

Email Address: [kristopher.bate@gmail.com](mailto:kristopher.bate@gmail.com)

Postal Address: 81 Barrington Street  
Sommerfield  
Christchurch  
8024

Programme Name: The Investigator – Jesus the Cold Case

Broadcast Time: 8:30-10:30pm

Broadcast Date: 24/07/11

Broadcast Channel: TV 1

To Whomever It May Concern

I am writing this letter with regards to the documentary mentioned above. I made a formal complaint to the broadcaster in accordance with the act, and received a response from TVNZ dated 26/08/11. The TVNZ Complaints Committee found that no breach of the relevant standards had taken place.

I am writing this letter because I disagree with the findings of the TVNZ Complaints Committee, and as such, would like to refer my complaint to the Broadcasting Standards Authority for review.

The standards of the Broadcasting Codes of Practice that I believe have been breached are standards 4, 5, 6, and 7. In this letter I will outline the TVNZ Complaints Committee's reasons for rejecting my formal complaint and set out my reasons for strongly disagreeing with their findings. I will do so in order of the relevant standards and deal with each separately.

## **Standard 4**

### **TVNZ Response Point 1:**

"Before considering a complaint under this standard, the complaints Committee must determine whether the issue being discussed is a 'controversial issue of public importance.'"<sup>1</sup>

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<sup>1</sup> TVNZ Complaints Committee response P.4

- A. An issue of public importance would have ‘a significant potential impact on or be of concern to, members of the New Zealand public’
- B. A controversial issue is one which has topical currency and excited conflicting opinion or about which there has been ongoing public debate

“The Committee does not agree that the issue of who killed Jesus is such an issue in New Zealand.”<sup>2</sup>

My Argument: *With regards to point 1A:*

“An issue of public importance would have ‘a significant potential impact on or be of concern to, members of the New Zealand public’”

Those that identify themselves as Christian represent a large proportion of the New Zealand population. In the 2006 census statistics, of the nearly 2 million people who filled out the section on religious affiliation 55.6 percent affiliated themselves with some form of Christian faith.

This number includes over 80 percent of the Pacific Islanders who answered this section of the census, and a further 11 percent of Maori who identify themselves as belonging to a specifically Maori Christian religion such as Ratana or Ringatu (although many other Maori would be included in the statistics for the mainline denominations of Christian Faith).

In other words, people who identify themselves as Christian make up a large and significant proportion of the population of New Zealand, that number spanning many ethnic groups including Pacific Islanders and Maori.

The issue of who killed Jesus is of significance and importance to the core identity of those who took the time to answer the question on religious affiliation in the 2006 census.

There is potential for significant impact upon these New Zealanders, as the way in which a documentary such as *The Investigator – Jesus the Cold Case* deals with the foundations of the faith that contributes to shaping their identity, could impact upon their own personal faith (and as such, their identity) as well as affect the way they are perceived by others in the population for holding the views, whether properly affirmed by the Christian world view, or wrongly presented by documentaries such as that of Mr Bruce.

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<sup>2</sup> TVNZ Complaints Committee response P.4

In other words, Bryan Bruce's documentary deals with a topic of significance and importance for a large proportion of the population. As such, the topic (and therefore the documentary) has the potential to directly impact that proportion of the population in terms of how they see themselves, their faith, and also how the rest of the population sees them. Naturally any topic with such potential consequences would also be seen as a topic of great concern.

This does not mean that we should shy away from weighing the evidence or investigating such topics, nor does it mean that we should in any way fudge or run from the potential outcomes of such an inquiry. What it does mean is that such an inquiry should be conducted honestly and with a genuine desire to survey all the evidence at hand, highlighting the major view points and positions held by scholars, and in light of that ask, 'where does the evidence lead us?'.<sup>3</sup>

It is my contention that Bryan Bruce did not conduct his investigation in the manner set out above, the manner expected by the Broadcasting Standards Codes of Practice.<sup>3</sup>

Christians are not the only group within the population however, for whom the issue of who killed Jesus has the potential to have significant impact. It is Bryan Bruce's contention in *The Investigator – Jesus the Cold Case* that the traditional answer (the Jewish nation according to Bruce) has been the root of Anti-Semitism throughout the last two thousand years, and laid the foundation for the Holocaust in Nazi Germany.

According to the internal logic of the documentary in question, how this question has been answered has significantly shaped the course of Western history (particularly its darker aspects), and as such, how we answer it today will affect the course of the future.

Clearly Bruce sees the issue of who killed Jesus as being an issue that has significantly impacted our world, and wants to ensure that we get the answer right in our day, in our cultural setting, in our country, that is after all one of the reasons he made the documentary in the first place.

Bruce demonstrates that he believes this to be a significant issue in our country as he asserts that we should stop telling this 'lie' (that the Jews killed Jesus) every year at Easter.

Easter is one of the few statutory holidays left to our nation, showing that the way this question has been answered, and the events surrounding the life of Jesus as a whole, has played a significant role in shaping the cultural identity of our nation. Bruce is suggesting we

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<sup>3</sup> I will address this issue in depth later in this letter.

dispense with that 'lie' and hence wants to significantly impact the cultural character of our country.

It is clear from the statistics available to us and from the internal logic of *The Investigator – Jesus the Cold Case* that the topic addressed in Bryan Bruce's documentary is one of importance to a large proportion of New Zealand's population, both Christians and non-Christians alike.

The issue of who killed Jesus is a key concern to the faith which contributes to the identity of a significant proportion of the population, and the way in which that topic is treated has the potential to have a significant impact upon them.

The issue of who killed Jesus is of concern to the rest of the population because, according to Bruce, the way this question has traditionally been answered has shaped some of the darker aspects of human history through promoting Anti-Semitism, and how we answer this question in our own day and place will have a significant impact upon the future.

Because the things are true, it seems untenable for the TVNZ Complaints Committee to argue that the issue of who killed Jesus is not an issue of public importance in this country.

*With regards to point 1B:*

"A controversial issue is one which has topical currency and excited conflicting opinion or about which there has been ongoing public debate"<sup>4</sup>

Firstly the issue of religion in general is accepted in the culture as being a controversial issue, hence it being described as one of the two topics not to be raised in polite company. This general stance within the culture should be reflected by broadcasters when considering what is and what is not controversial.

The issue is regarded by our culture as being controversial because it does excite conflicting opinions, opinions which tend to be strongly held by those at each end of the spectrum of opinion.

The issue of the veracity of the Christian Faith in general and the topic of what really happened in the life of Jesus of Nazareth (the topic of the documentary) has been the topic of ongoing public debate.

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<sup>4</sup> TVNZ Complaints Committee response P.4

This is something conceded by Bryan Bruce in TVNZ's response to my original complaint where he notes that, the questions that he is asking in the documentary are;

"...how reliable are these documents [the four Gospels] as a record of the life and death of Jesus of Nazareth? Are they internally consistent in their stories? And can the events they describe be corroborated from sources external to those documents either from other works of the period or from archaeology?"

Bruce goes on to say that these questions were;

"...first asked 175 years ago by a group of German New Testament scholars of which David Strauss was one."<sup>5</sup>

Bruce concedes that this issue has been one of long standing public debate in academic circles, but it is also one of long standing debate within popular culture and the media with books such as *The Holy Blood and the Holy Grail* gaining notoriety in the 1980's, the film *The Last Temptation of Christ*, and more recently with the novel and film by Dan Brown *The Da Vinci Code*, gaining huge popularity and media attention in New Zealand and around the world.

These books and films, along with others that could be mentioned are all asking the same questions that Bruce is asking in his documentary, and as such *The Investigator – Jesus the Cold Case* is a contribution to an ongoing and very public debate on this topic.<sup>6</sup>

Secondly, TVNZ must have believed that Bryan Bruce's documentary would have topical currency as a part of this ongoing debate, otherwise they would not have purchased and agreed to air *The Investigator – Jesus the Cold Case*, as they would not have believed that it would have attracted an audience.

TVNZ purchased the documentary from Bruce's production company and agreed to air it knowing (and indeed counting on the fact) that it would gain an audience because it did have topical currency as part of an ongoing debate.

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<sup>5</sup> TVNZ Complaints Committee response P.2

<sup>6</sup> This is to say nothing of the radio discussions, newspaper articles, and letters to the editor that this programme sparked.

What is more, they knew that due to the controversial nature of the topics addressed in the documentary that it would excite conflicting opinion.<sup>7</sup>

TVNZ originally intended to air *The Investigator – Jesus the Cold Case* at Easter, but held off from doing so because of the controversial nature of the topics, believing that it would excite conflicting opinions.

These points together show that the broadcaster believed that the topic of the documentary was controversial, having topical currency as a part of an ongoing public debate.

Thirdly, evidence of the controversial nature of *The Investigator – Jesus the Cold Case* could be seen by the number of complaints that TVNZ received in response to the documentary.

I would encourage the Broadcasting Standards Authority to find out from TVNZ how many complaints they received with regards to *The Investigator – Jesus the Cold Case*, and compare that number with the highest number of complaints that they have received for any programme shown by them in the past.

The number of complaints received will be evidence that *The Investigator – Jesus the Cold Case* excited conflicting opinions. The number of complaints received with regards to this documentary in comparison to historical complaints will give an indication to just how controversial this documentary was in the eyes of those who watched it.

When my responses to point 1 A and B are taken together alongside the BSA's definition of what a controversial issue is, it seems inconceivable that the TVNZ Complaints Committee would argue that the issue of who killed Jesus was not a controversial issue of public importance in this country. However, they do argue just that, their argument however is found wanting. As such *The Investigator – Jesus the Cold Case* should be held to the expectations of Standard 4 of the Codes of Practice.

#### TVNZ Response Point 2:

"The Committee notes that *The Investigator – Jesus the Cold Case* was clearly an authorial documentary and that the discussion was framed throughout as Mr Bruce's opinion. As

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<sup>7</sup> On Page one of the TVNZ Complaints Committee response they refer to the question of who killed Jesus and why as the "ultimate cold case", why? Because of the controversial nature of the topic, the impact the life of Jesus and Christian Faith has had in history and on the culture of this country, and the conflicting opinions it excites.

discussed above a number of experts were consulted in regard to the historical investigation. These experts are historical Jesus experts not theology experts.”<sup>8</sup>

The TVNZ Complaints Committee argues that *The Investigator - Jesus the Cold Case* is an authorial documentary; as such the views presented within the documentary are merely the opinions of Mr Bruce.

The implication here is that because they see the documentary as being authorial in nature and as such opinion based, the Investigator – Jesus the cold Case should not be expected to meet the requirements of standard 4 of the Codes of Practice.

However, this claim simply does not bear up under close examination.

According to the BSA’s document *Balance in Television Practice Note* page 3

“Programmes that are wholly opinion based and are clearly presented as such are not expected to meet the requirements of this standard [standard 4]”

It is clear however that *The Investigator – Jesus the Cold Case* is not wholly opinion based.

TVNZ may well note that “the discussion was framed throughout as Mr Bruce’s opinion” but the reality is that in the context of the documentary, Mr Bruce’s opinions do not appear in a vacuum. Instead Mr Bruce’s opinions are formed on the basis of his discussion with the ‘expert witnesses’ that he interviews in the course of the two hour documentary.

Mr Bruce interviews his selected experts, asks them his questions, then on the basis of those discussions draws his conclusions and presents all of this to the audience.

Mr Bruce is making an appeal to authority, the authority of the experts that he interviews during the course of his investigation. Because this is true, it is clear to the audience that what is being presented is not simply the opinion of Mr Bruce, but those held by the experts who are set up as authoritative during the course of the documentary.

The viewers of *The Investigator – Jesus the Cold case* were given the impression throughout, and could only reasonably have perceived that the Investigator – Jesus the Cold Case was not wholly opinion based, and certainly not merely the opinions of Mr Bruce alone.

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<sup>8</sup> TVNZ Complaints Committee response P.4

As it is clear that the viewers could only reasonably infer that the documentary was not wholly opinion based, *The Investigator – Jesus the Cold* case should be expected to meet the requirements of standard 4 of the Codes of Practice.

The BSA defines factual programmes as;

“...those which present themselves, and are reasonably understood by the audience, to be authoritative sources of information...the important criterion here is whether a reasonable viewer or listener is entitled to expect that the information given in the programme will be truthful and authoritative, and not just opinion or hyperbole.”<sup>9</sup>

As noted above, throughout the documentary Mr Bruce interviews several scholars who are put forward as experts in the field of Historical Jesus Studies. Mr Bruce relies heavily on the testimony of these experts, and as such makes an appeal to their authority on the subject in question.

Because this is true, the audience can only reasonably understand that these experts are authoritative sources of information, that the information given by these experts is truthful and authoritative rather than merely opinion or hyperbole.

As Mr Bruce leans heavily on the testimony of his experts, the viewers can only reasonably assume that as a result of the appeal made to that authority, Mr Bruce’s opinions must also be authoritative, truthful, and not merely his opinion or hyperbole.

Not only does Bruce make an appeal to the authority of the scholars he interviews, but he also appeals to the authority of the ‘majority’ of scholars.

Throughout the documentary Bruce makes sweeping statements like;

“Most scholars now believe that the Gospels contain more fiction than fact.”

By appealing to ‘most scholars’, Bruce is making an appeal to what he considers to be the majority view (something I will challenge later in this document). By making such an appeal, he is using ‘the majority’ as leverage to convince his audience that the view being expressed is truthful, authoritative, and more than simply Bruce’s opinion or hyperbole.

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<sup>9</sup> Balance in Television Practice Note P.3



Had *The Investigator – Jesus the Cold Case* truly been an authorial, opinion based documentary, Bruce would have used language that was far more moderate in tone, such as;

“Some would say... but I would agree with those who believe that...”

The above statement would clearly have been a statement of opinion rather than the statements Bruce did use that he clearly intends his audience to regard as authoritative, truthful, and not simply his opinion or hyperbole.

Furthermore, Mr Bruce sets himself up as an authority, giving the viewer the impression that the information he provides will be truthful, authoritative, and not merely opinion or hyperbole.

Bruce does this in two clear and distinct ways.

Firstly, the major title for this series of documentary style programmes to which this particular special belongs is ‘*The Investigator*’.

Mr Bruce has built a reputation for his work as a cold case investigator and trades off that reputation in this special.

This major title when connected to the title of this particular special ‘*Jesus the Cold Case*’ serves to trade off the reputation and credibility Mr Bruce has established over a period of time.

In his introduction Mr Bruce introduces himself by saying

“I’m Bryan Bruce. I’m a cold case investigator”<sup>10</sup>

In doing so we, the audience, are given the impression that the area of cold case investigation is the area of Mr Bruce’s specialization and expertise, an area in which Mr Bruce is an authoritative source of information. In short, Mr Bruce puts himself forward as an expert in the area of cold case investigation, of which the question of who killed Jesus and why is the ultimate cold case<sup>11</sup>.

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<sup>10</sup> TVNZ Complaint Committee response P.2

<sup>11</sup> TVNZ Complaint Committee response P.1

Mr Bruce, in the title of the documentary, trades off of his reputation and credibility established over a number of documentary programmes. On top of this he puts himself forward in the introduction to the documentary as an expert in the field of cold case investigation. As such the viewers are entitled to expect that the information given in the programme to follow will be truthful and authoritative as opposed to being merely opinion based or hyperbole.

The other way that Bruce gives the impression that *The Investigator – Jesus the Cold case* will be an authoritative source of information as opposed to being merely opinion based or hyperbole is in the repeated use of the word (and theme of) investigation.

In the introduction to the programme Mr Bruce says;

“Two thousand years ago, Jesus of Nazareth was crucified in Jerusalem. The question is – why? According to the Gospels it was because his fellow Jews found him guilty of blasphemy, so they had him executed by the Roman Governor Pontius Pilate. But I’m not sure that’s how it happened. So I’ve decided to do my own investigation.”<sup>12</sup>

The word investigation is defined in the Oxford Dictionary as meaning, the act of;

“...carrying out a systematic or formal inquiry to discover and examine the facts of (an incident, allegation etc) so as to establish the truth.”

The impression Bruce is giving his audience by calling himself ‘The Investigator’ and describing what he is doing as an ‘investigation’ is that he is systematically reviewing, sifting through, all the relevant evidence, examining the facts surrounding this ‘cold case’ in order to get to the truth of what really happened. It is the impression that what will follow will be a ‘serious and even handed examination’<sup>13</sup> of the issue at hand.

This impression given to the viewers is consistent with the introduction to the programme as I have quoted above, and it is continued throughout the documentary in the use of sub-titles for each segment of Bruce’s ‘investigation’.

These sub-titles use language associated with a formal investigation such as ‘Crime Scene’ and ‘Known Associates’ further reinforcing the impression that because of the methods being employed, *The Investigator – Jesus the Cold Case* will be an authoritative source of

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<sup>12</sup> TVNZ Complaint Committee response P.2

<sup>13</sup> See Balance in Television Practice Note P.4

information, and the information being given will be truthful and not merely opinion or hyperbole.

Based on the appeal to authority, that of the experts in the field of Historical Jesus Studies, and Bruce's authority as a reputable cold case investigator, as well as the use of the word investigation, in the tone of the introduction, and in the subsequent content of the programme, it is reasonable that the viewers expectation is that what is being presented will be an authoritative source of information, that information being truthful and not merely opinion or hyperbole.

As such The Investigator – Jesus the Cold Case should be subject to the controversial issues/balance standard

The TVNZ Complaints Committee's claim that the programme introduction clearly sets out that the material to follow would be merely Bruce's opinion simply doesn't hold water, and even had the introduction clearly stated that what followed in the programme was merely Bruce's opinion, that claim would have been contradicted and nullified by the impression given in the content and theme of the rest of the two hour documentary.

Not only did Bruce specifically use the word 'investigation' for what he was presenting, calling himself a 'cold case investigator', clearly giving the impression of an even handed examination of the facts and evidence in order to establish the truth of what happened, but he also made an appeal to the authority of scholars in this specific field of study, something that could only be seen by the viewers as an attempt to substantiate his conclusions, giving weight and authority to his findings, in an attempt to persuade his viewers of the truth of what he was saying on the balance of the evidence provided.

If the question being asked here is 'how would the viewers reasonably have perceived or understood the programme in question'<sup>14</sup> it seems impossible that they could have got the impression that what they were being presented with was merely the opinion of Mr Bruce.

Clearly The Investigator – Jesus the Cold Case purported to be a serious and even handed examination of the issues at hand, both directly and indirectly, by the use of words such as investigation, by Bruce putting himself forward as a cold case specialist and therefore an expert in such investigation, and in the appeal to the authority of the experts that were interviewed, as well as to the 'majority' of scholars.

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<sup>14</sup> Balance in Broadcasting Practice Note P.3

Because that above statement is true, it seems to me that *The Investigator – Jesus the Cold Case* fits more comfortably within the BSA's definition of a factual documentary rather than being purely authorial.

As the *Balance in Television Practice Note* page 3 states;

"The BSA has distinguished between programmes which purport to present a serious even handed examination of an issue – and so are subject to the controversial issues/balance standard – and those which are unambiguously opinion based."

Clearly *The Investigator – Jesus the Cold Case* is not unambiguously opinion based and the viewers were given every expectation that what they were being presented with was a serious even handed examination of the issue.

The question then becomes whether viewers;

"Were likely to have been deceived or misinformed by the omission or treatment of a significant perspective?"<sup>15</sup>

In order to answer this question we need to first define what issues the documentary was dealing with.

In the TVNZ Complaints Committee response they identify one of the major questions Bryan Bruce is trying to answer as 'who killed Jesus and why?'<sup>16</sup>

In the same document Mr Bruce states that he set out to treat;

"...the four gospels as historical documents and applied a critical historical approach. I asked – how reliable are these documents as a record of the life and death of Jesus of Nazareth? Are they internally consistent in their stories? And can the events they describe be corroborated from sources external to those documents either from other works of the period or from archaeology?"<sup>17</sup>

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<sup>15</sup> Balance in Broadcasting Practice Note P.3

<sup>16</sup> TVNZ Complaints Committee response P.1

<sup>17</sup> TVNZ Complaints Committee response P.1

On page seven of the TVNZ Complaints Committee response, Bruce states;

“At every point I am concerned to ask – what is the evidence for the event. So for those who missed it here is the logic of Jesus – the Cold Case – do we have any eye witness testimony to the events of the life and death of Jesus of Nazareth?”

Bruce then, has set out in *The Investigator – Jesus the Cold Case* to answer the questions who killed Jesus and why, are the gospel documents reliable sources of historical information, are they consistent within themselves, is there any corroborating evidence in other works of the period or from archaeology, do we have any eye witness testimony, and where does the evidence lead us with regards to what really happened in the life and death of Jesus of Nazareth.

Firstly it needs to be noted that these are not questions that the average viewer has the tools to answer for themselves. This is a specialized field of study and as such requires an awareness of, and ability to engage in, the scholarly material to a high academic level. In other words, the average viewer only has material such as this documentary from which to draw their conclusions on this subject that we have already established as a controversial issue of public importance.

As such, should the material the viewers engage with (such as the documentary in question) be grossly unbalanced, biased, and fail to present significant evidence and/or significant scholarly viewpoints, the viewer is highly likely to be misinformed at best, or deliberately deceived at worst, as a result of the blatant omission of the information needed to reach an informed decision.

Secondly, it also needs to be noted that Bryan Bruce took papers in the *History of Christian Thought*<sup>18</sup> and also the *Quest for the Historical Jesus* at Canterbury University.<sup>19</sup>

Because this is so, it is reasonable to conclude that it was during the course of this study at Canterbury, that Bruce became aware of the scholarly debate surrounding the *Quest for the Historical Jesus*, and the work of the scholars he interviews during the course of the documentary.

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<sup>18</sup> This was my major in my degree in Theology at Otago University. As well as my BTheol, I have studied comparative religions, the philosophy of religion, and the claims to historicity of the Christian Faith, all of which I continued to pursue during my post graduate studies at Oxford University.

<sup>19</sup> TVNZ Complaints Committee response P.2

It is then also reasonable to conclude that it was as a result of taking these papers that he formed his views with regards to the questions he raises in *The Investigator – Jesus the Cold Case*. As such, Bruce had already come to his conclusions with regards to the questions that he raises in the documentary before ever making it.

It is reasonable to deduce that Bruce already had pre-conceived views with regards to the questions that he raised in the documentary in question and set out during his ‘investigation’ in the course of the programme to assert these pre held views in the conclusions of his programme.

In other words, the impression he gave to his viewers in the introduction to his programme as well as in the subsequent content, that Bruce was a cold case investigator, sifting through the evidence with an impartial eye, in a serious and even handed manner, in order to establish the truth, was false from the very beginning.

Bruce had already formed his views and set out to prove those views during his documentary. Bruce approaches the subject having already determined the outcome, and in doing so deliberately misleads his viewers in the process.

It is my contention that Bruce also deliberately deceived his viewers by omitting significant ancient evidence that contradicts his view that the Jewish leadership was not in any way responsible for the death of Jesus.

As I’m sure you understand, this field of investigation is vast, and there simply is not the space in this letter to recount all the evidence that could have been included in *The Investigator – Jesus the Cold Case* but was not. However, I hope the following three examples will be sufficient to support my claim.

The Jewish historian Flavius Josephus was mentioned in *The Investigator – Jesus the Cold Case* to support various views that Bruce put forward. However, Josephus (a first century historian) does not agree with Bruce’s conclusions that Pilate was solely responsible for Jesus’ death.

In Josephus’ classic work *Antiquities of the Jews* xviii. 63-4, Josephus notes that;

“In response to a charge presented by the leading men amongst us [the Jews] Pilatus condemned him [Jesus] to the cross...”

Here Josephus a Jewish historian clearly records that it was the Jewish leadership that presented the charge that led to the execution of Jesus. This is clear corroboration of the Gospels portrayal of what took place, and yet Bruce never presents this evidence in his ‘investigation’.

Another example that Bruce omitted from his ‘investigation’ comes from another Jewish source, this time the Babylonian Talmud.

The Talmud is a collection of Jewish religious teachings consisting of scripture, commentary, and relevant history and rabbinic teachings. In Sanhedrin 43a we see that;

“Jesus was hanged on Passover Eve. For forty days previously a herald went forth and cried ‘He is being led out for stoning, because he practiced sorcery and led Israel astray and enticed them into apostasy. Whoever has anything to say in his defence, let him come and declare it.’ As nothing was brought forward in his defence he was hanged on Passover Eve.”

We learn here in this clearly polemical work, that Jesus was executed for practicing sorcery, for leading Israel astray, and for enticing them into apostasy. These are charges brought from a religious perspective, and as such by the religious leaders of the Jews, not by the Roman officials.

A third example of evidence that flies in the face of Bruce’s conclusions and was also left out of his ‘investigation’ is found in the writing of Mara bar Serapion.

In a letter written from prison to his son (approx 73AD), Mara writes

“What advantage did the Jews gain from executing their wise King? It was just after that that their kingdom was abolished. “

Here Mara notes that shortly before the destruction of the Jewish kingdom (70AD) the Jews killed their ‘wise King’. Who else could this be but Jesus of Nazareth, King of the Jews. No other figure of history fits the description Mara gives.

Here we have another ancient source attesting to the fact that Jesus was executed as a result of charges that were brought by the Jews. Again, this is contrary to Bruce's conclusion, and again, this has been conveniently omitted from Bruce's 'investigation'.

Above I have given three examples of ancient evidence (two of which are from the 1<sup>st</sup> century) that corroborates the accounts found in the Gospels with regards to one of the key questions of Bruce's documentary. What's more, these ancient sources were not written by Christians but by Jews. As such, they would have no reason to corroborate the claims of Christian faith unless they happened to be true. It seems that the answer given within Judaism itself is that the Jews played a significant role in the death of Jesus.

By deliberately omitting such evidence, the results of his 'investigation' are skewed and the viewers are deprived of the opportunity to survey vital pieces of information that are necessary if they to make an informed decision. It is one thing if Bruce wanted to contest the validity of these ancient sources (although the vast majority of scholars would say that all of these sources contain significant historical information) it is another thing entirely to proceed as if they did not exist at all. That can only be seen as deliberate deception.

Bruce may plead ignorance of this ancient documentary evidence, but it would seem implausible as Bruce showed awareness of Josephus' work elsewhere in the documentary. On top of that, the evidence mentioned above is readily available in both popular entry level works such as Lee Strobel's *The Case for Christ* (available from any Christian book store) as well as more technical scholarly works such as *Jesus Remembered* by James Dunn.

The information cited above is dealt with in any scholarly work discussing the issue of the historicity of the Gospels and what happened in the life of the historical Jesus. To plead ignorance of such elementary evidence would be unforgivable for anyone claiming to be doing an honest investigation of the subject (and thus reflect on their abilities in research and their ability to intelligently discuss a topic of such significance and public importance), and because the evidence is so widely known and discussed, it seems more reasonable to believe that this evidence was among that which did not agree with the conclusion that Bruce was seeking to draw and assert for his viewers, and as such it was deliberately omitted.

Not only did Bruce present a deliberately biased case by omitting pivotal (and well known) evidence, but he also stacked the deck in favour of his conclusions by deliberately 'cherry picking'<sup>20</sup> his scholars.

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<sup>20</sup> Bruce's words



I made the claim in my original letter, that the scholars used were all from one particular perspective within a field where there are a range of views within the scholarship.

By deliberately selecting scholars who represent such a narrow (and roundly criticised) viewpoint<sup>21</sup>, Bruce denies his viewers the opportunity (and ability) to come to an informed decision with regards to the key questions being asked in the Investigator – Jesus the Cold Case.

In the TVNZ Complaints Committee response Bruce states that;

“The historical Jesus experts I chose to interview in Jesus the Cold Case are all eminent world experts in historical Jesus research with impeccable credentials... Having Prof Vermes on the programme is the New Testament equivalent of having Einstein on a science programme.”<sup>22</sup>

Firstly, my issue is not primarily with their credentials (although with regards to several of the scholars interviewed their expertise in this specific field does need to be questioned), my problem is that they all represent a very particular viewpoint (and a minority viewpoint at that); they are all singing from the same song sheet.

A very cursory examination of the views of each scholar will bear this out.

J.D Crossan denies that the passion narratives of the four Gospels contain any significant historical data<sup>23</sup>, holds that Christian Faith is not Easter Faith<sup>24</sup>, and his approach to the canonical Gospels has been described as one of ‘ultra-suspicion’<sup>25</sup>.

The main thrust of Geza Vermes’ argument is that “Jesus is wholly incompatible with the Christian orthodoxy which claimed him for its own”<sup>26</sup>. He believes that the Gospels have been significantly edited by later Christians and now contain a great deal of myth. As such the Jesus of history is radically different to the Christ of faith, and Christians will have to radically rethink some of the foundations of their faith.<sup>27</sup>

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<sup>21</sup> I will elaborate on this later in this document

<sup>22</sup> TVNZ Complaints Committee letter P.4-5

<sup>23</sup> Witherington P.89-90

<sup>24</sup> Witherington P.75 n 45

<sup>25</sup> N.T Wright P.60

<sup>26</sup> Riches P.202

<sup>27</sup> Vermes, The Authentic Gospel of Jesus, P.398-417

Lloyd Geering is well known in New Zealand for his radically liberal brand of theology which almost saw him excommunicated from the Presbyterian Church in the 1960's. His works such as *Christianity Without God*, and *Tomorrow's God* highlight his distrust for orthodox Christian Faith.

John Shelby Spong falls neatly into the same category as Geering, he may be seen as an American counterpart, touting his own brand of ultra-liberal theology, and has himself faced charges of heresy.

Elaine Pagels also has a deep suspicion of orthodox Christian Faith, instead preferring the Gnostic writings in their teaching. Pagels believes that the Gnostic Gospels present a more authentic and earlier version of Christianity and of Jesus.

As Bryan Bruce has stated in the TVNZ Complaints Committee letter, and I have highlighted previously in this document, some of the key questions that are being asked in *The Investigator – Jesus the Cold Case* are, are the Gospels reliable sources of historical information, are they consistent within themselves, is there any corroborating evidence in other works of the period or from archaeology, and do we have eyewitness testimony as to the events of the life and death of Jesus? To all of the questions above, all of the scholars interviewed in Bruce's documentary answer with a resounding no. Because they all answer these questions in the negative, that influences how they approach the other questions of who killed Jesus and why.

Throughout the documentary, and indeed even in the TVNZ response, Bruce uses the metaphor, image, and language of the law court.

If this were indeed a trial and the four Gospels were under investigation, all of Bruce's experts would be on the prosecution bench; they are all prosecution witnesses against the canonical Gospels.

For the entire two hour duration of the documentary, Bruce sets his prosecution team against the testimony of the canonical Gospels. However, not a single defence witness was called to give evidence. In the two hours, not a single scholar holding an opposing view with regards to the key questions was given the opportunity to defend the Gospels as to their historical reliability, as being internally consistent; to present the corroborating evidence from other ancient sources that Bruce deliberately omitted as well as from archaeology, and to set out why the Gospels have traditionally been, and continue to be considered eye witness documents to the life and death of Jesus.

This evidences an alarming lack of balance in blatant violation of the Codes of Practice.

The Broadcasting Act states that broadcasters;

“make reasonable efforts, or give reasonable opportunities, to present significant viewpoints...”<sup>28</sup>

It is my contention that to air a two hour documentary on a topic that is clearly controversial and is an issue of importance and concern to the public, where only ‘prosecution’ scholars are interviewed and not even one single ‘defence’ witness is given the chance to present a case, is in blatant violation of the Codes of Practice.

In the TVNZ Complaints Committee response letter, Bruce argues that;

“I have read conservative Christian opinions – and some of those opinions are actually in the documentary. John Dominic Crossan for example is a former Catholic Priest who has written many books on the historical Jesus and is considered one of the world’s leading authorities on the subject.”<sup>29</sup>

Firstly, Bruce states that he has read ‘conservative Christian opinions’. The issue is not whether he has read those opinions (although the documentary shows an alarming ignorance of the views Bruce claims to have read), the issue is that Bruce has a responsibility under the Broadcasting Codes of Practice to allow significant viewpoints to be expressed so that the audience is in a position to make an informed decision on the basis of all the available evidence, both for and against, with regards to the case in question.

Bruce goes on, it would seem, to suggest that John Dominic Crossan represents the ‘defence’ case. Bruce is seriously grasping at straws here in an attempt to find anything that might meet the balance criteria; and failing badly I might add. Notice in Bruce’s statement that Crossan is a former Catholic Priest. He is a former Priest because his views make it impossible for him to continue as such.

Crossan in no way represents conservative Christian scholarship and for Bruce to try and argue such is plainly ridiculous. An even cursory engagement with Crossan’s work will show just how obviously flawed Bruce’s argument is here.

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<sup>28</sup> Balance in Broadcasting Practice Note P.1

<sup>29</sup> TVNZ Complaints Committee letter P.5

Bruce continues;

“Crossan wants to argue that the Gospel account on this occasion is actually what happened...I don’t agree with Crossan, I don’t choose experts with whom I agree. I did not cherry pick my experts.”<sup>30</sup>

The point I want to make here is that on all of the key questions that Jesus the Cold Case is asking, Bruce does agree with Crossan, in fact, when you evaluate Bruce’s arguments it seems to me that, of the scholars interviewed for the documentary, Bruce leans most heavily on the work of Crossan.

The issue that Bruce claims to be in disagreement with Crossan over is why Jesus wasn’t arrested by the Chief Priests and Pharisees earlier than what he was. This is a minor detail in the context of the questions being asked, and does not influence any of the major themes or conclusions of the documentary.

Secondly, to cite one example from a two hour documentary, on a very minor point found on the lips of someone who has clearly set himself up in the context of the documentary as being on the prosecution team, and claim that this shows that balance has been satisfied, beggars belief.

There is absolutely no excuse in a documentary of this nature that screened for two hours, not to have given some of those two hours to the interviewing of at least one of the many world renowned scholars that oppose the position Bruce has sought to assert.

I find it inconceivable that in a two hour documentary that spanned three continents in its travels, that Bruce could either not find the air time for a ‘defence’ witness to be interviewed, or that in all of Bruce’s travels, none of the many eminent scholars who would strongly disagree with the views of Vermes, Crossan, Pagels, Spong, and Geering were available for interview.

Clearly Bruce had no intention of producing a balanced documentary, no intention of ensuring that the significant opposing viewpoints were presented by those qualified to argue the defence position, no intention of providing the audience with the information needed for them to make an informed decision<sup>31</sup>, and in short, no intention of meeting the requirements

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<sup>30</sup> TVNZ Complaints Committee letter P.5

<sup>31</sup> See Practice Note P.5

of the Broadcasting Codes, and all this in contradiction to the distinct impression that any reasonable viewer would have taken from the documentary.

If it truly is important that the “viewing public is presented with competing arguments on matters of importance in as fair a way as possible”<sup>32</sup> then Bruce, TVNZ, and the documentary for which they are jointly responsible need to be held in breach of Standard 4 of the Codes of Practice.

The BSA Practice Note on Controversial Issues page six states that;

“Generally, the more serious the issue and the potential consequences for the individual or organisation involved, the more strenuous and persistent the efforts of the broadcaster must be.”

What is at stake here and its importance has already been covered in this document. How much more serious and how much more grievous can the consequences be than the delegitimization of the faith that has played such a vital role in our society, and in the lives of the large population of New Zealand who identify themselves as Christian, along with the charge that Anti-Semitism is the natural and necessary outworking of the teachings of the sacred writings held so dear by those people?

As I quoted earlier, Bruce would have us believe that the experts interviewed for The Investigator – Jesus the Cold Case are world renowned experts with impeccable credentials. Once again, my issue is not necessarily with their credentials, but Bruce’s assertion that the views of the experts he selected represent the views of mainstream scholars in the field of historical Jesus research. This claim is blatantly false, and it is with this that I take exception.

Bruce and TVNZ are making a distinct category error by evaluating the acceptance of these scholars on the basis of their credentials, and the acceptance of the views held by these scholars.

Their credentials are indeed impeccable, the views however that these scholars hold have found little acceptance in mainstream scholarship, and have in fact been the subject of severe criticism from equally credentialed and more mainstream scholars.

Bruce insists that the scholars interviewed for his documentary are experts in the field of historical Jesus research, however, within the academic community only two of Bruce’s

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<sup>32</sup> Practice Note P.2

scholars would be considered to be experts in this field, those being Geza Vermes, and John Dominic Crossan.

Lloyd Geering is a theologian well known in New Zealand for his extremely controversial theological views. However, in all the research I have done in this area (which is extensive but not exhaustive) Geering fails to gain a mention.

In the four volume survey of the scholarship in the field of historical Jesus research *Handbook for the Study of the Historical Jesus* released this year (a book well in excess of 2000 pages with contributions from a wide range of scholars holding a range of views toward the Jesus of History, Geering is never mentioned once.

John Shelby Spong also falls into this category. He is a liberal theologian best known for his highly controversial views, in particular calling for a radical reformation of Christian Faith in the areas of morality, exclusivity, and attitudes towards homosexuality; he is not known or recognised for his academic contributions to the field of historical Jesus research.

Spong is not an expert on historical Jesus research and to label him as such is grossly inaccurate. He is a maverick theologian and a writer of theology at a popular level for mass consumption.

Elaine Pagels is not considered to be an expert in the field of historical Jesus research either. Her field of expertise is the Nag Hammadi Library, more commonly referred to as the Gnostic Gospels.

Pagels is of the view that the Gnostic writings are earlier texts than the canonical Gospels; as such she believes them to present a more authentic version of Christian Faith. However, this view has been roundly criticised by many scholars, liberal and conservative alike. Craig Blomberg notes that;

“It would seem that anyone who wished to augment or challenge the canonical traditions knew that the latter’s historicity could not be impugned; all one could hope to do was to claim additional knowledge that went beyond what the New Testament had recorded. Even then it seems that few in the ancient world were convinced by the new claims, apart from the sects supporting them. That anyone should give greater credence to the apocrypha today (as Pagels does) in a more sceptical age proves highly incongruous.”<sup>33</sup>

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<sup>33</sup> Blomberg P.280

Bart Ehrman, who is himself no friend to orthodox Christian Faith, has this to say with regards to the historicity of the New Testaments Gospels over against the Gnostic writings.

“The oldest and best sources we have for knowing about the life of Jesus are the four Gospels of the New Testament, Matthew, Mark, Luke and John. This is not simply the view of Christian historians who have a high opinion of the New Testament and its historical worth; it is the view of all serious historians of antiquity of every kind, from committed evangelical Christians to hard-core atheists. This view is not, in other words, a biased perspective of only a few naïve wishful thinkers; it is the conclusion that has been reached by every one of the hundreds (thousands, even) of scholars who work on the problem of establishing what really happened in the life of the historical Jesus, scholars who have learned Greek and Hebrew, the languages of the Bible, along with other related languages such as Latin, Syriac, and Coptic, scholars who read the ancient sources in the ancient languages and know them inside and out.”<sup>34</sup>

Bear in mind that Bart Ehrman is not an Evangelical Christian, in fact quite the opposite; he is someone who has clearly set himself out as being opposed to orthodox Christian Faith. That makes him a hostile witness with no prior reason to establish the historicity of the New Testament Gospels. His criticism of the view held by Pagels is all the more damning as a result.

A disturbing trend has been noted of Elaine Pagels’ work, and that is that she;

“...highlights only those...traditions which support her thesis”<sup>35</sup>

This is a trend I have already highlighted of Bryan Bruce, and it is a recurring theme in the reviews of Bruce’s other selected scholars also.

John Dominic Crossan is a former Catholic Priest and co-founder of the Jesus Seminar with Robert W. Funk.

The Jesus Seminar are a body of scholars who meet to vote on whether or not Jesus said and did all that he is credited with in the four Gospels. The Seminar has been the subject of a great deal of scholarly critique and serious charges have been laid at their feet.

Craig Blomberg sums the Seminar up by saying;

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<sup>34</sup> Ehrman P.102-103

<sup>35</sup> JBL Vol 116, No 1, P.135

“Throughout the decade of the 1990’s, the Jesus Seminar met semi-annually to discuss and vote, passage by passage, on the probability of Jesus having said and done everything attributed to him in the New Testament Gospels... By successfully courting media attention in ways that most scholars do not, they succeeded in convincing a wide swathe of news gatherers that they spoke for the majority of scholars even though with a few exceptions they instead represented the radical fringe of New Testament scholarship.”<sup>36</sup>

Ben Witherington III picks up on the theme that the Jesus Seminar doesn’t represent the majority of New Testament scholarship by saying;

“...not one member of the New Testament faculty from Yale, Harvard, Princeton, Duke, University of Chicago, Union Theological Seminary, Vanderbilt, SMU, or Catholic University is involved in this project...Nor are any major scholars from England or the continent.”<sup>37</sup>

Witherington also points out that the Jesus Seminar;

“...is not a group sponsored by either of the two major scholarly guilds, the Society of Biblical Literature (SBL) or the Society for the Study of the New Testament.”<sup>38</sup>

What both Witherington and Blomberg are saying quite clearly here is that the Jesus Seminar, co-founded by John Dominic Crossan, does not represent the mainstream scholarship, no matter how much Bruce might want to convince us otherwise.

Several stinging criticisms have been made with regards to the methodology employed by Crossan’s Jesus Seminar and give insight into Crossan’s approach in his work outside of the Jesus Seminar.

“A Critical examination reveals serious flaws...In particular, Jesus is denuded of his historical context, and his sayings are stripped of their literary setting. The very procedures followed guarantee that too little of the relevant data will be allowed to speak to the issue of what Jesus said or did.”<sup>39</sup>

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<sup>36</sup> Blomberg P.16-17

<sup>37</sup> Witherington P.43

<sup>38</sup> As above

<sup>39</sup> Witherington P.42



In other words, the Jesus Seminar's very methodology ensures that they will end up with the sort of conclusions that they do. By ignoring a broad body of ancient evidence they determine the outcome before they have begun; sound familiar?

"At the end of the day, the Seminar rejects the majority of the evidence...in order to come up with (their portrait of Jesus). I will leave it up to the reader to decide whether it is a truly scholarly and unbiased approach to reject the majority of one's evidence and stress the minority of it. In a court of law, where there is plenty of critical scrutiny, point and counter point, this sort of approach would never stand up."<sup>40</sup>

This is my precise criticism of Bruce's documentary. Witherington's conclusion in the last line above is very relevant as Bruce is continually trying to employ the metaphor of the law court, and convince us that he has conducted a fair trial. One of the most eminent scholars in the field of historical Jesus research today is telling us Bruce's approach would not stand up in the court to which he is constantly appealing.

The criticism the Jesus Seminar has received is important here because it is indicative of the criticism levelled at Crossan as its co-founder, and of Crossan's work apart from the Seminar.

Crossan himself has received sustained criticism as a result of his work outside of the Jesus Seminar, although much of it has the same basis of leaving out too much evidence that doesn't support his case, and ultimately producing a picture of Jesus that was predetermined before the search began by the methodology employed, and one that ultimately tells us more about Crossan than Jesus. Crossan has also been accused of anachronism and misrepresenting the data.<sup>41</sup>

Crossan is best known for his book *The Historical Jesus: The Life of a Mediterranean Jewish Peasant*. In it Crossan paints Jesus as a wandering Jewish philosophical cynic.

This book and Crossan's findings have been influential, but at the same time, roundly rejected. N.T Wright says that Crossan's most influential book;

"is based on many years of careful and painstaking research...Crossan represents the high point of achievement in the new wave of the New Quest. It is all the more frustrating, therefore, to have to conclude that the book is almost entirely wrong."<sup>42</sup>

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<sup>40</sup> Witherington P.57

<sup>41</sup> Witherington P.88

<sup>42</sup> Wright P.44

Crossan approaches the canonical Gospels with what can only be called an ultra-suspicion, using the phrase hide the prophecy, tell the narrative, and invent the history to describe their methodology.<sup>43</sup>

Van Beek comments that Crossan must have written this line in “a moment of inattention to the demands of both critical scholarship and sensitivity” and that it “marks the end of careful historical scholarship”.<sup>44</sup>

B.F Meyer is another scholar who has launched a stinging attack on Crossan’s book and his description of Jesus as a Jewish cynic. He says;

“For my part, I find...little to support this description, but I would not recommend redoing the book, As it stands it is as good as it will ever be. In all these 500 pages of impeccable political correctness there is hardly one badly turned sentence. It is delightfully readable, the pace rapid, the text filled with useful information on recent anthropology, on the ancient world’s social, economic, and political systems, on the Cynics and so on. As historical-Jesus research, it is unsalvageable. Not that a long historical struggle has turned out to have been in vain, for there are no signs of such a struggle’s having taken place. Historical inquiry, with all its connotations of a personal wrestling with the evidence is not to be found.”<sup>45</sup>

Meyer rounds out his review of Crossan’s most influential book by saying;

“Instead of an inquiry, what we have here is simply the proposal of a bright idea...bright ideas are a dime a dozen – establishing which of them is true is what separates the men from the boys.”<sup>46</sup>

Ben Witherington picks up a common criticism in his survey of the scholarship in the quest for the historical Jesus. As he notes, Crossan;

“...insists on subscribing to opinions that only a distinct minority of scholars would agree with.”<sup>47</sup>

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<sup>43</sup> Wright P.60

<sup>44</sup> Wright P.60 n155

<sup>45</sup> Meyer P.576

<sup>46</sup> As above

<sup>47</sup> Witherington P.75

Bruce leans heavily on the work of Crossan, particularly with regards to his views about the passion and trial narratives found in the four Gospels. But as we can see, Crossan's views are hardly indicative of the majority of scholars as Bruce would have us believe.

"It is unfortunate that Crossan too often allows himself to engage in such wild and insupportable conjectures and arguments, because for many critical readers this leaven will leaven the whole lump and even the better parts of his work will be dismissed as the views of one who has intentions of undermining traditional views of Jesus, not as the views of a scholar of history."<sup>48</sup>

And that is the issue that I would once again highlight about Bruce's documentary. Bruce is clearly motivated by a desire to undermine the traditional views about Jesus, his life and death. He obviously formed his views before creating *The Investigator – Jesus the Cold Case*, carefully selected which scholars he would include in his documentary, choosing a select few from the margins of scholarship who hold radical views and are sympathetic to Bruce's agenda, he ensures that there are no opposing views from the many eminent scholars who would strongly disagree with his position and approach, carefully chooses which evidence to include and which to ignore, and then presents the whole package to the audience under the guise of an even handed serious investigation where the information provided can be trusted because of the authorities the documentary appeals to.

Any serious mainstream scholar on the issue in question would look at *The Investigator – Jesus the Cold Case* and be disgusted by the methodology of deliberate deception of the audience, and the misrepresentation of the relevant data.

Like Pagels, Crossan's arguments rest on his dating of the Gospels versus that of the Gnostic material. Crossan argues against the historicity of the Gospels, instead favouring the Gospel of Peter. However, almost no-one in the scholarly world would follow Crossan in this, as there is no evidence to place the Gospel of Peter any earlier than the mid to late second century.<sup>49</sup>

Crossan also wants to give priority to the Gospel of Thomas over the canonical Gospels, a claim for which there is once again no evidence to support. The leaps in logic Crossan employs to make such an assertion become too convoluted to be historically viable.

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<sup>48</sup> Witherington P.76-77

<sup>49</sup> Blomberg P.114

“...Crossan’s attempt to make the Gospel of Thomas the earliest Gospel, while relegating the traditions of Mark and some parts of Q to a later period, is not just mistaken, but badly mistaken.”<sup>50</sup>

Clearly Crossan isn’t quite the mainstream scholar that Bruce would have us believe, and Crossan’s views are not the views held by the majority of scholarship, instead Crossan’s is a voice from the margins of historical Jesus research.

In his discussion on the work of John Dominic Crossan, Ben Witherington III makes this statement;

“What we require is strenuous efforts to attain objectivity by scholars who should be at least as critical of themselves and their presuppositions as they are of the Gospels and their authors.”<sup>51</sup>

I would echo this sentiment in light of Bruce’s documentary. We all have some degree of bias, but when we approach history we need to be able to put those biases aside as best we can, survey **all** of the evidence available to us, draw conclusions from the evidence available, and then subject our conclusions to rigorous examination to ensure that they are not simply the products of our own presuppositions.

Unfortunately, neither Bruce, nor the scholars whom he interviews seem capable of doing such honest investigation. For Bruce to try and convince us and his audience that his was an honest investigation simply cannot be sustained by any objective examination.

Bruce, like Crossan has clearly failed to conduct an honest, serious, balanced, and even handed discussion of the subject in question. It is my contention that this is because, again, like Crossan, Bruce is motivated by a desire to undermine traditional views of Jesus rather than being motivated by genuine historical interest.

Other than Crossan, the only other specialist in the field of historical Jesus research that was interviewed for The Investigator – Jesus the Cold Case is Geza Vermes. Of Vermes Bruce has this to say;

“Having Prof. Vermes on the programme is the equivalent of having Einstein on a science programme.”<sup>52</sup>

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<sup>50</sup> Witherington P.143

<sup>51</sup> Witherington P.82

Strong recommendation indeed from Mr Bruce, but is that the view of Vermes' peers, or does this rather telling statement reveal more to us about Bruce's biases than Vermes' standing in the scholarly world.

Geza Vermes is indeed well respected in the field. In fact, Vermes is credited with making one of the most influential moves in the field of historical Jesus research in recent years (1970). That move was to remind scholars that Jesus was a Jew, and that any attempt to reconstruct a picture of the historical Jesus, his life, and his death must take into account Jesus' Jewish religious and cultural context.

This is a move that has been received with gusto by most recent scholars. However, in saying that, the content, detail, and ultimate picture of Vermes' Jesus has been met with stern criticism.

Vermes goes to the extreme by assuming that Jesus is characteristically Jewish through and through. He neglects to appreciate the tension between Jesus and the religious Pharisees, which of course points to a distinction between the Judaism adhered to by Jesus and his followers and that promoted in the Pharisaic Judaism that held sway in first century Israel.<sup>53</sup>

Vermes paints Jesus as a Hasidic Jew, a dynamic religious miracle worker who had an intimate relationship with God.

"The basis for establishing Hasid as 'type' is the material found in the Talmud about Hanina ben Dosa and Honi the Circle Drawer."<sup>54</sup>

Witherington outlines some of the crucial flaws that scholars often note with regards to Vermes' proposition.

"Under close scrutiny Vermes' proposal has some serious flaws. In particular the material about Honi and other such figures is found in the Talmud and other Jewish literature that comes from a much later time than the Gospel material. In addition, the Hasidim do not seem to have been particularly associated with Galilee, and they were extremely observant of Torah in a way that Jesus does not seem to have been."<sup>55</sup>

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<sup>52</sup> TVNZ Complaints Committee response letter P.4-5

<sup>53</sup> Dunn, New Perspective P.64

<sup>54</sup> Witherington P.110

<sup>55</sup> Witherington P.93

John P. Meier states that;

“Ultimately, Vermes’ acritical use of sources undermines his whole argument.”<sup>56</sup>

The acritical (or outright omission) of sources has been a recurrent theme when looking at Bruce and his selected scholars, but this is not the only criticism of Vermes’ theories. N.T Wright notes that;

“Vermes...against almost all other serious recent writers on Jesus...does not think that Jesus did, said, or thought much about the temple. In particular he offers no substantial or integrated account of the reasons for Jesus’ death. Vermes’ portrait answers the first of our sequence of questions (what sort of Jew was Jesus?) but without answers to others (why was Jesus executed?) his theory remains weak and unproven.”<sup>57</sup>

I don’t recall anyone saying recently that Einstein’s theory of relativity was weak and unproven, or that Einstein is guilty of an acritical use of sources. No, the statement quoted earlier from Bruce is evidence of Bruce’s glaring bias toward scholars who, regardless of their credentials, have been strongly criticised for their methodology, outlandish theories, acritical use of sources, misrepresentation of data, and for being motivated by a desire to undermine traditional views of Jesus rather than a desire to get to the truth of what actually happened in the life of Jesus of Nazareth.

Wright also raises a critical question that neither Crossan nor Vermes can adequately answer and that is, how do we explain the emergence of the early Church?

“Vermes’ picture of Jesus the Hasid...fails altogether to explain why Jesus was crucified and only explains the rise of the early Church by an enormous leap into a religion completely different from that of Jesus.”<sup>58</sup>

When all of this is taken together a clear picture emerges. The key questions being asked in The Investigator – Jesus the Cold Case are, are the Gospels reliable sources of historical information, are they consistent within themselves, is there any corroborating evidence in other works of the period or from archaeology, and do we have eyewitness testimony to the events of the life and death of Jesus of Nazareth? To all of these questions, all of the scholars

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<sup>56</sup> Witherington P.110

<sup>57</sup> Wright P.375

<sup>58</sup> Wright P.115

Bruce interviews for his documentary give their answer in the negative. This makes all of Bruce's scholars 'prosecution witnesses'.

During the course of the two hour documentary not a single 'defence witness' was called upon to present the opposing significant viewpoint of those scholars who would answer those key questions in the affirmative. In two hours, to have no opposing view set forth by a scholar from a contrary perspective is inexplicable and cannot go overlooked.

Not only were the scholars called upon all 'prosecution witnesses' but Bruce would have us believe that the scholars he selected reflect the mainstream 'majority' views of scholars in this field. However, I have shown that the views held by the scholars Bruce interviewed have all received serious criticism for their motivation, method, use of sources, representation of data, and for the overall unsupported, unconvincing conclusions they come to. Far from these views being the mainstream majority views, the views of Bruce's scholars represent the radical fringe of New Testament scholarship regardless of the credentials they may happen to have acquired.

In a documentary such as this one that claims to 'investigate' what happened in the life of the historical Jesus, that also claims to rest upon the views of 'the majority' scholars, that interviews several scholars putting them forward as authorities who represent the mainstream scholarship in the field, and yet overlooks the landmark contributions of scholars such as Martin Hengel, Sean Freyne, James Charlesworth, Richard Bauckham, James Dunn, N.T. Wright, Dale Allison, William D. Davis, Gerd Theissen, Joseph Fitzmeyer, Graham Stanton, Darrel Bock, Craig Blomberg, Craig Evans, and Ben Witherington III is unjustifiable.

These are recognised leaders in the field and yet none of their work appears in *The Investigator – Jesus the Cold Case*. Craig Blomberg states that;

"It might have been just barely understandable twenty years ago that some scholars were not aware of the strength of the case for the Gospel's trustworthiness; it is inexplicable today in light of the voluminous quantity and excellent quality of relevant works that have appeared in the last two decades."<sup>59</sup>

Those with a cursory knowledge of historical Jesus research over the past twenty years will justifiably conclude that *The Investigator – Jesus the Cold Case* is a work from the margins of scholarship, prepared in order to persuade an unsuspecting general market of the views held by those who have contributed to the documentary.

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<sup>59</sup> Blomberg P.59

When you add to that the blatant omission of vital evidence, the constant appeal to authority, that of the interviewed scholars, that of the ‘majority’ of scholars, and that of Bruce as a cold case specialist; all woven together while deliberately giving the impression to the viewers that what will be presented will be authoritative, true, and not merely opinion or hyperbole, the impression that this controversial important issue which is of concern to so many is being dealt with in a fair, balanced, even handed impartial manner, one can only conclude that what was presented was deliberately misleading, biased, giving no time to significant opposing viewpoints, with the aim if unduly influencing the conclusions of those who watched this programme.

I cannot agree with the findings of the TVNZ Complaints Committee.

If words mean anything and if we are to take seriously the standards that all broadcasters are expected to adhere to, regardless of the issue or their perspective, then The Investigator – Jesus the Cold Case must surely be found in breach of Standard 4 of the Codes of Practice.

## **Standard 5**

In my original letter I made the allegation that The Investigator – Jesus the Cold Case presented information that was factually inaccurate.

There were three thrusts to my claim

1. Bruce claims that the disciples did not witness the crucifixion and death of Jesus because, according to him, the Gospels tell us that the disciples fled when Jesus was arrested.
2. Bruce states in the programme that the Gospels were not written by eyewitnesses to the events of the life and death of Jesus.
3. Bruce puts forward as established fact a sequence of dating for the Gospels that is not established fact at all.

I would also submit that The Investigator – Jesus the Colds Case is highly misleading as a whole.



### TVNZ's Response

- A. "The template I applied to the Gospel accounts was that of a cold case investigator. At every point I am concerned to ask – what is the evidence for the event. So for those who missed it here is the logic of Jesus the Cold Case – do we have eye witness testimony to the events of the life and death of Jesus? (Answer) No. Do the four Gospels give the same accounts? Do they agree in important details? (Answer) No."<sup>60</sup>
- B. "Mr Bruce explains Mark puts the time of death at three o'clock in the afternoon and states that shortly afterwards the land was covered in darkness. But how does he know that, writing as he probably is in Rome some forty years after the event? No, we need to remember the correct title for Mark's Gospel is the Gospel According to Mark and along with the Gospels According to Matthew, Luke, and John, they are versions of events told to them by anonymous people who we can't check up on. In the language of the court we need to treat the Gospels as hearsay evidence, not as eyewitness testimony."<sup>61</sup>

### My Response With Regards to Point A

Mr Bruce seems to think that I have missed the logic of his argument in Jesus the Cold Case. Quite the contrary, the logic he applied was obvious, it was also obviously faulty, inaccurate, misleading, and deliberately deceptive.

Bruce states that he is concerned to ask what the evidence is in the case he is investigating, but in reality, as we saw in my discussion under Standard 4, Bruce isn't concerned with the evidence enough to follow it regardless of where it leads, or to include the wealth of evidence that flies in the face of the conclusion that he is trying to foist on his viewers.

Another example of Bruce's unwillingness to deal fairly and honestly with the evidence is found with regards to the Gospel of John.

Bruce, along with Lloyd Geering, argues that the Gospels tell us that the disciples were not present at the crucifixion of Jesus because they fled when he was arrested. However, in John's Gospel chapter 19:25-30, the author of John's Gospel tells us that there were several disciples at the foot of the cross as Jesus hung dying including Jesus' mother Mary and the disciple whom Jesus loved.

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<sup>60</sup> TVNZ Complaints Committee response letter P.7

<sup>61</sup> TVNZ Complaints Committee response letter P.6

When we take into account John 21:20-24, we see that the author of John's Gospel claims to be the disciple whom Jesus loved, and so claims to have been present at the cross where Jesus was hung. He even claims that Jesus spoke to him before he died.

Bruce entirely omits this piece of evidence which clearly claims that the author of the Gospel of John was present when Jesus died on the cross. This shows that Bruce's claim, that the Gospels tell us that the disciples were not eyewitnesses to the death of Jesus, is inaccurate; Bruce's statement is verifiably false.<sup>62</sup>

Bruce and TVNZ seem to have tried to dodge the glaring inaccuracy which comes as the result of the omission of vital evidence, as neither Bruce nor TVNZ, responded to it directly in their letter.

The only line of argument that they could be drawing upon in their letter is a cryptic line after a discussion on the dating of Mark's Gospel saying that;

"The year of the crucifixion is generally accepted to be 27-36 CE (AD) and the average life expectancy was 37-38 years for males and 35 for females."<sup>63</sup>

TVNZ and Bruce never join the dots in their argument with regards to this statement and it almost seem to be a throwaway line, so it is left to me to infer what they may have been implying.

I think what they may be trying to argue here is that the crucifixion is generally dated around 29-36 AD (their dating) and John's Gospel is generally dated around 80-90 AD. This means that according to their dating schema, the least amount of time that could have elapsed between the death of Jesus and the writing of the Gospel of John is 36 AD to 80 AD – 44 years.

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<sup>62</sup> This is an important point because not only does this mean that the author of John's Gospel claims to be an eyewitness to the death of Jesus, but it means that he is also claiming to have been an eyewitness to the rest of the events of Jesus life. In other words, the author of John's Gospel is claiming that he is writing eyewitness testimony. The question of whether we have eyewitness testimony is one of the key questions that Bruce is asking in his documentary, to which he answers no, but the evidence would seem to suggest that the appropriate answer is yes.

<sup>63</sup> TVNZ Complaints Committee response letter P.6

John was the youngest of Jesus' disciples so let's say he was fifteen at the time of Jesus' death. That would mean that John would be 59 years old by the time he wrote his Gospel.

Because the average life expectancy was 37-38 years old for males it would be implausible that 'the beloved disciple' was still living at the age of 59.

If this is the argument that they are using then it is patently ridiculous.

Firstly, in the documentary, the issue of average life expectancy was only raised in relation to how old Jesus would have been at the time of his death, and that he would have been considered old in his time. It was never raised as an argument against the possibility of the Gospels being written by eyewitnesses.

Secondly, the issue of average life expectancy is highly misleading on one hand, arbitrary on another, and irrelevant on a third.

It is misleading because there is a great deal of difference between the methodology of how the average life expectancy of a population is arrived at for our modern society and how average life expectancy is arrived at for ancient societies.

In our modern society we take a statistical mean from census information as well as birth and death certificates, and so the average life expectancy is arrived at mathematically within an acceptable level of tolerance. However, we do not have such information for many ancient societies, and we certainly don't for ancient Israel, so the average life expectancy cannot be arrived at in the same statistical method, however, the language remains the same suggesting the same process, hence it is misleading.

It is arbitrary in the sense that to arrive at an average life expectancy for an ancient society without the use of clear statistical information, a methodology must be decided upon using other information such as known dietary habits, living/working conditions and the like. What criteria one applies in the methodology will determine the average life expectancy of the ancient population in question. If you use different criteria you yield a different 'average life expectancy'.

As such, average life expectancy figures given in this particular manner are always imposed from the present according to our own assessments, rather than being derived from ancient sources of the time, and will differ depending on what criteria you employ.

They are irrelevant to this discussion because, even if the figure given were accurate, it is only an average life expectancy, which by definition means that some people die older while some die younger than the average life expectancy.

Life expectancy figures from the ancient world are always unnaturally low because of the high infant mortality rate. But if you adjust the figures for those who die during childhood, the average life expectancy increases.

Because this is true, any appeal to any average life expectancy figures postulated from our modern time with our modern criteria cannot be used to discredit the validity of ancient sources. Instead you have to deal with the ancient sources available and ask what does the documentary evidence of or close to the period in question tell us, what can we learn from the archaeology of the area, and where does that evidence lead us.

Bruce does none of this in dealing with the clear internal claim of the author of John's Gospel that he was present at the cross as Jesus hung dying, and that he was an eyewitness to Jesus life. Because this is so Bruce's statement that the Gospels tell us that the disciples were not eyewitnesses to the life and death of Jesus is clearly inaccurate.

#### My Response With Regards to Point B

We have seen above that Bruce's statement, that the disciples were not present at the death of Jesus, is clearly inaccurate, a claim that neither party addressed in their response to my complaint. However the internal evidence from the Gospel of John clearly indicates that the author is claiming to be an eyewitness to the life as well as death of Jesus. This is in clear contradiction to Bruce's claim that the Gospels were not written by eyewitnesses.

"So for those who missed it here is the logic of Jesus the Cold Case – do we have eye witness testimony to the events of the life and death of Jesus? (Answer) No. Do the four Gospels give the same accounts? Do they agree in important details? (Answer) No."<sup>64</sup>

"...we need to remember the correct title for Mark's Gospel is the Gospel According to Mark and along with the Gospels According to Matthew, Luke, and John, they are versions of events told to them by anonymous people who we can't check up on. In the language of the court we need to treat the Gospels as hearsay evidence, not as eyewitness testimony."<sup>65</sup>

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<sup>64</sup> TVNZ Complaint Committee response letter P.7

<sup>65</sup> TVNZ Complaint Committee response letter P.6

The question is what does the ancient evidence have to say on this matter; the evidence that Bruce has already mentioned that he is concerned at every point to consult.

With regards to the ancient sources, Irenaeus, who lived from 30 to 107 AD<sup>66</sup> and was a disciple of John states that the Gospel was written by John the disciple of Jesus. This is also the view held by Tertullian, Clement of Alexandria, Origen, Theophilus, and many other ancient historians that confirm this.<sup>67</sup>

In other words, there is a wealth of ancient documentary evidence dating from the first century, to support the claim that the Gospel of John was written by an eyewitness to the life and death of Jesus.

Bruce doesn't deal with any of this ancient evidence; instead he ignores it and simply asserts for his unsuspecting viewers that the Gospels are not eyewitness testimony. Once again, Bruce's statement is shown to be inaccurate.

What about the other Gospels? In my letter I pointed out that that there is a wealth of ancient evidence to support Matthews's authorship of the Gospel that bears his name. Below is a list of some of that ancient evidence.

"Papias is the first who mentions Matthew by name as the author of the Gospel. His words are: "Matthew composed the Logia (λόγια, *lógia*, "words," "oracles") in the Hebrew (Aramaic) tongue, and everyone interpreted them as he was able."...Eusebius further reports that after Matthew had first laboured among his Jewish compatriots, he went to other nations, and as a substitute for his oral preaching, left to the former a Gospel written in their own dialect (III, 24). The testimony of Papias to Matthew as the author of the First Gospel is confirmed by Irenaeus (iii. 3, 1) and by Origen (in Eusebius, *Historia Ecclesiastica*, V, 10), and may be accepted as representing a uniform 2nd-century tradition. Always, however, it is coupled with the statement that the Gospel was originally written in the Hebrew dialect."<sup>68</sup>

Here we see that there is a good deal of ancient evidence supporting the Gospel of Matthew as an eyewitness account of the life and death of Jesus. Once again, Bruce fails to deal with

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<sup>66</sup> If my math is correct that would have made him 77 when he died. But the average life expectancy was only 37-38???

<sup>67</sup> For a detailed list of ancient sources attesting to the Gospel of John as an eyewitness account see Bauckham P.358-412

<sup>68</sup> International Bible Standard Bible Encyclopaedia, *Matthew, Gospel of*

any of this evidence, again ignoring its existence and asserting to his viewers that the Gospels were not written by eyewitnesses.

So there is a great deal of evidence that Bruce ignores that suggests that both Matthew and John were written by eyewitnesses to the events surrounding the life and death of Jesus of Nazareth. This evidence is in direct contradiction to the claims made by Bruce in *The Investigator – Jesus the Cold Case* as well as in the TVNZ Complaints Committee response letter.

I pointed this out in my original complaint but neither Bruce nor TVNZ chose to respond to these points in their letter, choosing instead to focus their response on the dating of the texts. This tells me that they have no argument to make, and that these inaccuracies constitute a serious breach of Standard 5 of the Codes of Practice.

So there is good ancient evidence to support the claim that two of the Gospels were written by eyewitnesses, but what of the other two, Mark and Luke?

Bruce states that the information contained in the Gospels was transmitted to the Gospel writers by anonymous sources. Again this is inaccurate.

The ancient documentary evidence tells us that the Gospel of Mark was written down by John Mark, travelling companion of the Apostle Peter. Papias writing around 125AD wrote this concerning the authorship of the Gospel of Mark;

“Mark, in his capacity as Peter’s interpreter wrote down accurately as many things as he (Peter) recalled from memory – though not in an ordered form – of the things either said or done by the Lord. For he (Mark) neither heard the Lord nor accompanied him, but later, as I said, (he Heard and accompanied) Peter, who used to give his teachings in the form of *chreiai*, but had no intention of providing an ordered arrangement of the *logia* of the Lord. Consequently, Mark did nothing wrong when he wrote down some individual items just as he (Peter) related them from memory...”<sup>69</sup>

So the Gospel of Mark was written down by Mark as Peter recalled the events from his memory. This is in contradiction to Bruce’s statement that the Gospels were not written by eyewitnesses (two of them were) and that the people who handed on the information contained in the Gospels were anonymous (Peter was the source of Mark’s Gospel).

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<sup>69</sup> Cited in Bauckham P.203

So of the four Gospels there is ancient documentary evidence that supports the traditional view that two of the Gospels are eyewitness accounts (Matthew and John) and the third is the eyewitness account of Peter recorded by John Mark. That only leaves the Gospel of Luke, of which it has never been suggested that it was an eyewitness account.

Luke's Gospel begins with these words;

"In as much as many have undertaken to compile a narrative of the things that have been accomplished among us, just as those who from the beginning were eyewitnesses and ministers of the word have delivered them to us, it seemed good to me also, having followed all things closely for some time past, to write an orderly account for you, most excellent Theophilus, that you may have certainty concerning the things you have been taught."<sup>70</sup>

Clearly Luke makes no pretention to being an eyewitness, rather he has set out to put together an account of the life of Jesus from the sources that he has access to. To my knowledge it has never been claimed that Luke was an eyewitness.

This is something I pointed out in my original letter but again it was ignored.

For Bruce to state that none of the Gospels are eyewitness accounts flies in the face of the ancient evidence that is available to us. Bruce fails to engage at any level with that evidence, even though he claims that most scholars believe the claims that he is making. To state that the Gospels are not eyewitness documents while refusing to engage with the evidence is blatantly inaccurate.

#### My Response With Regards to Point B

"Mr Bruce explains Mark puts the time of death at three o'clock in the afternoon and states that shortly afterwards the land was covered in darkness. But how does he know that, writing as he probably is in Rome some forty years after the event? No, we need to remember the correct title for Mark's Gospel is the Gospel According to Mark and along with the Gospels According to Matthew, Luke, and John, they are versions of events told to them by anonymous people who we can't check up on. In the language of the court we need to treat the Gospels as hearsay evidence, not as eyewitness testimony."<sup>71</sup>

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<sup>70</sup> Luke 1:1-4 Notice that Luke (writing in the early to mid 60's) mentions that there are already narratives that have been recorded by eyewitnesses and circulated through the Church.

<sup>71</sup> TVNZ Complaints Committee P.6

The question Bruce is raising in the above quote is how did Mark know about the darkness if he was writing from Rome some forty years after the events he is recording? This question is a wrong question built on a faulty assumption.

Firstly, the question is a wrong question because for any historian, the first question isn't how does he know, but, is what he is saying true? Did that event really take place?

How do you answer that question? By seeking out corroborative evidence, something Bruce claims to be concerned with, but again, apparently not concerned enough to actually put his words into practice by seeking such evidence.

Is there any corroborating evidence to support Mark's testimony regarding the darkness that fell over the land after Jesus' death? (Answer) Yes.

Around 52 AD the historian Thallus set about putting together a history of the world. This work, unfortunately, no longer exists, but it has been quoted from by several other ancient historians. One such historian is Julius Africanus. He writes;

"On the whole world there pressed a most fearful darkness, and the rocks were rent by an earthquake, and many places were thrown down. This darkness Thallus, in the third book of his History, calls, as appears to me without reason, an eclipse of the Sun."<sup>72</sup>

In his *History* Thallus mentioned the darkness associated with the death of Jesus, and attempts to explain it by reference to a solar eclipse which Africanus finds unconvincing because Solar eclipses don't happen at the time of the full moon.

Thallus and through him Africanus corroborate the darkness that fell after the death of Jesus, the corroboration of Thallus dating to within twenty years of the events he is recording. Once again our investigator has failed to deal properly with the evidence available, choosing instead to weave a weak and paper thin argument.

The faulty assumption that Bruce is operating under is that the fact that Mark is writing from a different geographical location from the events he records, at a later date, disqualifies his testimony. However, this argument is obviously ridiculous.

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<sup>72</sup> Chronography 18.1



If we were to interview one of the security detail who were assigned to JFK's cavalcade, but we interviewed him in London some forty years after the event, would he no longer count as an eyewitness? Of course he would still be considered an eyewitness.

TVNZ try to persuade us that;

"Mr Bruce is examining the death of the historical figure of Jesus and attempting to find historical evidence that gives clues to why Jesus was killed. He is explaining why what is written in the Gospels does not align with what is known historically of the time."<sup>73</sup>

If this is indeed what Mr Bruce is trying to do he is not doing a very good job, since he has missed a wealth of ancient evidence that is highly germane to the issues at hand. It is however very difficult to believe that Bruce has unwittingly left out so much evidence that so obviously contradicts the conclusions he wishes to assert. If he has done so unwittingly then we can only conclude, since a great deal of this evidence is readily available in any university library or in some instances the local Christian book store, that Bruce is simply incapable of doing research at the level required for a project such as this, and should probably leave such an important and controversial issue to those who have the understanding of this field of research necessary for the task.

I doubt that the above is true; rather it seems more logical to conclude that Bruce has deliberately left out the material that doesn't suit his cause and instead presented a biased selection of the evidence available. This has resulted in Bruce making statements that are blatantly false, but also means that, in selecting his evidence in the way I suggest that he has, and by stacking his experts with 'prosecution witnesses' without allowing any defence to be mounted in his two hour documentary, he has deliberately set out to mislead his viewers.

With regards to the dating of the canonical Gospels, Bruce has stated that the Gospels are dated (thanks to the work of 19<sup>th</sup> century scholarship) as Mark 70-75 AD, Matthew 75-80, Luke 75-80, and John 90-100. Bruce puts this forward, as he does with so much of his documentary, as established fact.

However, when we look at the scholarship on this issue, there is a great deal of debate and a range of opinion that Bruce's statement is silent upon.

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<sup>73</sup> TVNZ Complaints Committee response letter P.6 Notice the language TVNZ uses here. Bruce is not explaining why *he believes* or why *in his opinion* but **why it is (in fact) that what is written in the Gospels does not align with what is known historically of the time**. I wonder who it is on the TVNZ Complaints Committee that has the education in, and understanding of this specialised field to make such a statement, or are they leaning on Bruce's word for it?

Bruce responds;

“I quoted bands of dates for the age of the Gospels that are well accepted by mainstream historians. For example in dating Mark’s Gospel as being between 70 and 75 CE I am in line with scholars such as Professor Paula Fredericksen of Boston University.”<sup>74</sup>

Once again, Bruce has missed the point of the argument, that point being that there is a range of opinion amongst scholars as to when the Gospels were written. This debate has not been settled and continues to be re-evaluated as new manuscript evidence is examined.

To put forward a date in this area as an established fact with no discussion of the range of opinion held by the scholars who devote themselves to the dating of ancient texts, is to grossly overstate your case, to over simplify a field where those with vastly superior understanding and experience to oneself are far less willing to make such strong assertions, and as a result to put forward a position that is factually inaccurate.

Bruce tells us that his views are in line with Professor Fredricksen of Boston, but that is not the point, I could quote dates that are in line with John A.T Robinson who believes that all of the Gospels were written pre 70AD, would I then be able to state that this was an established fact? No, I would not. I could also quote dates that would be in line with scholars like F.G Baur who would say that John was written around 170AD, would I be then justified in saying that it was then an established fact; of course not.

The point is that there is a range of opinion in the scholarship, and to make sweeping assertions without reference to that range of opinion is highly unwise, and factually inaccurate. This is a problem with people like Bruce who have a cursory understanding of this subject, they tend to overstate their case by claiming the issue is settled when those who spend their entire lives devoted to this field of study are far more reticent in making such decisive statements.<sup>75</sup>

To claim that the dates Bruce gives, along with all the other claims we have covered in this section, in the face of blatant, obvious evidence to the contrary, or in neglect of the scholarly debate on the subject, is to deliberately mislead his viewers who cannot be expected to have an awareness of the issues around the information salient to this discussion.

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<sup>74</sup> TVNZ Complaints Committee response letter P.6

<sup>75</sup> This applies to those on both sides of the argument.

Had Bruce wanted to give his opinion at any time, he would have been perfectly entitled to do so, but he would need to make it clear to his audience that what was being expressed was merely opinion and not established fact.

This (as I have said earlier) could easily have been done with statements such as

“Some scholars would say (A) some scholars would say (B) but I would agree with those who say (C).”

Instead Bruce makes sweeping statements like the ones we have covered, and appeals to the authority of those on the fringes of scholarship, asserting that they represent the mainstream majority.

Obviously it was Bruce’s intention to convince his viewers of his position, but to do so in a ‘kangaroo court’ of his own making, and all the while attempting to give the impression that he was satisfying the demands of good research. Funny, Jesus was treated exactly the same in the 1<sup>st</sup> century as he is in the 21<sup>st</sup>.

## **Standard 6**

In my original letter of complaint I made the contention that Bruce’s documentary breaches the standard of fairness.

My argument here is simple. If, as I have attempted to show, Bruce has ‘cherry picked’ his authorities, allowing only a select minority view of the range of scholarship available on this subject to be seen, failed to present the significant contrary opposing viewpoint, deliberately omitted any evidence that did not agree with the conclusion that he wanted to assert, presented information as factual that was blatantly inaccurate, then it necessarily follows that Bruce has deliberately set out to mislead his viewers and unduly, unfairly influence their views on this subject.

In my letter I state that Bruce’s documentary has dealt unfairly with his subject, therefore he has not dealt fairly with Christian Faith, its’ historical roots, with Christianity as a legitimate historically grounded religion, and therefore with Christians as a people group, and the Church as a legitimate expression of the historical events that surround the life, teaching, death, and resurrection of Jesus of Nazareth.

In their response, the TVNZ Complaints Committee argues that Christianity is not an organisation and so my allegations would be best dealt with under Standard 7 of the Codes.

My charge was not simply that Bruce's documentary had dealt unfairly with Christianity or with Christians as a people group, although I maintain that Bruce has dealt unfairly with both of these, but also that Bruce has dealt unfairly with the Church (which is an organisation) as a legitimate expression of the historical events surrounding the life of Jesus.

Bruce has deliberately misled his viewers and his documentary undermines the legitimacy of the whole Christian Church which claims to be anchored to the actual historical events of Jesus life and death. In taking the dishonest approach that he has, Bruce calls into question the very foundations of the Church itself.

I believe that this charge still stands and Standard 6 of the Code has been breached by The Investigator – Jesus the Cold Case. I will however, at TVNZ's suggestion, carry the other elements of the arguments made in my letter over into Standard 7.

## **Standard 7**

As continued from Standard 6, the TVNZ Complaints Committee believed that many of the allegations made under that standard would be better addressed under Standard 7, that of denigration. In accordance with their opinion in this regard I will begin here with my allegations previously made under section 6.

As I have set out to show in this document, Bryan Bruce in The Investigator – Jesus the Cold Case has cherry picked his experts to whose authority he appeals, he fails to present the significant opposing viewpoint of the scholars who would defend the historicity of the New Testament gospels, he omits basic, well known and documented evidence that, had it been included, would have undermined the case Bruce had set out to make, and by presenting as fact that which is blatantly inaccurate.

All of this together shows that Bruce has severely misled his audience, and as such, prevented them from making an informed decision on the questions raised in the course of the two hour documentary.

There is however a distinction to be made between the act of misleading an audience and the motivation for misleading an audience.

It is my contention that it is highly unlikely that Bruce unintentionally and inadvertently misled his audience out of ignorance of the subject at hand. If this were the case, one would have to conclude that Bruce has no business making a documentary such as this as he would be clearly too ill informed to have anything to contribute to the topic.

However, as Bruce has stated, before making the documentary, he had taken papers at Canterbury University in the Quest for the Historical Jesus. As such, it is only reasonable to assume that in those papers he should have gained at least a surface understanding of the evidence and issues at hand.

Because this is true, it can only reasonably be concluded that Bruce approached the subject in question with pre held views, and sought to assert those views in the documentary he made.

In the methods Bruce has employed he has deliberately set out to unduly influence his audience in order that they reach the conclusion that he wants them to reach. Bruce has set out to deliberately mislead his audience, and it would seem that he has done so with the intention of deliberately undermining and delegitimizing the Christian Faith and the faith of all those who identify themselves as Christian. He seeks to do this by attacking Christian claims to being rooted and grounded in the verifiable events of the life and death of Jesus.

This overall programme of delegitimization of the Christian Faith is part of a two pronged approach used by Bruce in his documentary, the second being the denigration of the character of Christians as a group of people.

In the BSA Practice Note on Standard 7, it states that;

“The BSA has consistently defined denigration to mean the blackening of the reputation of a class of people”<sup>76</sup>

And that;

“...a broadcast encourages denigration when it...portrays a section of the community as inherently inferior, or as having inherent negative characteristics.”<sup>77</sup>

In the course of the documentary, Bruce asserts that the way in which orthodox Christian Faith has answered the question of who killed Jesus and why, has resulted in the Church

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<sup>76</sup> Standard 7 Practice Note P.1

<sup>77</sup> Standard 7 Practice Note P.2

holding and promoting Anti-Semitic views, and that ultimately it is this Christian Anti-Semitism that Hitler uses to perpetrate the Holocaust in Germany and Poland.

If being held responsible for one of the most heinous crimes in human history doesn't blacken your character, I don't know what will.

What Bruce is asserting here is that the traditional Christian answer to the question of who killed Jesus and why is inherently Anti-Semitic, and as such all those who hold to that traditional view have inherently negative characteristics – that of an underlying Anti-Semitism.

“The guidelines state that the prohibition against denigration is not intended to prevent the broadcast of material which is factual, a genuine expression of opinion, or which forms part of a dramatic, satirical, or humorous work.”<sup>78</sup>

It is not my intention to prevent such works either. However, where a documentary such as this one sets out to deal with an issue in a way that is clearly controversial, doesn't show reasonable balance, does not allow for opposing viewpoints to be heard, appeals only to a select group of experts, deliberately omits vital ancient documentary evidence, and presents information as fact that is easily falsifiable; a documentary of which it can only be said that the makers have set out to mislead and misinform and deceive their audience; one can only say that the aim throughout has been to delegitimize and denigrate a class of people based upon their religious beliefs. A documentary such as this one must be held accountable to the law as it stands, and to which we are all expected to adhere.

The BSA have indicated that;

“...the protection afforded to factual material, opinion, and dramatic, satirical, and humorous work, is not unlimited.”<sup>79</sup>

In view of all that I have argued for in this document it is only reasonable to conclude that the agenda of The Investigator – Jesus the Cold Case has been the delegitimization of the historical claims of the Christian Faith, and in laying the blame for Anti-Semitism and the Holocaust at the feet of the traditional Christian Faith, it has also been to denigrate Christians by blackening their reputation by asserting that Christians embrace an underlying Anti-Semitism.

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<sup>78</sup> Standard 7 Practice Note P.3

<sup>79</sup> Standard 7 Practice Note P.3

As such, this documentary can only be seen as a polemical work which in making statements such as “we need to stop telling this lie” and by equating the celebration of Easter with the celebration of Anti-Semitism, engages in language that can only be construed as vitriolic, and it is my view that this documentary has gone too far as a whole and needs to be held responsible.

In an attempt to stave off these allegations, the TVNZ Complaints Committee appealed to an admission of guilt from Pope Benedict XVI. In doing so they fall into the all too familiar error of believing that Catholic=Christian and Christian=Catholic, and that therefore the Pope speaks for all Christians; this is simply not the case.

The Pope only speaks for the Catholic Church, and as such, only represents the views of that Church, and it must be said that the Catholic Church has some serious questions to answer as a result of their historic Anti-Semitic views and their part in harbouring Nazi war criminals at the end of WWII.

However, the question is not whether this group or that group which claim the name of Christ, hold Anti-Semitic views or not; and it is not whether certain groups within Christianity have conducted themselves in ways that reflect an underlying Anti-Semitism, the question is are they justified from the teachings of the Gospels and the New Testament as a whole to do so. Does the scripture teach Anti-Semitism?

It is Augustine that is often credited with saying that no philosophy can be judged by its abuse. One needs to examine the true teaching of that philosophy and make a judgement from what is actually said.

Bryan Bruce argues that the scriptures lay the foundation for Christian Anti-Semitism. He argues on two fronts.

Firstly, in the Gospel of John the Jews are repeatedly presented as the adversaries to Jesus. For example, it is the Jews who argue with Jesus about what it is lawful to do on the Sabbath (John 5:10), the Jews who sought to kill Jesus (7:1), and the Jews who plead with Pilate to have Jesus executed (19:7). Bruce concludes from this that the Gospel of John blames the Jewish nation (the Jews) for the death of Jesus, and as such, promotes Anti-Semitism.

Bruce’s reading of these passages is far too simplistic to be taken seriously. It does not take into account the context of the statements that are being made.

Firstly, the Greek word translated into English as ‘the Jews’ is *Ioudaios*. This word can have several meanings depending on the context in which it is found. For example in John 4:9 where the Jews are named over against the Samaritans, clearly *Ioudaios* means the Jews as a nation of people. It is also used this way in 5:1 where we see the Passover described as a feast of the Jews, in other words, a feast celebrated by the people of the Jewish nation.

However, the word can also be used to mean the particular people from the area of Judea; the Judeans. We see it used in this way in 11:7 where Jesus tells his disciples that he intends to return to Judea. His disciples are surprised because the last time he was there, ‘the Jews’ tried to stone him.

The disciples are here referring to an incident that took place on Jesus last visit to Judea where ‘the Jews’ tried to stone him for blasphemy (John 8). Is it the Jewish nation that tries to stone Jesus? No, Jesus is in Judea, and so *Ioudaios* in this context means, the Judeans.

We see *Ioudaios* used in a third way in John 18 where we are given the account of Jesus’ arrest.

In verse 12 it is the Captain and Officers of the Jews that arrested Jesus. What does this mean? Verse 3 tells us clearly who these ‘Jews’ are. They are the Chief Priests and Pharisees. So in this context *Ioudaios* ‘the Jews’ specifically refers to the Judean leadership represented by the Chief Priests and Pharisees.

This is reinforced in verse 14 where Caiaphas gives council to ‘the Jews’ that it is expedient that one man should die for the people. This is referring to a previous passage in John’s Gospel (11:47-52) where a council of the Chief Priests and Pharisees is called, so again *Ioudaios* here means the Judean leadership, not the Jewish nation as a whole.

Bruce’s interpretation of the words ‘the Jews’ does not take into account the context of what the Gospel is actually saying. As such, to lay the charge of Anti-Semitism at the feet of Christians on the basis of this Gospel is wholly inappropriate, a misreading of the text, and an illegitimate understanding that the scripture itself does not promote.

Anybody who reads Anti-Semitism out of these passages whether Bruce, the Pope, Luther or any other person, does so illegitimately. To find out what the words mean we must read the text in context, we must read out from what is actually written, not read in our own presuppositions, we must see and take seriously what the scripture is actually saying. Bruce fails to apply such a hermeneutic and as such he arrives at a faulty exegesis.



The second line in Bruce's argument comes from the Gospel of Matthew where the people gathered before Pilate cry out for the blood of Jesus to be upon their heads (Matt 27:25), but even this passage needs to be read in context.

Firstly, it is the Chief Priests and Pharisees that are reported to have bound Jesus and delivered him to Pilate (27:1-2). When Pilate offers the crowd the option of having Jesus freed, Matthew records that it is again the Chief Priests and Elders who manipulate the crowd and motivate them to demand the blood of Jesus.

Clearly Matthew wants to hold that it is the Chief Priests and Pharisees that are driving the whole situation and whipping up the crowd.

Now presumably there were a large number of people present before Pilate, but it couldn't possibly have been the entire Jewish nation, and as such, the curse that the crowd called upon themselves rests only on those who were gathered and took part in the oath.

It cannot reasonably be interpreted that the whole Jewish nation is under a blood curse because of the words spoken by a small proportion of Judean Israelites. Clearly this passage cannot legitimately be read as meaning the whole Jewish nation either and Matthew holds the Chief Priests and Pharisees ultimately responsible for their part in the crucifixion of Jesus; and all of this of course is corroborated by the Jewish historians we covered earlier in this document, which Bruce conveniently omitted from his 'investigation'.

So how does scripture answer the question of who killed Jesus and why?<sup>80</sup>

The traditional answer of Christian Faith has always been that there is far more going on here than Jesus' being sent to his death by the Jewish leadership under the authority of the Roman Governor Pontius Pilate. Instead, the answer has always been that God is in some way bringing healing and restoration through the sacrifice of this Jesus, that his death is for us in some way.

The message of the scripture as a whole is that the world in which we live is not in the state it was when God made it; it is broken, fractured, and in a state of bondage and sickness. Who is responsible for this brokenness? Well, scripture teaches that the brokenness is the result of choice, the choice of people to serve themselves rather than serving God and others in a loving relationship.

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<sup>80</sup> For an excellent discussion of this question see N.T. Wright P.106-124

This is clear in the Gospels in Mark 10:34-45, Jesus talks about giving his life as a ransom for many, in the Lord's Supper recorded in Matthew 26:26-29 Jesus talks about his blood being poured out for the forgiveness of many, in Luke 24:46-48 Jesus talks of his suffering and death and links this to repentance and the forgiveness of sin, in John 3:14 Jesus refers to Moses lifting up a brass serpent in the wilderness (numbers 21:7-9, this act brought healing to the Israelites), and says that he will also be lifted up and whoever looks to him shall have eternal life, and that he is being rejected because people prefer darkness to the light because of their own sin.

So clearly in all four Gospels, there is much more going on than Jesus being nailed to a cross at the request of the Jewish leadership. In some way his death brings healing, repentance, forgiveness, and freedom, which are needed because of the brokenness of the world and our own lives.

Who is responsible for the death of Jesus? The answer found in the Gospels is all men.

This is echoed in Pauls' writing as well. In Romans 3:23 he declares that all people have sinned and fallen short of the glory of God, and in 6:23, that the wages of sin is death. In 2 Corinthians 5:17-21 Paul says that he who knew no sin was made to be sin for us, and in 1 Corinthians 15:1-4 he says that Christ died for our sins.

The scripture is clear and consistent in its answer to the question who killed Jesus and why. The answer is all have played a role in the death of Jesus, and that his death was for us in order to bring healing, forgiveness, freedom, restoration, and reconciliation. Anyone who places the blame for the death of Jesus at the feet of a particular people group, the Jews or otherwise, have not allowed the breadth and depth of the Gospels and the rest of Christian scripture to touch their hearts and minds.

To say that the traditional Christian Faith promotes Anti-Semitism is blatantly inaccurate and to accord the scripture with only the most cursory and surface reading. This is not to deny that various people have used scripture to promote Anti-Semitism and various other heinous attitudes and acts, but it is to say that they have done so illegitimately and in stark contradiction of what the scriptures are teaching.

To attribute the thoughts and acts of the few who have illegitimately used scripture to promote this kind of hatred, regardless of how high a position they hold within a particular denomination of Christian Faith, or how influential their teaching has been on other areas of theology for the Church, to the whole of Christian faith is an error of the highest order. But it

is also to ignore the witness of so many fine Christians who, motivated by their faith, have performed the most selfless of acts at the cost of their own lives.

If Bruce really does want to stamp out any Anti-Semitism that has risen from the misrepresentation of scripture, then he should call Christians to hold true to what the Bible actually says on the issue rather than trying to undermine traditional Christian Faith.<sup>81</sup>

Dietrich Bonhoeffer is such an example. He was a gifted German theologian who stood up to the Nazi regime, engaged in smuggling Jewish people out of Germany to save them from the death camps, set up schools to teach what it truly means to be a follower of Christ in accordance with the teaching of scripture, and ultimately was arrested and executed by the Nazi regime for his actions.

Why did he and so many others behave in such a way at the cost of their own lives? Because this is the teaching of scripture, this is the way of love that Jesus recommends to us in the Gospels and through the rest of scripture.

To make the kinds of claims that Bruce does in a vacuum, without acknowledging that there have been many followers of Christ down the ages who would be shocked and appalled by such a suggestion, and whose actions speak out as a testimony to the lie being told, is grossly misleading and serves only to blacken the character of Christians everywhere.

It is my contention that this is Bruce's motivation throughout *The Investigator – Jesus the Cold Case*, to delegitimize historic Christian Faith and its claims to be a legitimate expression of the historic events of the life and death of Jesus, and to deliberately blacken the reputation of that faith and those who profess it in the eyes of his viewers, asserting that they have inherent negative characteristics in promoting an underlying Anti-Semitism.

This serves as his motivation for presenting such an intolerably biased documentary, for misrepresenting vital data, omitting key pieces of readily available evidence, for making claims and presenting them as established fact when they are easily falsifiable, and for engaging in the vitriolic language in evidence in the last act of the programme.

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<sup>81</sup> Paul spends three chapters dealing with God's stance toward the Jewish nation in Romans 9-11

## **Conclusion**

It can only be reasonably concluded that Bruce's aim was not to engage in his subject in an honest manner exercising the critical methods of historical research of that of an impartial 'Cold Case' investigator. Clearly Bruce had an agenda that he wanted to foist upon his viewers who by and large would not be in a position to make an informed judgement on the key issues raised in the documentary. As such Bruce misleads, misinforms, and deliberately deceives his viewers in order to convince them of the position he set out to assert.

In no way can I agree with the TVNZ Complaints Committee's findings that The Investigator – Jesus the Cold Case was not in breach of the Codes of Practice. Such a finding only tells us of the acritical approach of that committee to the issues at hand and their complete lack of any semblance of objectivity in the matter. It seems clear that they have merely set out to defend their decision to air Bruce's documentary and are relying entirely on Bruce for the accuracy of the information presented in his work.

Bruce claims to want to use the approach of critical historical scholarship and employ the reasoning that would be expected in a case presented before a court of law. I will once again quote from Ben Witherington III with these words.

"I will leave it to the reader to decide whether it is a truly scholarly and unbiased approach to reject the majority of one's evidence and stress a minority of it. In a court of law, where there is plenty of critical scrutiny, point and counter point, this sort of approach would never stand up."<sup>82</sup>

The fact is that Bruce has no interest in the methods of the court of law, he is solely interested in the court of public opinion; a court where the jury has not the skills nor the knowledge to make an informed decision on cases such as this one.

It is for this reason that The Investigator – Jesus the Cold Case must be held in breach of the Broadcasting Codes of Practice, to defend the right of the public to be presented with all the evidence they need to come to an informed decision, and to ensure that controversial issues such as this one, issues that are important to so many, where the stakes are high indeed, are dealt with with honesty, integrity, with fairness, and with balance. We must allow the evidence to speak, and to draw our conclusions on the basis of knowledge and information rather than have the views of others foisted upon us.

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<sup>82</sup> Witherington P.57

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