apparently in different locations. Jesus was tried on Passover night, or on the preceding night, in the palace of the high priest (Mark 14:53ff.; John 18:13). His disciples, Peter and John Zebedee, were questioned at “eventide,” “in Jerusalem” (Acts, 4:3–6). In the case of Paul, the chief priest “and all their Sanhedrin” were ordered to meet in the chief captain’s quarters (Acts, 22:25–30). The tannaitic sources, however, depict the Great Sanhedrin as an assembly of sages permanently situated in the Chamber of Hewn Stone in the Temple, meeting daily, only during the daytime between the hours of the two daily sacrifices (approximately 7:30 A.M.–3:30 P.M.), and **never at night, on the Sabbaths or festivals, or on their eves.** It was the place “where the Law went forth to all Israel” (Sanh. 11:2; Tosef., Sanh. 7:1) and was the final authority on *halakhah*; the penalty of contravening its decisions on the part of a scholar – \*zaken mamre – was death (Sanh. *ibid.*). Settling questions of priestly genealogy was also within the province of the Great Sanhedrin (Mid. 5:4; Tosef., Sanh. loc. cit.). Actual cases are recorded of questions being sent to “the sages in the Chamber of Hewn Stone” (Eduy. 7:4) and of Rabban Gamaliel going to the Chamber and receiving a reply to a question which he put (Pe’ah 2:6).

The competence of the Sanhedrin is listed in tannaitic literature. “A tribe, a false prophet, or the high priest may not be tried save by the court of seventy-one; they may not send forth the people to wage a battle of free choice save by the decision of the court of one and seventy; they may not add to the City [of Jerusalem], or the Courts of the Temple save by the decision of the court of seventy-one; they may not set up sanhedrins for the several tribes save by the decision of the court of one and seventy; and they may not proclaim [any city to be] an \*Ir ha-Niddahat [cf. Deut. 13:13–19] save by the decision of one and seventy” (Sanh. 1:5). The Tosefta enumerates still other functions: “They may not burn the red heifer save according to the instructions of the court of 71; they may not declare one a *zaken mamre* save the court of 71; they may not set up a king or a high priest save by the decision of the court of 71” (Tos., Sanh. 3:4). Elsewhere the Mishnah rules that the rites of the water of ordeals (see \*Sotah; Sot. 1:4) and the \*eglah arufah – i.e., the breaking of the heifer’s neck in order to atone for the sin of an anonymous murder (cf. Deut. 21:1–9) – may be performed only under the supervision of the Great *Bet Din* in Jerusalem (Sot. 9:1).

Unlike Buechler (see bibl., pp. 56ff.) and Zeitlin (see bibl., pp. 70–71) who regard the tannaitic list of the functions of the Great *Bet Din* as merely ideal, Tchernowitz (see bibl., 242ff.) insists upon its practical reality. Thus, Simeon the Hasmonean was appointed high priest and “Prince of the people of God” (see \*Asaramel) by the Great Assembly of priests and heads of the nation (1 Macc., 14:27ff.; cf. Tosef., Sanh. 3:4). Again, “Jonathan, after the war with Demetrius, returned and called the elders of the people together; and took counsel with them to raise the height of the walls of Jerusalem, and to raise a great mound between the citadel and the city”

(*ibid.* 12:35–36), things which could only be done, according to the Mishnah, with the consent of the Great Court (Sanh. 1:5; Shevu. 2:2). Yet, in rebuilding the ruins of the city and its walls and carrying on defensive wars, Jonathan did not consult with the Assembly; neither did Simeon take counsel with regard to the fortifying of Judea (1 Macc., 13:33). These things did not require the consent of the Sanhedrin (Tchernowitz, op. cit., 243–7). Furthermore, the reference to “tribes,” as Alon says, is to sections of the country; or else, the term “tribes,” like “false prophet” may put into legal formulation practices current in the biblical period, as Z. Karl suggests.

Another aspect of the conflict between the sources is that, whereas the tannaitic documents represent the Sanhedrin as being composed of Pharisaic scholars, headed by the foremost men of the sect – the *nasi* and *av bet din* – the Hellenistic accounts usually make the high priest, or the king, the president of the body. Thus Samaias and Pollion (that is, probably, Shemaiah and Avtalyon, or Shammai and Hillel) and Simeon b. Gamaliel, who are mentioned in Josephus, and Gamaliel I, who is cited in the Book of Acts, are referred to in these books merely as prominent members of the Sanhedrin, though in the tannaitic documents they are represented as the presidents of that body. In the Book of Acts, moreover, the Sanhedrin is depicted as being “one part Sadducees and the other Pharisees” (Acts, 23:6).

The historians’ answers may be classified into three groups. Some scholars maintain that there was a single Sanhedrin, the supreme political, religious and judicial body, but they differ among themselves as to the other aspects of the reconstruction. Schuerer, who dismisses the rabbinic sources, regards the high priest as the presiding officer. Hoffmann held the highest office to belong to the Pharisaic *nasi*, though the secular rulers often usurped the role. Jelski, following a middle course, divides the functions of the presidency between the high priest, upon whom he bestows the title *nasi*, and the Pharisaic *av bet din*. Similarly, G. Alon believes that the Sanhedrin was composed of Pharisees and Sadducees, each dominating it by turns. Chwolson thinks that the Great Sanhedrin of the rabbinic documents was nothing but a committee on religious law appointed by the Sanhedrin (so, too, Dubnow and Klausner). Common to all these theories is the erroneous assumption that there can be only one Sanhedrin in a city. In reality, a Sanhedrin can be the king’s or ruler’s council, a body of high officials; a congress of allies or confederates, a military war council, etc. (see Liddell-Scott, *Greek-English Lexicon*, s.v. συνέθριον).

Another group of scholars believes that there were in Jerusalem three small Sanhedrins, each of a different composition and task – priestly, Pharisaic, and aristocratic – each consisting of 23 members. A joint meeting of the three Sanhedrins, headed by a *nasi* and *av bet din*, constituted the Great Sanhedrin of 71 (Geiger, Derenbourg, etc.). This imaginary reconstruction flounders on the Tosefta (Ḥag. 2:9 and Sanh. 7:1) and the Jerusalem Talmud (Sanh. 1:7, 19c), according to which, contrary to the Babylonian Talmud (Sanh. 88b), the