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A crucified Messiah is an impossibility - the one hanged on the tree to die is a traitor or a blasphemer. Hanging on the cross, he is accused by God and men. Such was the priestly doctrine in the days of Jesus, as we have learned from the Dead Sea Scrolls and other early Jewish sources.

In Deuteronomy 21:22-23 we find the following law:

a man guilty of a capital offence is put to death and you hang him on a tree. you must not leave the body on the tree overnight. be sure to bury it that same day, because anyone who is hung on a tree is a curse of God. you must not defile the land where God is giving you as an inheritance.

A radical reinterpretation

In the second century bc a Jewish author close to the Essene community made a new edition of the laws of Deuteronomy, incorporating verses from Leviticus and Numbers as well as priestly teaching from his own time. He published this new edition, which included a lengthy section on the temple, as authoritative Torah of God. In 1956 the dead sea scrolls found two copies of this work north of the Dead Sea. In this book, today called the Temple Scroll, we meet a radical reinterpretation of these verses from Deuteronomy:

If a man sins against his people, he delivers his people up to a foreign nation and betrays his people, you shall hang him on the tree so that he dies. On the third day and three witnesses shall he be put to death, and they shall hang him on the tree.

If a man commits a crime punishable by death, and he deserts into the midst of the nations and curses his people, the children of Israel, you shall hang him also on the tree so that he dies. And their bodies shall not remain upon the tree, but you shall cut them down the same day, for those who hang on the tree are accursed by God and men, you must not defile the land which I give you as an inheritance. (Temple Scroll 64:6-13)

In Deuteronomy it is not clear whether the executioner should be hanged alive upon the tree or only his corpse after he is executed (most interpreters do not note that the Hebrew can be translated either 'is put to death and you then hang him on a tree' or 'is put to death when you hang him on a tree'). The Temple Scroll clearly ordains that certain executed shall be executed by being hanged alive on the tree. The word 'tree' can mean a tree, a pole or a cross. In Rabbinic sources 'to hang on the tree' primarily means execution by hanging on a pole. Crucifixion would also be considered a form of 'hanging somebody upon the tree.'

Earlier, it was held that crucifixion was the capital punishment of the Gentiles, never of the Jews. Crucifixion was invented by the Persians, then taken over by Alexander the Great and his successors, among them the Seleucids in Syria, and later by the Romans. It has therefore been argued that the fact that Jesus was crucified demonstrates that his death was the responsibility of the Romans, not of the Jews. The cry of the Jewish mob that is quoted in the Gospels, 'Crucify him!', is therefore viewed as unhistorical. As good Jews they should have shouted 'Have him killed!' or 'Have him stoned!', but not 'Crucify him!'

'Hanging on the tree' in Jewish tradition

The Israeli scholar Yigal Yadin, who deciphered and published the Temple Scroll some years ago, changed these presuppositions. Yadin was a renowned archaeologist, general and politician. When Israeli forces entered the West Bank during the Six Day War, he ordered a special unit to search the ancient dwellers in Bethlehem and Hebron to find the scroll he suspected one of them was hiding. The dealer nicknamed Kando brought forth a 9-metre-long scroll hidden in a box below the floor tiles.

Yadin and others have shown that this interpretation of Deuteronomy 21 by the Temple Scroll reflects Jewish priestly liturgical (legal) interpretation from the early second century BC to the fall of the temple, which ordains that the one who is guilty of national treason or blasphemy shall die by being hanged upon the tree. A sinner of this kind should be killed in the most awesome way, by being hanged up on the tree before his people (whom he has betrayed) and before God (whom he has blasphemed). And while he is hanged on the tree, he is, according to the word of the Torah, accursed by God and men. Traces of this exegesis are found both in rabbinical literature and early Aramaic translations of the Bible.

Not only the Essenes, but probably also the other priestly group, the Sadducees, held this position. They were the party in power and the rulers of the temple in the days of Jesus. It is doubtful that the laymen's party, the Pharisees, shared this tradition on how the blasphemer should be killed. Their successors, the rabbis, prescribe that a blasphemer shall first be killed by stoning, and then be hanged on the tree. But the Pharisees would also view one crucified as being cursed by God according to the word of the Torah.

History shows that on a few occasions crucifixion or execution by hanging on the tree was indeed practised by Jews. Joshua executed the King of Ai by hanging him (possibly alive) on a tree (Josh. 8:29). According to Numbers 25:4, the foremost idolators among the Israelites should be killed 'before they be stoned to death in view of the sun so that the Lord's fierce anger may turn away from Israel.' Crucifixion probably became Jewish custom in the Maccabean period, influenced by the practice of the Seleucids over fords in Syria. Antiochus Epiphanes used crucifixion in his persecution of Torah-obedient Jews in Judea (Josephus, Antiquities XII 256; Ass. Mos. 8:1). In 162 BC, the Hellenizing high priest, Athenicus, had 60 pious Jews executed by crucifixion, among them the priestly scribe Jose ben Joezer. In the aftermath of a revolt in 90 BC, in which the Pharisees allowed themselves with the Syrians (cf. the phrase 'delivers his people up to a foreign nation and betrays his people in the Temple Scroll,' King Alexander Janneus crucified 800 Pharisees in Jerusalem (Josephus, Wars I 117, 113; Antiquities XIII 380). According to Yadin, another Qumran scroll, the commentary on the book of Nahum, lauds Janneus for this deed, which followed the priestly practices of law. According to rabbinical sources, the leader of the Sanhedrin, Shimon ben Sheizah, had 400 witches from Ashkelon hanged on the tree some two decades earlier.

In light of this, the cry 'Crucify him!' is exactly what we should expect of the Sadducean leaders, the chief priests and their officials (In. 19:15). The high priest had torn his garments when he heard Jesus talking about himself as the heavenly Son of Man seated on God's right hand: 'He has spoken blasphemy!' After Jesus raised Lazarus from the dead, the Sadducean high priests viewed Jesus as a threat against the temple and the people (In. 11:47-50). And they (the chief of the temple) certainly perceived Jesus' saying that he would rebuild the temple in three days (In. 2:19 with parallels) as blasphemy or national treason. Consequently, they deemed him as one who should be hanged on the tree. According to political reality, this had to be implemented by the Roman rulers of the land. When it was not in their own power to hang
the blasphemer on the tree, they pressured Pilate to do it. For the chief priests, a Roman crucifixion would certainly fall within the category 'to hang on the tree'.

At this point in the argument it must be remarked that it is historically incorrect to make the Jewish people as such responsible for the execution of Jesus; those responsible were the Sadducean temple leadership together with the Roman authorities. Neither is it plausible that those Jerusalemites who greeted Jesus with Hosanna! when he entered the city were the same who later shouted 'Crucify him!' It was a group handicapped by both the high priests who shouted 'Crucify him!' It is a sad aspect of Church history that these verses have been misused to justify anti-Semitism and persecutions of the Jewish people. Preachers must be on guard against generalizing derogatory statements such as 'the Jews rejected Jesus', 'the Jews did not understand that Jesus was sent by God', 'Jesus reacted against the legalistic views of the Jews'.

A messiah should not hang on a cross, accursed by God and men. Therefore some of those passing by the cross of Jesus mocked, 'He is the King of Israel. Let him come down now from the cross!' The one who was crucified and cursed could not have been the Messiah. Peter knows this paradox when he boldly tells the Sanhedrin, the Jewish Council, that 'the God of our fathers raised Jesus from the dead - whom you had killed by hanging him on the tree' (Acts 3:5-15; cf. Acts 10:39; 1 Pet. 2:24). So does Paul, who 'preaches a crucified Messiah, a stumbling block to Jews and foolishness to Gentiles' (1 Cor. 1:23).

And in Galatians 3:13 he puts forward a daring claim: The Messiah redeemed us from the curse of the Torah by becoming a curse for us. For it is written: "Cursed is everyone who hangs on a tree." We must note here the following... The phrase 'hung on a tree' which we know from Deuteronomy and later Jewish interpretations, Paul, raised as a Pharisee in Jerusalem, knew the priestly doctrine of his days. He knew that Jesus hung crucified on the tree. But the rabbi from Tarsus provides a new interpretation. He knows that God has raised the crucified from the dead and thereby demonstrated that the Messiah. This fact means that the curse Jesus did carry on the cross was not his own, it was ours. And by willingly taking the curse of the Torah on his behalf, he redeems both Israelites and Gentiles from the curse which befell us all because we did not manage to obey the Torah. Redemption is at hand!

Other NT passages reflect the use of Deuteronomy 21:23 by Jewish opponents as a key argument against the messiahship of Jesus in the debate with Jewish Christians. G. Jeremias suggests that 1 Cor. 12:3, 1 Cor. 15:23, 'Avigdor Benayahu, 'Jesus is accursed.' should be interpreted as a Jewish statement based on Deuteronomy 21:23, and that Acts 18:6; 26:11 and 1 Timothy 1:13 should be seen against the same background: Jews 'blaspheme' Jesus when they, in a confrontation with Jewish followers of his, relate this curse of the Torah to him.

A rabbinic parable

One of the famous rabbis of the early second century AD, Rabbi Meir, used a parable to explain the difficult verses from Deuteronomy:

'Anyone who is hanged on a tree is a curse of God.' That means: why was he hanged, because he cursed the name of God. Furthermore, the hanged one leaves the name of God profaned.' Rabbi Meir said: this can be understood in a parable: two identical twins were living in the same city, one was righteous and the other was wicked. The first was made king of the city, the other committed robbery. Then the king ordered him to be hanged on the tree. But when he heard that all those passing by the executed shouted in distress: 'The king is hanging on the tree.' he ordered the body to be taken down. Thus we learn that when men feel sorry at such a sight, even more does God Himself who says, 'I will bear the disgrace for my head and my face.' And so the curse which is an affront to God. Thus God says, 'I will bear the disgrace for the blood of the righteous ones is shed.'

The citizens saw the image of their king hanging on the tree. Man is God's image - this is true also for the unrighteous. When we see an executed man hanging on the tree, we see the image of the Great King hanging there. And such a blasphemy of God cannot be tolerated for long. Therefore the body must be taken down before evening.

I dare to apply a new interpretation to Rabbi Meir's parable: not only does everyone hanged on the tree represent God's image, one of those thousands hanged on a cross by the Romans represented God's image par excellence. 'He is the radiance of God's glory and the representation of his nature' (Heb. 1:3). When we see him on the cross we see the image of the Great King - of the divine Messiah who took the curse of mankind upon himself to bring redemption to Jew and Gentile alike.

The further history

For Jews, the crucified one was accursed by God. It was not easy for Jews of the first centuries to swallow Paul's claim that the curse Jesus carried on the cross was ours, not his own. NT and patristic sources demonstrate that Jewish opponents used the meaning 'accursed by God' from Deuteronomy 21:23, for their own ends, in the face of their opponents. Two Christian authors of the second century, Ignatius of Antioch and Justin, support Paul's view. Ignatius writes that Deuteronomy 21:23, Zechariah 12:10 and Zechariah 13:18 relate to the encounter with Paul and other Christians [including Jewish Christians] about how Deuteronomy 21:22-23 relate to Jesus. Barnabas 7 portrays the scapegoat of Leviticus 16 as a type of the Son of God: the scapegoat is accursed, but God could not suffer for the sake of the scapegoat. Combining Deuteronomy 21:23, Zechariah 12:10 and Leviticus 16, Barnabas concludes: they will say: 'Is not this he whom we once crucified and rejected and pierced and spat upon? Of a truth it was he who then said that he was the Son of God?' (7:9)."
The Messiah who was Curved on the Tree

Christian interpreters [and Jewish ones until the time of Justin] usually regard the phrase qilel qadam as a subjective genitive, 'a curse of God', and translate it 'accursed by God'. Jewish traditions recorded from the Mishnah (c. 220) onwards have read the phrase as an objective genitive, 'a curse upon God' (so also recently Tanakh, The Holy Scriptures, The New JPS Translation According to the Traditional Hebrew Text. Philadelphia/Jerusalem, 1985). Early Jewish sources provide a double meaning in these words: in light of Ex. 22:28, 'do not curse God', the verse from Dt. also carries the meaning 'hanging on the tree is the one cursing (blaspheming) God'. Among them is the Temple Scroll, which probably understood the deuteronomic qilel as both 'cursing God [and Israel]' and 'being accursed by God (and men)'.

This sentence is an interpretation of Lev. 19:16: 'It shall not be a slanderer in your people', where the same Hebrew words are used.

According to Est. 2:23 and 9:25 (cf. 5:14; 7:9), the two officers conspire against the Persian king, as well as Haman and his sons, were executed when 'they hanged them on the tree'.


R. R. Huyghe, 'The hanging of Bar Kochba in Roman times', in Eretz-Israel 20, pp. 159-179.

At the time of Justin there were still thousands of Jewish Christians in Roman Palestine and the neighbouring countries, believers who kept the Torah and the Sabbath and circumcised their children while they witnessed to their kinship about Jesus as the divine Messiah. Today also the Church must meet the people of our Lord. We should listen sensitively to the objections to the messiahship of Jesus without hiding our conviction that all the scriptures point to him, and that the gospel is the power of God for salvation, first for the Jews, then for us Gentiles. Paul and Justin provide us with good examples in this encounter.

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10 In contrast to Yadin, I tend to interpret the phrase 'a crime punishable by death' in the Temple Scroll as including blasphemy. Dt. 13 and Lev. 24 prescribe capital punishment for sorcerers and those preaching apostasy. The Temple Scroll, which interpreted the verses from Dt. 21:22-23 in light of Dt. 13, Lev. 24 and Ex. 22:26, probably shared with them the view that blessing is the same as cursing. The tradition that 80 witches were executed by hanging on the tree c. 70 BC (see below), as well as the NT evidence, make it probable that the Temple Scroll also had the sin of blasphemy in view. If, however, the Temple Scroll referred to treason and not to blasphemy, then the Jewish sources which connect cursing God and hanging on the tree yet provide a background for NT texts about the crucifixion of Jesus.

11 Targum to Ruth 1:17: 'Naomi said: We have four death penalties for the guilty: throwing of stones, burning by fire, death by the sword, and hanging on a tree': Targum Jonathan to Nu. 25:4: 'and you shall hang them before the Word of the Lord upon a tree towards sunrise and at sunset you shall take them down and bury them'; Targum Neofiti to Nu. 25:4: 'And the Lord said to Moses: Take all the chiefs of the people and set them up in a Sanhedrin before the Lord and let them become judges. Every one who is guilty of death they shall hang on a pole and bury his corpse next day' (We note that the tradition of Neofiti reflects a period when the Sanhedrin had capital jurisdiction: cf. Jn. 18:31: Acts 7:57-58). Similarly the rabbinic commentary Bihra on Nu. 25:4: 'and expose them before the Lord in view of the sun, and appr. judges, you shall hang the sinners on the pole in view of the sun'.

All these sources use the verb šb, which some scholars understand as 'crucify', others as 'impaled/hanged'. Baumgarten, 'Hanging', argues that the word relates to hanging, not crucifixion. A problem with his interpretation is that hanging by the arms is not attested in the region in the centuries in which crucifixion is attested. It seems that it is not attested as a related form. As pointed out by the Romans in the centuries before and three centuries after clearly understand the hanging on the tree: isolating it, which Haman planned for Mordecai and suffered himself, as crucifixion.

In Jewish sources the primary meaning of the Aramaic šabsb or šēḏāh 'at qanun', which renders the Hebrew qalēth 'at hašēḏ, is to hang somebody on.
a pole with their arms tied around it. The phrase does not in itself indicate whether the culprit is killed before he is hanged on the pole. The origins of the traditions on ‘hanging on the tree’ go back to the time when the term referred to crucifixion. When the Jewish sources were written down from the third century on to onwards, most of them relate the term to hanging. The specific meaning ‘hanging’ is clear in the Esther, Targums and Christian Aramaic traditions, in Talmud and in Christian Palestinian Aramaic, as well as a number of Talmudic references; see Halperin, ‘Cruciﬁtion’, pp. 37-40.

The commentary Sifre on Dt. 21:22-23 relates the passage from Dt. to the blasphemer, but states that the culprit should be put to death and then hanged on the tree. Similarly, Mishnah Sanhedrin 6:4: ‘All who have been stoned must (thereafter) be hanged’.

The exact meaning of the verb used here is not clear to us. Proposals include: ‘to expose the culprit with broken limbs or hang him on the pole’.

For the latter, cf. the Targumic versions quoted in T. 7 116; Josephus, Antiquitates XII 396; Genesis Rabbah 65:22; Midrash Tanhaim to Ps. 11:7; cf. E. Taftzuer, Jerusalem and Rom im Zeitalter Jesus Christi (Bern, 1952), pp. 123-32. The wording of Genesis Rabbah and Midrash Tanhaim clearly describes cruciﬁxion.

4QPsal 1 6-8, which comments on the lion of Na. 2:13. Parts of the text are missing, but according to Yadin it could be reconstructed like this: Its interpretation concerns the furious young lion (a Jannam) who [found] the eating smooth things (the Pharisees) guilty of a crime punishable by death, and hanged men alive [not as is the law] in Israel from of old.”

Mishnah Sanhedrin 6:4; Talmud Yerushalaim Haggigah 2:2; Sifre to Dt. 21:22. Hengel has put forward the hypothesis that this story conveys a speciﬁc background: the sham Shimon and the Pharisees cruciﬁed a number of their antagonists, the Sadducees, in an act of revenge when the Pharisaic party became the dominant political force after the death of John (see Rabbinische Legenden).

When asked, ‘Are you the Messiah, son of the Blessed One’ (Jesus, answers, Yochanan, Mk. 14:24, cf. Mk. 14:64; Lk. 22:70). Jesus’ response probably reﬂects the Hebrew phrase ‘ha ha’or (or ‘mi nefesh’), which was used as an appellation for God from Dt. 32:39 and Is. 43:13; 52:6, only God himself could use. On the ‘I am’ sayings of Jesus, see C.H. Dodd, Interpretation of the Fourth Gospel (Cambridge, 1953), pp. 127–31.


The Synoptic Gospels are probably correct in dating Jesus’ temple action to the last visit to Jerusalem. ‘This saying thus belongs to Jesus’ negative words and actions the last week before he was taken prisoner. G. Jeremias, Der Lehrer der Gerichtsgelehrte (Göttingen, 1963), pp. 131–8.

This double explanation is found with the same words in Sifre to Dt. 21:23 and Mishnah Sanhedrin 6:4. The same mishnah states: ‘None is hanged save the blasphemer and the idolator.’

The words of R. Meir, gelesa met’oishi gelesi mizra’ei.’ This is a disgrace for my head and for my arm, remind us of the translation of his contemporaries Symmachus of the biblical phrase qelesa eileme as Ḥashḥeṭ Ḥanah, ‘a blasphemy to God’. Targum Jonathan to Dt. 21:23 adds that the hanged one is a curse of God (affront to God) ‘because he is made in the image of God’. This tradition explains why, according to other sources, ‘he hanged one leaves the name of God profaned’ (as stated in Midrash Tanaim, Ṣifre and Mishnah Sanhedrin).

Midrash Tanaim to Dt. 21:23. Parallels in Mishnah Sanhedrin 9:8: Toledot Sanhedrin 9:7; Talmud Bavli Sanhedrin 46b.

The word for ‘accursed’ is also kamaṭot, the same word used by Paul in his dynamic rendering of Dt. 21:23 (cf. DXX to Dt. 27:25). See O. Skarsaune, The Proof From Prophecy. A Study in Justin Martyr’s Proof-Text Tradition: Text-Types, Provenance, Theological Proﬁle (Uppsala, 1987), pp. 118, 309, 397.


The argument goes: when Moses made an image of the serpent in the desert, he supposed one of God’s commandments (Ex. 20:4). In a similar way, the Law (Dt. 21:23) will be suspended at the realization of this type, namely when Jesus is nailed to the tree. By ﬁxing the serpent to a type of the cross, Moses proclaimed that death was to come to him in the same way (s. G. 3) through the cross (Skarsaune, The Proof From Prophecy, p. 238). . . .

though a curse lies in the Law against persons who are cruciﬁed, yet no curse lies on the Messiah of God, for by him He saves all them that have done deeds that deserve a curse’ (Dialogue 54:5). When the Law appears to curse Christ – which should be impossible – this points to a deeper meaning of the ‘curse’. There is thus only an apparent, but no real, application of Dt. 21:23 to Christ.


The primary sources for this prosecution are Justin, 1. Apology 31:6; Apology 14; cf. Peter ch. 2. The Bar Kochba correspondence found in various caves in the Judean desert conﬁrms that the leader of the revolt treated deserters with brutality. On Jewish hostility against Christians in the early centuries, see R. Havaš, The Struggle for Scripture and Covenant. The Purpose of the Epistle of Barnabas and Jewish–Christian Competition in the Second Century (Tübingen: Mohr, forthcoming).