

1                                   **A Wigmorean Analysis of the Jewish Hearsay Evidence**  
2                                   **for the Historicity of the Empty Tomb of Jesus**

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4                                   **Jeffery Jay Lowder**

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7                   **Abstract.** The Gospel of Matthew states that Jews accused the disciples of stealing the  
8 body. According to one popular argument for the historicity of the empty tomb of Jesus,  
9 the best explanation for Matthew’s testimony is that these same Jews were unable to deny  
10 the empty tomb and needed to come up with an alternative explanation. Therefore,  
11 Matthew’s secondhand report of Jewish testimony provides evidence for the empty tomb.  
12 I present a formal analysis of this argument, as defended by William Lane Craig, using  
13 techniques pioneered by legal scholar John Wigmore for handling masses of evidence.  
14 This analysis highlights several sources of reasonable doubt about Craig’s argument.  
15 Some of these doubts can be answered by modifying Craig’s argument. But others expose  
16 significant gaps, and I am unable to see how Craig could fill them.

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18  
19 Of all the various arguments for the historicity of the empty tomb, arguably one of the most  
20 popular is based upon what I shall refer to as the Jewish hearsay argument. According to that  
21 argument, the Jewish accusation of theft reported in chapter 28 of the Gospel of Matthew is  
22 strong evidence for the emptiness of the tomb of Jesus. Its defenders include such prominent  
23 philosophers and New Testament scholars as E.L. Bode, William Lane Craig, Stephen T. Davis,  
24 Gary Habermas, J.P. Moreland, Robert H. Stein, Richard Swinburne, Robert E. Van Voorst, John  
25 Wenham, and N.T. Wright.<sup>1</sup> The reason for the argument’s popularity is not hard to find: if  
26 correct, the argument provides evidence from a *hostile* source for the historicity of the empty  
27 tomb. Despite the popularity of this argument, however, no one seems to have analyzed its  
28 logical structure. The purpose of this paper is to fill that lacuna and critically assess the Jewish  
29 hearsay argument.

30  
31 I will divide the body of my paper into three main sections, followed by a brief conclusion. In the  
32 first section, I will provide an overview of Wigmore’s methods. In the second section, I will  
33 apply Wigmore’s methods to Craig’s defense of the Jewish hearsay argument. This analysis will  
34 highlight several sources of reasonable doubt about Craig’s argument. Some of these doubts can  
35 be answered by modifying Craig’s argument, as I will demonstrate in the third section. But  
36 others expose significant gaps, and I am unable to see how Craig could fill them.

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<sup>1</sup> E.L. Bode, *The First Easter Morning* (Rome: Biblical Institute, 1970), p. 163; William Lane Craig, *Assessing the New Testament Evidence for the Historicity of the Resurrection of Jesus*, Studies in the Bible and Early Christianity, vol. 16 (Lewiston, New York: The Edwin Mellen Press, 1989); Stephen T. Davis, *Risen Indeed: Making Sense of the Resurrection* (Grand Rapids: William B. Eerdmanns, 1993), p. 80; Gary R. Habermas and Michael Licona, *The Case for the Resurrection of Jesus* (Grand Rapids: Kregel, 2004), p. 71; J.P. Moreland, *Scaling the Secular City: A Defense of Christianity* (Grand Rapids: Baker, 1988), p. 163; Robert H. Stein, “Was The Tomb Really Empty?” *Themelios* 5.1 (September 1979): 8-12; Richard Swinburne, *The Resurrection of God Incarnate* (New York: Oxford University Press, 2003), p. 183; Robert E. Van Voorst, *Jesus Outside the New Testament: An Introduction to the Ancient Evidence* (Grand Rapids: William B. Eerdmanns, 2000), p. 132; John Wenham, *Easter Enigma: Are the Resurrection Accounts in Conflict?* (2nd ed., Grand Rapids: Baker, 1992), pp. 79-80; N.T. Wright, *The Resurrection of the Son of God* (Minneapolis: Fortress Press, 2003), pp. 636-640.

## I. Wigmore's Methods

John H. Wigmore (1863-1943), a past dean of the Law School at Northwestern University, was a highly influential scholar of evidence. Among his interests included the relationship between conclusions and *masses of evidence*. Wigmore's methods of analysis and synthesis were designed to assist persons faced with the task of trying to draw conclusions from a potentially vast quantity of evidence.<sup>2</sup> His methods are described in detail in his 1937 book, *The Science of Judicial Proof: As Given by Logic, Psychology, and General Experience and Illustrated in Judicial Trials*.

Wigmore observes there are two fundamental components when evaluating the relevance of an item of evidence: analytic and synthetic. The analytic component is constituted by a *key list*. A key list contains 4 types of propositions: (1) the evidence, (2) the ultimate probandum, (3) all interim probanda that serve as a bridge between the evidence and the ultimate probandum, and (4) statistical generalizations used to justify the links in a chain of reasoning from evidence to the ultimate probandum.<sup>3</sup> The synthetic aspect of Wigmore's method lies in the creation and usage of an *evidence chart*, a graph that visually displays each of the items in a key list and their relationship to one another.<sup>4</sup> Each item on a key list is assigned a unique number to identify it on the evidence chart.<sup>5</sup> The evidence chart makes it easier to keep the entire *mass* of evidence in mind as one attempts to draw conclusions from them.

While Wigmore's methods were groundbreaking in several ways, they were difficult to use and hence were never widely adopted in the field of law.<sup>6</sup> In their landmark book, *A Probabilistic Analysis of the Sacco and Vanzetti Evidence*, Joseph B. Kadane and David A. Schum describe a "user-friendly" version of Wigmore's methods, and I shall adopt that version in this paper. Evidence charts consist of arrows and nodes. Nodes represent evidence and links in chains of reasoning set up by this evidence, whereas arrows indicate probabilistic linkages. There are two fundamental types of evidence: directly relevant evidence and indirectly relevant evidence. Directly relevant evidence is evidence that constitutes one of the stages of reasoning to a major probandum. Indirectly relevant or ancillary evidence is evidence about the strength or weakness of any link in a chain of reasoning from directly relevant evidence to a major probandum.

As shown in Figure 1, circles and squares indicate prosecution evidence and links in chains of reasoning set up by this evidence.

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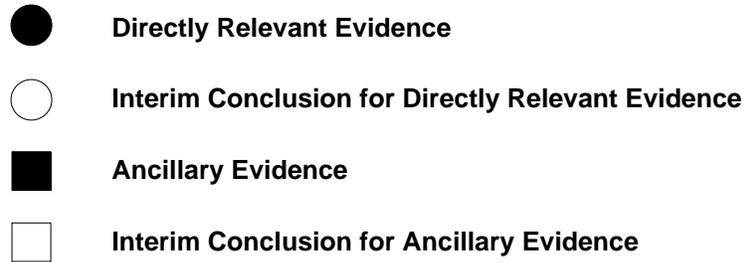
<sup>2</sup> Joseph B. Kadane and David A. Schum, *A Probabilistic Analysis of the Sacco and Vanzetti Evidence* (New York: John Wiley & Sons, 1996), p. 70.

<sup>3</sup> Kadane and Schum 1996, p. 67.

<sup>4</sup> Kadane and Schum 1996, p. 67.

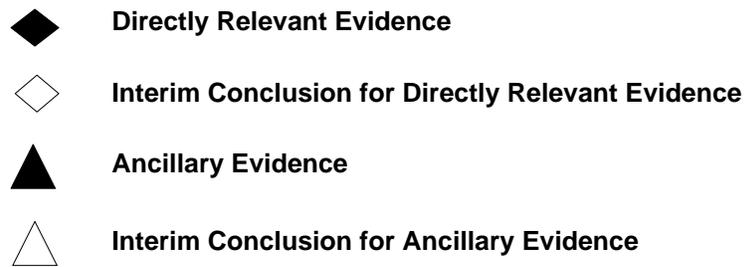
<sup>5</sup> Kadane and Schum 1996, p. 68.

<sup>6</sup> Kadane and Schum 1996, p. 68.



**Figure 1** Prosecution Node Symbols for Wigmore Evidence Charts

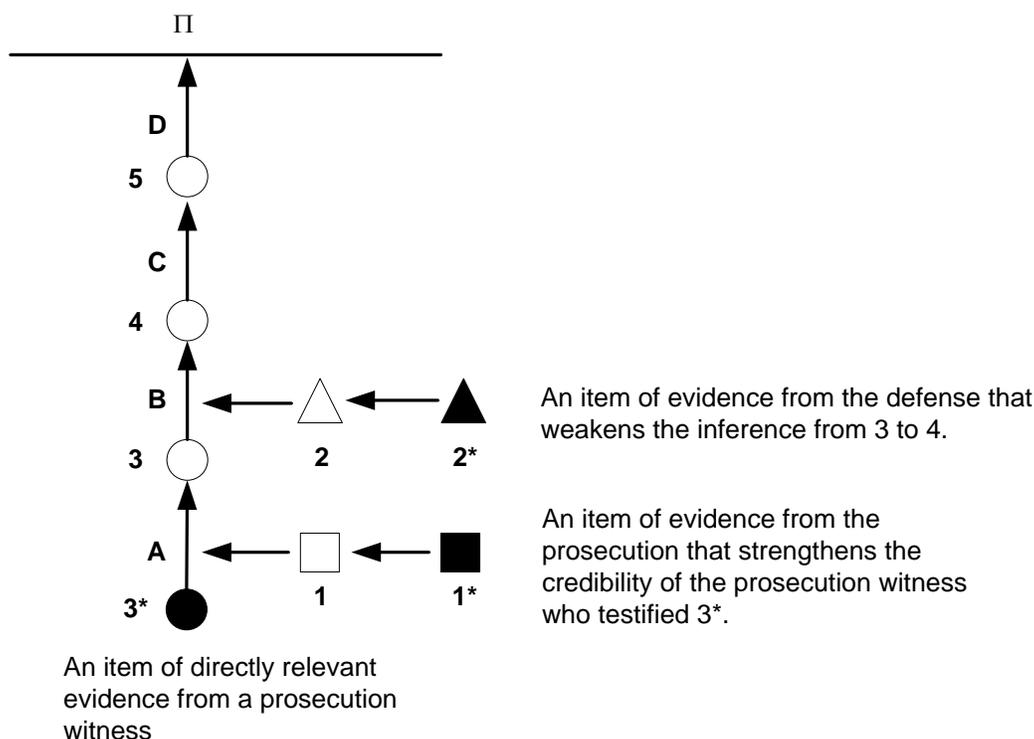
Likewise, Figure 2 displays the different types of nodes for representing defense evidence.



**Figure 2.** Defense Node Symbols for Wigmore Evidence Charts

Open circles, squares, diamonds, and triangles represent what an analyst believes to be reasonable sources of doubt. Nodes are connected to one another by arrows.

An example of a Wigmore evidence chart is provided in Figure 3.



**Figure 3.** The Distinction between Directly Relevant and Ancillary Evidence

Each of the arrows represents a *probabilistic* link in a chain of reasoning, a proposition about a conditional probability that represents the strength (or weakness) of the inference from one node to another. Such a proposition can have different forms. First, it could assume the form of a quantitative probability. For example, “The probability of node 2 conditional upon node 1 is greater than  $\frac{1}{2}$ ,” or, more formally, “ $\Pr(2 | 1) > \frac{1}{2}$ ”. Second, a probabilistic linkage could be a proposition about so-called ‘classificatory’ probability, which has the form, “node 1 increases the probability of node 2, but does not by itself necessarily make node 2 highly probable.” In symbols, this would be “ $\Pr(2 | 1 \ \& \ K) > \Pr(2 | K)$ ”, where K is our background evidence—our evidence before we learn about 1.

Consider, for example, the inference from 3\* to 3 in Figure 3. Let 3\* be the sworn testimony of a prosecution witness to event 3. Clearly, testimony 3\* does not entail event 3; instead, 3\* is just *evidence* for 3. In order for the inference from 3\* to 3 to be inductively correct, 3\* must probabilistically favor 3. We can formally represent this probabilistic linkage as  $\Pr(3 | 3^*) > \frac{1}{2}$ .

The strength (or weakness) of a chain of reasoning is directly tied to the strength (or weakness) of the statistical generalizations connecting each link in a chain of reasoning. When generalizations concern frequent events, it is possible to support or undercut a generalization with statistical evidence. For example, we might use accumulated statistical evidence concerning auto thefts in order to make an inference about whether or not a specific car will be stolen. But what happens, as is often the case in the fields of history and law, when a generalization refers to a singular event? Kadane and Schum envision a process that starts with some relevant

1 generalization that is intuitively plausible, followed by the introduction of evidence that  
 2 strengthens or weakens the relevance of the generalization.<sup>7</sup> Here are two examples of how  
 3 ancillary evidence can be used to affect the strength of a generalization.

4  
 5 The first example shows how ancillary evidence can be used to strengthen a generalization. In  
 6 Figure 3, the inference from 3\* to 3 is represented by probabilistic linkage A. Probabilistic  
 7 linkage A, in turn, is supported by ancillary evidence 1\*. Let 1 be the statement, “The witness is  
 8 a police officer,” and 1\* be the “testimony” of Police Department employment records to 1. The  
 9 following statistical syllogism provides the basis for the inference from 3\* to 3.

10  
 11 A. Most statements made by police officers under oath are true.

12 1. 3\* is a statement made by a police officer under oath.

---

13 ∴ 3.

14  
 15 Using this statistical syllogism, the prosecution concludes that 3\* probabilistically favors 3—that  
 16 is,  $\Pr(3 \mid 3^*) > \frac{1}{2}$ .

17  
 18 The second example demonstrates how ancillary evidence can be used to weaken a  
 19 generalization. Let 3 be the statement, “The defendant tried to escape from arresting officers,” 4  
 20 be the statement, “The defendant was conscious of having committed a criminal act,” and B be  
 21 the generalization, “Persons who intend to escape from arresting officers are usually conscious of  
 22 having committed a criminal act.” Thus, again, the prosecution’s inference from 3 to 4 may be  
 23 represented with a statistical syllogism.

24  
 25 B. Persons who intend to escape from arresting officers are usually conscious of having  
 26 committed a criminal act.

27 3. The defendant tried to escape from arresting officers.

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28 4. ∴ The defendant was conscious of having committed a criminal act.

29  
 30 2\* is evidence from a defense witness that, if true, undermines the linkage between 3 and 4. For  
 31 example, let 2\* be the sworn testimony of a psychiatrist to 2, the proposition that the defendant is  
 32 a diagnosed paranoid schizophrenic. Suppose that we accept 2 as true. 2 weakens the  
 33 probabilistic linkage between 3 and 4. Using a statistical syllogism of its own, the defense  
 34 therefore concludes that  $\Pr(4 \mid 2 \ \& \ 3) < \Pr(4 \mid 3)$ .<sup>8</sup> In other words, the defense argues that while  
 35 fleeing from arresting officers is often an indicator of having committing a crime, fleeing from  
 36 arresting officers is weak evidence of guilt if the defendant is psychologically predisposed to flee  
 37 from police even if the defendant is innocent.

38  
 39 Figure 3 includes ancillary evidence for the linkages 3\*-3 and 3-4. It does not, however, include  
 40 ancillary evidence for the linkages 4-5 or 5-II. In the absence of such evidence, those linkages  
 41 are based merely on what Kadane and Schum call “unsupported generalizations.”<sup>9</sup> If a linkage  
 42 involves an unsupported generalization but does not embody all the relevant evidence concerning

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<sup>7</sup> Kadane and Schum 1996, p. 87.

<sup>8</sup> Indeed, in this example, the defense would probably conclude that 2 & 3 are probabilistically irrelevant to 4. In symbols,  $\Pr(4 \mid 2 \ \& \ 3) = \Pr(4)$ .

<sup>9</sup> Kadane and Schum 1996, p. 87.

1 the directly relevant evidence or interim hypothesis that constitutes the starting point for the  
2 linkage, then the linkage is weak. It fails to confer a high probability on its conclusion.

## 4 **II. A Formal Statement of the Jewish Hearsay Argument**

### 6 **A. The Argument Formulated**

8 In his written work on the resurrection, William Lane Craig has defended a version of the Jewish  
9 hearsay argument, along with a reply to various objections. The essence of the argument may be  
10 found in the following passage taken from his book-length defense of the historicity of Jesus's  
11 resurrection:

13 *9. The Jewish polemic presupposes the empty tomb.* From information unintentionally  
14 furnished by Matthew, we know that the Jewish opponents of the Christian Way did not  
15 deny that Jesus's tomb was empty. Instead they charged that the disciples had stolen  
16 Jesus' body. From here the controversy over the guard at the tomb sprang up. The entire  
17 polemic presupposes that the tomb was empty. The proclamation "He is risen from the  
18 dead" (Mt. 27:64) prompted the Jews to respond, "His disciples ... stole him away" (Mt.  
19 28:13). Why? The most probable answer is that they could not deny the fact of the empty  
20 tomb and had to come up with an alternative explanation. So they said the disciples stole  
21 the body and from there it all began. Even the gardener hypothesis is an attempt to  
22 explain away the empty tomb. The fact that the Jewish polemic never denied that Jesus'  
23 tomb was empty, but only tried to explain it away is persuasive evidence that the tomb  
24 was in fact empty.<sup>10</sup>

26 What is the argument here? Putting together the pieces, we have the following argument.

28 (1\*) Matthew 28:13 claims "the Jews" accused the disciples of stealing the body of Jesus.

29 (2) ∴ The Jewish opponents of the Christian Way did accuse the disciples of stealing the  
30 body of Jesus.

31 (3) The accusation that the disciples stole the body of Jesus presupposes the tomb was  
32 empty.

33 (4) The best explanation of (2) is that the Jewish opponents could not deny the fact of the  
34 empty tomb and had to come up with an alternative explanation.

35 (5) ∴ (1\*) is strong evidence that the tomb of Jesus was empty.

37 For reasons I will discuss later in this paper, the above argument is clearly invalid as it stands.  
38 For this very reason, Craig's critics are likely to dismiss his argument. This is unfortunate,  
39 however, since the above argument barely begins to scratch the surface of his research on the  
40 Jewish hearsay evidence. Indeed, after reviewing the entirety of his written work on that  
41 evidence, one is struck by the sheer quantity of facts and arguments that could be incorporated  
42 into a stronger version of the Jewish hearsay argument, items that Craig has, so far at least, been  
43 content to hold in reserve as rebuttal evidence. As I will show below, Craig's seemingly simple  
44 Jewish hearsay argument is actually a sophisticated inductive argument based upon a complex

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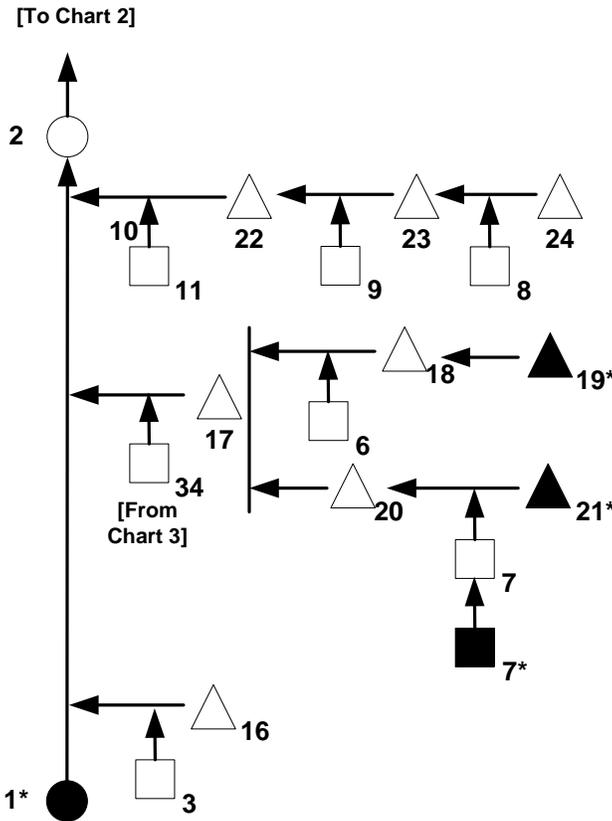
<sup>10</sup> Craig 1989, p. 371.

1 body of evidence. By my count, over 19 separate inductive arguments are at play. Moreover, if  
 2 one includes skeptical objections and Craig’s replies to those objections, more than 52  
 3 propositions are relevant to the Jewish hearsay argument. Thus, in order to consider the total  
 4 evidence relevant to the Jewish hearsay evidence, we need to consider more than just the above  
 5 argument. We must also consider his answers to his critics.

6  
 7 **B. Evidence Charts and Key Lists for the Jewish Hearsay Argument**

8  
 9 Given the sheer size and complexity of the evidence and intermediate conclusions Craig has  
 10 adduced in defense of the Jewish hearsay argument, his entire work on the subject is a perfect  
 11 candidate for a Wigmorean analysis. Let us now turn to the task of conducting such an analysis.

12  
 13 Let us begin by presenting the Jewish hearsay evidence in terms of the distinction previously  
 14 made between directly relevant evidence and indirectly relevant evidence. If we replace  
 15 “prosecution” with “Christian apologist” and “defense” with “skeptics,” then the following is the  
 16 key list for the Jewish hearsay evidence, as discussed and defended by Craig.  
 17



18  
 19 **Chart 1. Jewish Hearsay Evidence—Part I**  
 20  
 21

## 1 CHRISTIAN APOLOGIST

- 2
- 3 1\*. Matthew 28:13 claims “the Jews” accused the disciples of stealing the body of Jesus.<sup>11</sup>
- 4 2. The Jewish opponents of the Christian Way accused the disciples of stealing the body of
- 5 Jesus.<sup>12</sup>
- 6 6. The historicity of the Jewish hearsay does not depend upon the historicity of Matthew’s guard
- 7 story.<sup>13</sup>
- 8 7. The accusation of theft was “widely spread among Jews to this day.”<sup>14</sup>
- 9 7\*. Matthew 18:15 testimony to 7.
- 10 8. Jesus was buried honorably.<sup>15</sup>
- 11 9. The location of the burial site was known.<sup>16</sup>
- 12 10. If the Jewish opponents of the Christian Way did not know what had happened to Jesus’
- 13 corpse, they probably would have denied the empty tomb, not accused the disciples of stealing
- 14 the body of Jesus.
- 15 11. The Jews tried to explain away the empty tomb by accusing the disciples of stealing the body
- 16 of Jesus, rather than denying it.
- 17 34. Matthew’s guard story contains many non-Matthean linguistic traits.

## 18 SKEPTICS

- 19
- 20
- 21 17. We do not know what constituted the earliest Jewish hearsay concerning the empty tomb.
- 22 18. Matthew 27:62-66; 28:4, 11-15 is an uncorroborated, Christian story that bears the earmarks
- 23 of a legend.
- 24 19\*. Matthew’s testimony (27:62-66; 28:4, 11-15).
- 25 20. Contemporary Jews did not care what happened to Jesus’s body after his death.<sup>17</sup>
- 26 21\*. The extant writings of one contemporary Jew, Josephus, do not mention what happened to
- 27 Jesus’ body after his death.<sup>18</sup>
- 28 22. The Jews came to believe that the tomb was empty only through Christian tradition.<sup>19</sup>
- 29 23. No one knew what had happened to the body.<sup>20</sup>
- 30 24. Jesus did not have a regular burial.<sup>21</sup>
- 31
- 32

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<sup>11</sup> Craig 1989, p. 371.

<sup>12</sup> Craig 1989, p. 371.

<sup>13</sup> “Reply to Evan Fales: On the Empty Tomb of Jesus,” *Philosophia Christi* 3 (2001): 67-76.

<sup>14</sup> “Reply to Evan Fales: On the Empty Tomb of Jesus,” *Philosophia Christi* 3 (2001): 67-76.

<sup>15</sup> William Lane Craig, “Visions of Jesus: A Critical Assessment of Gerd Lüdemann’s Hallucination Hypothesis,” <http://www.leaderu.com/offices/billcraig/docs/visions.html>.

<sup>16</sup> William Lane Craig, “Visions of Jesus: A Critical Assessment of Gerd Lüdemann’s Hallucination Hypothesis,” <http://www.leaderu.com/offices/billcraig/docs/visions.html>.

<sup>17</sup> Evan Fales, “Successful Defense? A Review of *In Defense of Miracles*” *Philosophia Christi* 3 (2001): 7-35 at 27-28.

<sup>18</sup> Evan Fales, “Successful Defense? A Review of *In Defense of Miracles*” *Philosophia Christi* 3 (2001): 7-35 at 27-28.

<sup>19</sup> Gerd Lüdemann, *The Resurrection of Jesus: History, Experience, Theology* (London, SCM Press: 1994), p. 124.

<sup>20</sup> Gerd Lüdemann, *The Resurrection of Jesus: History, Experience, Theology* (London, SCM Press: 1994), p. 124.

<sup>21</sup> Gerd Lüdemann, *The Resurrection of Jesus: History, Experience, Theology* (London, SCM Press: 1994), p. 124.

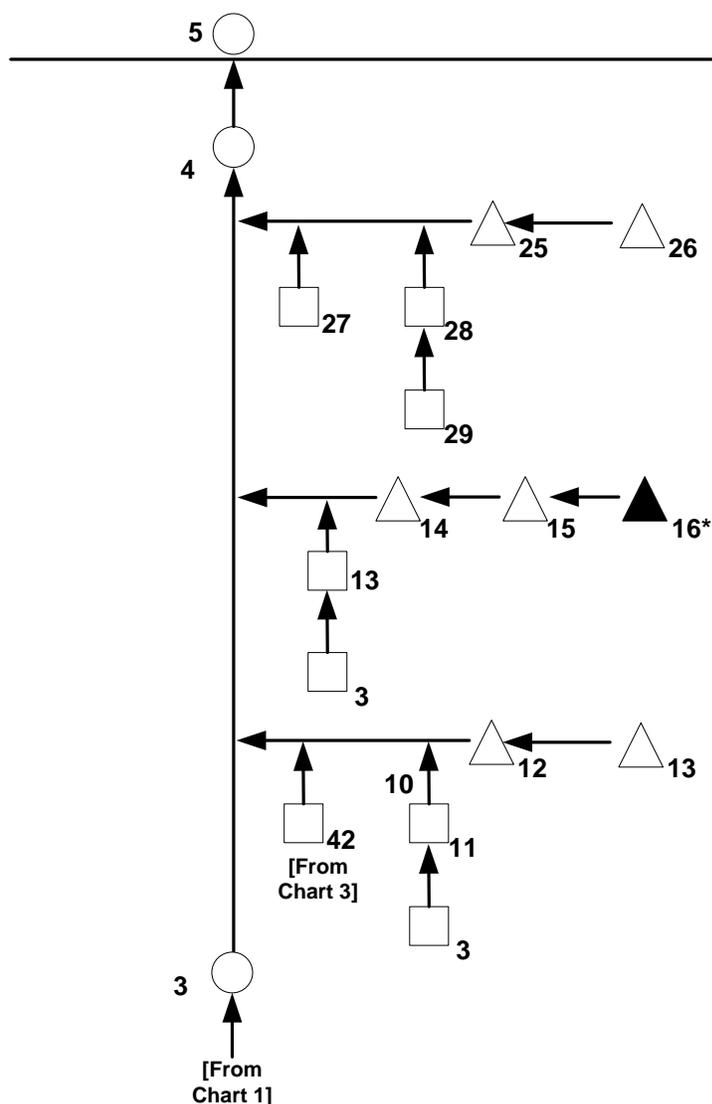


Chart 2. Jewish Hearsay Evidence--Part II

### CHRISTIAN APOLOGIST

3. The accusation that the disciples stole the body of Jesus presupposes the tomb was empty.<sup>22</sup>

4. The best explanation of 2 is that the Jewish opponents could not deny the fact of the empty tomb and had to come up with an alternative explanation.<sup>23</sup>

5. 1\* is strong evidence that the tomb of Jesus was empty.<sup>24</sup>

10. If the Jewish opponents of the Christian Way did not know what had happened to Jesus' corpse, they probably would have denied the empty tomb, not admitted the empty tomb by trying to explain it away with the accusation that the disciples stole the body of Jesus.<sup>25</sup>

<sup>22</sup> Craig 1989, p. 371.

<sup>23</sup> Craig 1989, p. 371.

<sup>24</sup> Craig 1989, p. 371.

1 11. The Jewish opponents of the Christian Way admitted the empty tomb by trying to explain it  
2 away with the accusation that the disciples stole the body of Jesus.

3 27. Joseph would not have kept silent once the disciples began to proclaim the resurrection in  
4 Jerusalem.<sup>26</sup>

5 28. Joseph's servants would not have kept silent.<sup>27</sup>

6 29. Apologetic hypothesis that Joseph probably had servants assist him in removing the corpse  
7 and preparing it for burial.

8 42. Matthew's guard story, including the Jewish hearsay, originated in Jerusalem prior to its  
9 destruction in 70 CE.

## 11 SKEPTICS

13 12. It was impossible for anyone to check out the truth of the guard story or the empty tomb.<sup>28</sup>

14 13. Skeptical hypothesis that the Jewish hearsay is post-70 CE.

15 14. The Jews, who would naturally assume that a physical resurrection was meant, argued as  
16 they did only because it would have been "colorless" to say the tomb was unknown or lost.<sup>29</sup>

17 15. The Matthean narrative presupposes the preaching of the resurrection.

18 16\*. The Gospel of Matthew.

19 25. The Jewish opponents of the Christian Way would not be in a position to know who had  
20 buried Jesus or where he had been buried.<sup>30</sup>

21 26. Skeptical hypothesis that Joseph of Arimathea acted on his own, or only in partnership with  
22 Nicodemus, in burying Jesus.<sup>31</sup>

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<sup>25</sup> Craig 1989, p. 371; *idem*, "Did Jesus Rise from the Dead?" *Jesus Under Fire: Modern Scholarship Reinvents the Historical Jesus* (ed. Michael J. Wilkins and J.P. Moreland, 1995), pp. 172-73, n. 28-29.

<sup>26</sup> Robert H. Gundry, "Trimming the Debate" in *Jesus' Resurrection: Fact or Figment?* (ed. Paul Copan and Ronald K. Tacelli, Downers Grove: InterVarsity, 2000), pp. 107-08.

<sup>27</sup> Robert H. Gundry, "Trimming the Debate" in *Jesus' Resurrection: Fact or Figment?* (ed. Paul Copan and Ronald K. Tacelli, Downers Grove: InterVarsity, 2000), pp. 107-08.

<sup>28</sup> Karl Martin Fischer, *Das Ostergeschehen*, 2d ed. (Göttingen, Vandenhoeck & Ruprecht, 1980), pp. 63-64, cited in Craig 1989, p. 371; Michael Goulder, "The Explanatory Power of Conversion-Visions" *Jesus' Resurrection: Fact or Figment?* (ed. Paul Copan and Ronald K. Tacelli, Downers Grove, Illinois: InterVarsity, 2000), p. 101; Peter Carnley, *The Structure of Resurrection Belief* (Oxford: Clarendon Press, 1987), pp. 55-56.

<sup>29</sup> Robert Mahoney, *Two Disciples at the Tomb*, TW6 (Bern: Herbert Lang, 1974), p. 159, cited in Craig 1989, p. 372.

<sup>30</sup> Robert H. Gundry, "Trimming the Debate" in *Jesus' Resurrection: Fact or Figment?* (ed. Paul Copan and Ronald K. Tacelli, Downers Grove: InterVarsity, 2000), pp. 107-08.

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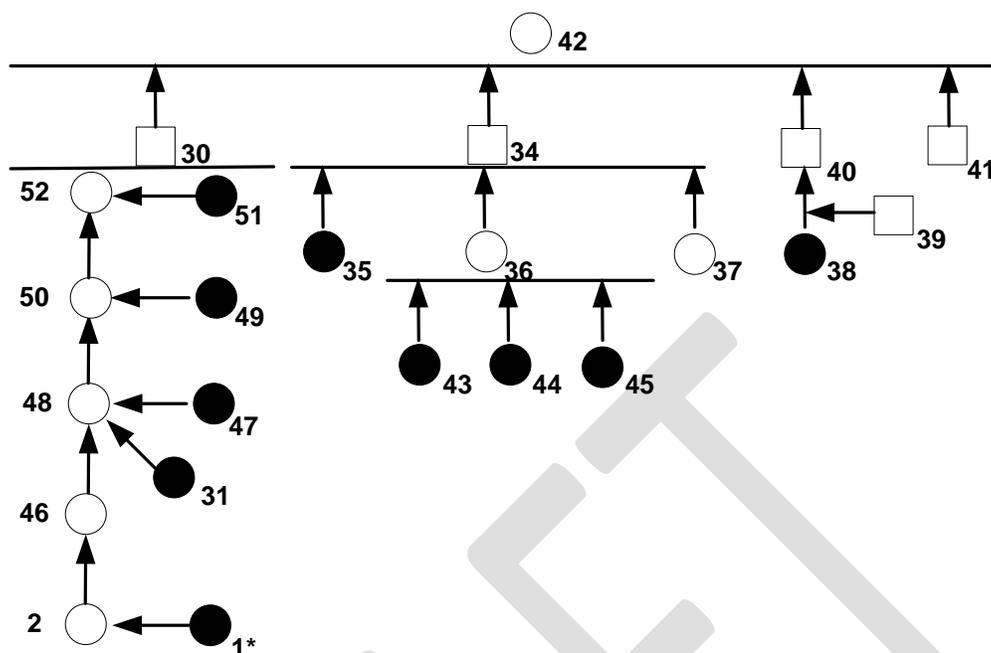


Chart 3. Tradition History Evidence

## CHRISTIAN APOLOGIST

- 1\*<sup>1</sup>. Matthew 28:13 claims “the Jews” accused the disciples of stealing the body of Jesus.  
 2. The Jewish opponents of the Christian Way accused the disciples of stealing the body of Jesus.  
 30. There was a back-and-forth exchange between Christians and Jews as illustrated by Craig’s reconstruction.<sup>32</sup>  
 46. 2 was probably the Jewish reaction to the apostolic proclamation of Jesus’ resurrection.  
 47. Matthew 28:11 testimony to a guard at the tomb.  
 48. The Christian reaction to 2 was probably the claim, “The guard at the tomb would have prevented any such theft.”  
 49. Matthew 28:11 testimony to the disciples stealing the body while the guard slept.  
 50. 49 was probably the Christian reaction to 48.  
 51. Matthew 28:12 testimony to the chief priests bribing the guard to accusing the disciples of stealing the body while the guard slept.  
 52. 51 was probably the Christian response to 49.  
 31. Justin’s testimony (in *Dialogue with Trypho* 108) mentions an accusation of theft.  
 34. Matthew’s guard story contains many non-Matthean linguistic traits.  
 35. The narrative itself contains many non-Matthean linguistic traits: *ἐπαύριον* , *παρασκευή* , *πλάυος / πλάυη* , *ηουστωδία* , *ἀσφαλίξω* , *σφραγίξω* .<sup>33</sup>

<sup>32</sup> Craig 1989, p. 207. For a critique, see Richard C. Carrier, “The Plausibility of Theft” in *The Empty Tomb: Jesus Beyond the Grave* (ed. Robert M. Price and Jeffery Jay Lowder, Buffalo: Prometheus, 2005), p. 363.

<sup>33</sup> Craig 1989, p. 210, n. 25. Cf. William Lane Craig, “The Guard at the Tomb,” *New Testament Studies* 30 (1984): 279-80.

- 1 36. The expression ‘chief priests and Pharisees’ is unusual for Matthew and never appears in  
 2 Mark or Luke, but is common in John.<sup>34</sup>
- 3 43. The expression ‘chief priests and Pharisees’ appears only once in Matthew (21:45).<sup>35</sup>
- 4 44. The expression ‘chief priests and Pharisees’ never appears in Mark or Luke.<sup>36</sup>
- 5 45. The expression ‘chief priests and Pharisees’ is common in John (7:32,45; 9:47,57; 18:3).<sup>37</sup>
- 6 37. The expression τή τρίτη ἡμέρα indicates tradition, for Matthew everywhere changes this  
 7 expression to μετά τρεῖς ἡμέρας.<sup>38</sup>
- 8 38. The Gospel of Peter contains testimony to a guard being placed at the tomb.
- 9 39. The verbal similarities between Matthew’s story of the guard and the Gospel of Peter’s  
 10 version are virtually non-existent.<sup>39</sup>
- 11 40. The Gospel of Peter may well know a non-Matthean tradition of the guard story.
- 12 41. The time span involving such a developing pattern of response and counter-response pushes  
 13 the dispute back before 70, prior to the destruction of Jerusalem.<sup>40</sup>
- 14 42. Matthew’s guard story, including the Jewish hearsay, was inherited from pre-Matthean  
 15 tradition that originated in Jerusalem prior to its destruction in 70 CE.
- 16
- 17 **SKEPTICS:** None

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<sup>34</sup> For a critique, see Carrier 2005, p. 363.

<sup>35</sup> Craig 1984, pp. 279-80; Craig 1989, p. 210, n. 25.

<sup>36</sup> Craig 1984, pp. 279-80; Craig 1989, p. 210, n. 25.

<sup>37</sup> Craig 1984, pp. 279-80; Craig 1989, p. 210, n. 25.

<sup>38</sup> Craig 1989, p. 210.

<sup>39</sup> Craig 1989, p. 207. Cf. Craig 1984, n. 15, where he writes, “That the Gospel of Peter *knows* a non-Matthean tradition of the guard story also indicates that the story did not originate with Matthew” (my emphasis). For a critique, see Carrier 2005, p. 359.

<sup>40</sup> William Lane Craig, “Closing Response” in *Jesus’ Resurrection: Fact or Figment?* (ed. Paul Copan and Ronald K. Tacelli, Downers Grove: Intervarsity Press, 2000), 177.

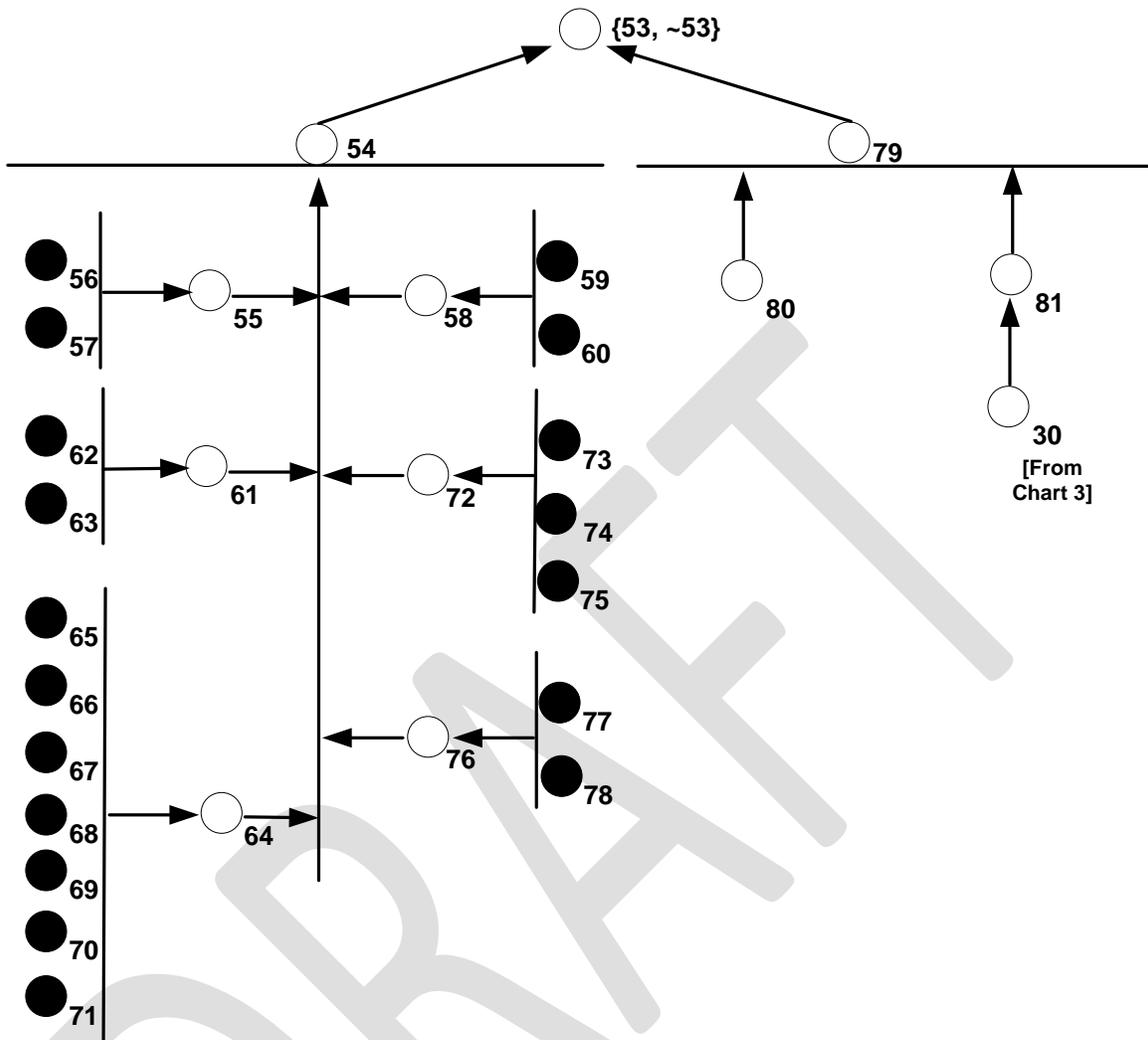


Chart 4. Matthean Evidence of a Guard at the Tomb

**CHRISTIAN APOLOGIST**

- 1
- 2
- 3
- 4
- 5
- 6 53. The issue of the existence of the guard at the tomb should be left as an open question.<sup>41</sup>
- 7 54. There is good evidence against the existence of the guard at the tomb.<sup>42</sup>
- 8 55. The obvious bias of the story is inconclusive evidence against the existence of the guard at
- 9 the tomb.
- 10 56. The story is an apologetic answering the allegation that the disciples stole the body.
- 11 57. 56 is does not necessarily mean that the story is unhistorical.<sup>43</sup>
- 12 58. 59 provides no evidence against the existence of the guard at the tomb.

<sup>41</sup> Craig 1989, p. 221.

<sup>42</sup> Craig 1989, p. 218.

<sup>43</sup> Craig 1989, p. 211.

- 1 59. Theological objection that the story overshoots the remaining witness of the New Testament  
 2 that Jesus only appeared to his own, but remained hidden to his enemies.<sup>44</sup>  
 3 60. The account says nothing about any appearance of Jesus to the guards at all.<sup>45</sup>  
 4 61. 62 provides no evidence against the existence of the guard at the tomb.  
 5 62. Skeptical objection that the chief priests and Pharisees would not go to Pilate on the sabbath  
 6 day.<sup>46</sup>  
 7 63. The chief priests and Pharisees were hypocrites.<sup>47</sup>  
 8 64. Inherent absurdities in the story are inconclusive evidence against the existence of the guard.  
 9 65. Skeptical objection that the guards would not know that it was the disciples who stole the  
 10 body because they were asleep.<sup>48</sup>  
 11 66. 65 assumes the Jews could not have fabricated a stupid cover-up story.  
 12 67. Lack of alternative suspects for the hypothesized theft made the guards' inference  
 13 reasonable.  
 14 68. Skeptical objection that a Roman guard would never agree to spread a story for which they  
 15 could be executed.<sup>49</sup>  
 16 69. The guard may not have been Roman.<sup>50</sup>  
 17 70. Even if the guard were Roman, perhaps the Jewish authorities told the governor of the  
 18 guard's loyal service.<sup>51</sup>  
 19 71. The guard had nothing to lose by cooperating with the Jewish leadership, since the emptiness  
 20 of the tomb would have exposed their failure anyway.<sup>52</sup>  
 21 72. Omission is inconclusive as a test for historicity.  
 22 73. The story is not related in the pre-Markan passion story nor in the other gospels.<sup>53</sup>  
 23 74. Perhaps the pre-Markan passion story and the other gospels don't mention the story because  
 24 the guard played virtually no role in the events of the discovery of the empty tomb.<sup>54</sup>  
 25 75. The Evangelists often inexplicably omit what seems to be major incidents known to them.  
 26 76. 77 is inconclusive evidence against the existence of the guard.  
 27 77. The story presupposes not only that Jesus predicted his resurrection in three days, but also  
 28 that the Jewish authorities understood this clearly while the disciples remained in ignorance.<sup>55</sup>  
 29 78. 77 is essentially an argument from silence against the Jewish authorities learning that Jesus  
 30 predicted his resurrection.  
 31 79. There is good evidence for the existence of the guard at the tomb.<sup>56</sup>  
 32 80. If the guard is a Christian invention aimed at refuting the Jewish allegation that the scheming  
 33 disciples had stolen the body, then the writer has not done a very good job.<sup>57</sup>

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<sup>44</sup> Craig 1989, p. 211.

<sup>45</sup> Craig 1989, p. 212.

<sup>46</sup> Craig 1989, p. 212.

<sup>47</sup> Craig 1989, p. 212.

<sup>48</sup> Craig 1989, pp. 212-13.

<sup>49</sup> Craig 1989, pp. 212-13.

<sup>50</sup> Craig 1989, p. 214.

<sup>51</sup> Craig 1989, p. 214.

<sup>52</sup> Craig 1989, p. 213 n. 30.

<sup>53</sup> Craig 1989, p. 214.

<sup>54</sup> Craig 1989, p. 215.

<sup>55</sup> Craig 1989, p. 214.

<sup>56</sup> Craig 1989, p. 221.

<sup>57</sup> Craig 1989, p. 219.

1 81. If the guard had not existed, then the Jewish polemic would never have taken the course that  
2 it did.<sup>58</sup>  
3  
4

---

<sup>58</sup> Craig 1989, p. 220.

- 1 **SKEPTIC**
- 2
- 3 None
- 4
- 5

### 1 III. A Wigmorean Analysis of the Jewish Hearsay Argument and Related Evidence

#### 2 3 A. An Analysis of the Jewish Hearsay Argument

4  
5 We are now in a position to formally assess Craig's argument. As it stands, the Jewish hearsay  
6 argument is clearly invalid.

7  
8 1. *The inference from (1\*) to (2) is weak.* Clearly, (1\*) and (2) are not the same events; (1\*) is  
9 merely *evidence* that (2) occurred. Just because the author of the Gospel of Matthew (hereafter,  
10 "Matthew") claims an event occurred does not entail the event occurred. The inference we make  
11 from (1\*) to (2) involves Matthew's credibility.<sup>59</sup> Notice, however, that the Jewish hearsay  
12 argument contains an enormous gap: it tells us absolutely nothing about Matthew's credibility,  
13 including such crucial factors as his sincerity or objectivity. In order to bridge that gap, we would  
14 need to add a premise containing a statistical generalization about Matthew's credibility. Since  
15 the Jewish hearsay argument fails to include such a statistical generalization, however, it follows  
16 that the Jewish hearsay argument is, at best, incomplete. For the same reason, the inference from  
17 (1\*) to (2) is weak.

18  
19 2. *Premise (4) is an unsupported assertion.* The claim made in the Jewish hearsay argument's  
20 fourth step, *viz.*, that the best explanation of (2) is that the Jewish opponents could not deny the  
21 fact of the empty tomb and had to come up with an alternative explanation, is nothing but an  
22 assertion, a claim made with no evidence in support. Craig makes no attempt to show that  
23 explanation has an overall balance of background probability and explanatory power that is  
24 greater than that possessed by all alternative explanations, either collectively or individually.

25  
26 3. *The inference from (4) to (5) is weak.* Indeed, the inference is weak three times over.

27  
28 (a) *Even if the best explanation of (2) is that the Jewish opponents could not deny the fact of the*  
29 *empty tomb and had to come up with an alternative explanation, (1\*) could still fail to make it*  
30 *highly probable that the tomb was empty.* As we have seen, it is crucial to Craig's argument that  
31 the Jewish hearsay be dated prior to the destruction of Jerusalem. And therefore there are two  
32 ways in which the Jewish opponents might have been unable to deny the empty tomb. First,  
33 Jewish opponents might have been unable to deny the alleged fact of the empty tomb because  
34 *they were in a position to know* if the tomb was empty and it was, in fact, empty. Second, Jewish  
35 opponents might have been unable to deny the alleged fact of the empty tomb because they were  
36 *not* in a position to know if the tomb was actually empty. This would be the case if the story of  
37 the empty tomb did not originate or become well known until after 70 CE. Furthermore, upon  
38 hearing that story, it could be the case that Matthew's Jewish opponents desired to provide an  
39 alternative explanation for the empty tomb. They wanted to provide an alternate explanation for  
40 the empty tomb but, given that they were hearing about the story after 70 CE, it was impossible  
41 for anyone to check out the truth of the empty tomb. Thus, the best explanation of (2) is that the  
42 Jewish opponents could not deny the fact of the empty tomb and had to come up with an  
43 alternative explanation, but (1\*) would still fail to make an empty tomb highly probable. All that  
44 follows from (4) is the evidence makes it highly probable that the Jewish opponents could not

---

<sup>59</sup> Kadane and Schum 1996, p. 41.

1 deny the fact of the empty tomb—in *either* of the two senses just described—and had to come up  
 2 with an alternative explanation.

3  
 4 (b) *Craig assumes without argument that the Jewish opponents of the Christian Way did believe*  
 5 *the disciples stole the body.* If, however, the Jewish accusation of theft were insincere, then the  
 6 actual explanation for (2) would be insincerity, not that the Jewish opponents could not deny the  
 7 fact of the empty tomb and had to come up with an alternative explanation. And Craig provides  
 8 no argument to show otherwise. This also weakens the inference from (3) to (4).

9  
 10 (c) *Jewish opponents of the Christian Way in the 80s were split into different factions that may*  
 11 *not have cooperated with one another.* Craig himself suggests the idea that “the slander that the  
 12 disciples stole the body was restricted to certain quarters” among the early Christians;<sup>60</sup> there  
 13 seems to be no reason why the slander could not be equally restricted to certain quarters among  
 14 first century Jews. The two best-known sects of first century Judaism were the Pharisees and the  
 15 Sadducees, but these were by no means the only two sects. Depending on how one ‘counts’  
 16 sects, ancient historian Richard Carrier has documented between ten and thirty sects of first-  
 17 century Judaism.<sup>61</sup> For all we know, Matthew 28:13 might simply be a report about what one  
 18 faction was saying about the empty tomb; it could be the case that one or more of the other  
 19 factions were saying something else entirely, something not reported by Matthew. The  
 20 significance of this distinction would seem to be strengthened if the faction quoted by Matthew  
 21 was not affiliated with the Sanhedrin. In fact, we know precious little about Matthew's “Jews.”  
 22 The actual Greek says ‘para ioudaiois’ which is just ‘among Jews’ (i.e., ‘among *some* Jews’) and  
 23 not ‘para tois ioudaiois’, which would be ‘among *the* Jews’ (i.e., ‘among *all* Jews’). Thus, we do  
 24 not know *which* Jews Matthew is talking about.<sup>62</sup> Furthermore, the Jewish hearsay, like  
 25 Matthew’s guard story as a whole, is not included in the other gospels. Again, Craig himself  
 26 suggests that the accusation of theft may have been “restricted to certain quarters” and therefore  
 27 “it cannot be ruled out that Luke or John might not have these traditions.”<sup>63</sup> This is additional  
 28 evidence, though very weak, favoring the hypothesis that Matthew 28:13 is *not* a statement about  
 29 what the Jewish authorities were saying about the tomb of Jesus. In any case, even if we believe  
 30 that Matthew 28:13 accurately reports what *some* Jews were saying at the time, that belief would  
 31 not make it more probable than not that Matthew 28:13 accurately reports what the Jewish  
 32 *authorities* (i.e., the Sanhedrin) was saying at the time.

33  
 34 In conclusion, the Jewish hearsay argument, *as it stands*, fails to establish a high probability for  
 35 the historicity of the empty tomb.

36  
 37

---

<sup>60</sup> Craig 1989, p. 215.

<sup>61</sup> Richard Carrier, “The Spiritual Body of Christ and the Legend of the Empty Tomb” in *The Empty Tomb: Jesus Beyond the Grave* (ed. Robert M. Price and Jeffery Jay Lowder, Buffalo: Prometheus, 2005), in press.

<sup>62</sup> I owe this point to Richard Carrier.

<sup>63</sup> Craig 1989, p. 215.

## 1 **B. An Analysis of Craig’s Case for an Early, Pre-Matthean Origin of the Guard Story**

2  
3 Before criticizing what I consider the weaknesses of Craig’s argument for an early, pre-Matthean  
4 origin of Matthew’s story of the guard at the tomb, I want to first acknowledge where I think his  
5 argument is clearly right. I have no objections to his case for the pre-Matthean origins of the  
6 story. Nonetheless, Craig’s argument fails to establish an early (pre-70 CE) date for the origin of  
7 the guard tradition.

8  
9 1. (46) is an unsupported assertion. Again, (46) is the claim that (2) was probably the Jewish  
10 opponents’ reaction to the apostolic proclamation of Jesus’ resurrection. It seems to me that (46)  
11 is an incomplete explanation, in two ways. First, let us distinguish between the Jewish  
12 opponents’ *original* and *later* reactions to the proclamation of the resurrection. While it seems  
13 reasonable to conclude that (2) was at least a later reaction of the Jewish opponents, it is not clear  
14 that was it their original reaction. For example, it could be the case that the tradition history of  
15 Matthew’s guard story began something like this:

16  
17 Christian: “The Lord is risen!”  
18 Jewish Opponent: “No, he’s not risen. His body is buried over here.”  
19 (Someone unknown to the disciples or the Jewish opponents then steals the body.)  
20 Christian: “No, he’s not buried over there. He is risen!”  
21 Jewish Opponent: “No, his disciples stole away his body.”

22 .  
23 .  
24 .

25  
26 Second, let us distinguish between *singular* and *multi-pronged* explanations for the empty tomb.  
27 The accusation of theft may be considered a singular explanation for the empty tomb if it was the  
28 only explanation offered; in contrast, a multi-pronged explanation might include several,  
29 contradictory explanations for the empty tomb. Again, while it seems reasonable to conclude that  
30 Matthew’s Jewish opponents offered (2) as *an* explanation for the empty tomb, it is far from  
31 obvious that (2) was the *only* explanation they offered. Perhaps the original response to the  
32 proclamation of the resurrection was a disjunctive reply, a reply that was later simplified by  
33 Matthew. A disjunctive reply seems highly plausible, since a critic might determine that it is in  
34 their best interest to provide as many responses as possible. For example, the original reply  
35 might have said something like, “Either the tomb was not empty or, if it was, then the disciples  
36 stole the body, or, if they didn’t, then someone else did.” As the Jewish-Christian controversy  
37 continued, attention focused on the second disjunct and that is why we only find the theft  
38 hypothesis discussed in Matthew.<sup>64</sup>

39  
40 In response, proponents of the Jewish hearsay argument might offer the following argument to  
41 address such possibilities. If Matthew’s Jewish opponents had offered some of these other replies  
42 to the proclamation of the resurrection, even hypothetically, the story in Matthew would have  
43 gone differently than it does. Such an argument would, in effect, be an argument from silence  
44 that appeals to the lack of refutation of other responses to the proclamation of the resurrection as  
45 evidence that there were no other responses. But such an argument seems doubtful to me. In the

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<sup>64</sup> I owe this paragraph’s idea to Robert Greg Cavin.

1 first place, we don't know whether all prongs would be attacked equally.<sup>65</sup> Second, even if the  
 2 church did attack all prongs, it is not clear that Matthew would have recorded that the Church did  
 3 so.

4  
 5 2. (41) is an unsupported assertion. Craig reconstructs the tradition history of Matthew's story of  
 6 the guard at the tomb as follows.

7  
 8 (A) Christian: "The Lord is risen!"

9 (B) Jew: "No, his disciples stole away his body."

10 (C) Christian: "The guard at the tomb would have prevented any such theft."

11 (D) Jew: "No, his disciples stole away his body while the guard slept."

12 (E) Christian: "The chief priests bribed the guard to say that."<sup>66</sup>

13  
 14 There are two major problems that arise for (41). First, the assertion that (41) is true is nothing  
 15 but an assertion, a claim made with no supporting evidence. That Craig offers no evidence in  
 16 support of (41) is indicated on Chart 4 by an *open* square node for (41) on Chart 4. Perhaps Craig  
 17 envisions an *incremental* development of the tradition of the guard story: first the tradition  
 18 included only elements (A)-(C) in Craig's reconstruction, then (D) & (E) were added to the  
 19 tradition separately, at a later time.<sup>67</sup>

20  
 21 Second, oddly enough, it appears that (41) is at odds with Craig's stated position regarding the  
 22 growth of legendary material. Let us assume the reconstructed tradition history (A)-(E) is  
 23 accurate. Either Matthew's story of the guard at the tomb is historical or it is not. If the  
 24 reconstructed tradition history is accurate and the guard at the tomb is historical, then there  
 25 seems to be no reason why the entire narrative could not have originated at the same time, after  
 26 the entire oral exchange had reached the stage indicated by (E). Moreover, there also seems to be  
 27 no reason why the hypothesized oral exchange, represented by (A)-(E), could not have taken  
 28 place in a matter of days, if not minutes. In that case, the sort of lengthy time span Craig  
 29 mentions would not be necessary to account for the development of the tradition. Hence, the  
 30 guard tradition could have originated after 70 CE.

31  
 32 If the reconstructed tradition history is accurate and the guard at the tomb is not historical, then  
 33 that entails that (C) is a legendary invention. For the very reasons adduced by Craig in support of  
 34 his reconstructed tradition history, (D) would have been the response to (C), and (E) would have  
 35 only been mentioned as a response to (D). Elsewhere, Craig has followed A.N. Sherwin-White in  
 36 arguing that "even two generations are too short a span to allow the mythical tendency to prevail  
 37 over the hard historic core of oral tradition."<sup>68</sup> If (C) is a legendary invention and more than two  
 38 generations are needed for legendary development, however, then this entails that (C) is a late  
 39 invention. Since (D) is a response to (C) and (E) is a response to (D), *the entire tradition*,  
 40 including Matthew's citation of it, must be even later than (C). But this entails that 41 is false.

<sup>65</sup> I owe this point to Robert Greg Cavin.

<sup>66</sup> Craig 1989, p. 207.

<sup>67</sup> He writes, "It is exceedingly odd that the other gospels know nothing of so major an event as the placing of a guard around the tomb. This suggests that the account is a *late legend reflecting years* of Jewish/Christian polemic." Craig 1989, p. 214. Italics are mine.

<sup>68</sup> Craig 1989, p. 387. I am doubtful about Sherwin-White's conclusion, but I shall let that pass.

1 The time span involving such a developing pattern of response and counter-response pulls the  
 2 dispute past 70 CE, after the destruction of Jerusalem. Hence, (41) is a weak basis for a pre-70  
 3 CE date.

4  
 5 3. *The inference from (33), (34), (40), and (41) to (42) is weak.* Again, Craig’s argument requires  
 6 that the Jewish hearsay be dated prior to the destruction of Jerusalem (hereafter, “an early date”).  
 7 Proposition (42) captures this requirement by stating that the hearsay “... originated in Jerusalem  
 8 prior to its destruction in 70 CE.” As we saw earlier, however, Craig’s own writings indicate that  
 9 he believes only two of the four supporting propositions—(40) and (41)—support an early date.  
 10 Proposition (40) is compatible with the hearsay having either an early or a late date. And Craig  
 11 has not yet provided any reason to believe (40) probabilistically favors (42). This leaves only  
 12 proposition (41), the only proposition that explicitly addresses the *date* of the Jewish hearsay. It  
 13 is not unreasonable to conclude, therefore, that Craig’s case for an early date (and hence the  
 14 Jewish hearsay argument as a whole) hinges upon (41). As we’ve seen, however, (41) is an  
 15 unsupported assertion. Hence, Craig has not yet shown that (42) is highly probable.

16  
 17 In sum, then, it appears that Craig has not yet provided an inductively correct argument for the  
 18 conclusion that the Jewish hearsay can be assigned an early date. The significance of this  
 19 assessment will become clear in the next section.

## 20 21 **C. An Analysis of Craig’s Replies to Critics**

22  
 23 I want to briefly comment on Craig’s replies to three objections.

24  
 25 1. *Craig has not yet refuted objection (12).* Craig presents two defeaters, (11) and (42), against  
 26 the objection. It is pretty clear that these replies to objection (12) are weak—Craig has not shown  
 27 that they make it highly probable that the Jewish opponents of the Christian Way were in a  
 28 position to know that the tomb was empty. Concerning (11), the inference from (11) to (~12)  
 29 may be reasonably interpreted as a statistical syllogism supported by statistical generalization  
 30 (10). Is (10) true? Craig has not yet discussed the reasoning behind (10), but perhaps the logic is  
 31 as follows. If the Jewish opponents doubted that the tomb was empty, rejecting or at least  
 32 questioning the empty tomb would be a more rational response than proposing some alternative  
 33 explanation for the empty tomb, like the accusation of theft. *If* the Jewish opponents doubted the  
 34 tomb was empty, then we would expect them to doubt the empty tomb in response to the  
 35 disciples’ proclamation of the resurrection. That the Jewish opponents responded with an  
 36 accusation of theft is evidence that they believed it was empty.

37  
 38 Such logic, however, presupposes the *veracity* of the Jews who (allegedly) accused the  
 39 Christians of stealing the body. Their veracity is uncertain,<sup>69</sup> however; for all we know  
 40 antecedently, the accusation of theft could have been an insincere statement of belief, a  
 41 *hypothetical* response to the disciples’ proclamation of the resurrection. If the accusation were  
 42 merely a hypothetical response, then the Jewish opponents need not have believed the tomb was

---

<sup>69</sup> Indeed, Craig and numerous other Christians have accused (or insinuated) that the Sanhedrin were dishonest. Thus, proponents of the Jewish hearsay argument may not unfairly be accused of committing the fallacy of special pleading, viz., dismissing the veracity of the Sanhedrin in some occasions, but accepting it in other occasions (like the Jewish hearsay argument).

1 empty, despite the fact that their response presupposed the empty tomb. Thus, in order to defeat  
 2 objection (12) by using (11), Craig must show that the accusation was not a hypothetical  
 3 response. The Jewish hearsay argument, as it stands, does not address this possibility.

4  
 5 As for proposition (42), Craig has not yet shown that (42) is highly probable, as we've seen. But  
 6 this entails that both (11) and (42) are weak replies to objection (12). In other words, Craig has  
 7 not yet shown that it was indeed possible for those Jewish opponents of the Christian Way to  
 8 check out the truth of the guard story or the empty tomb.

9  
 10 2. *Craig's responses to objection (17) are of unequal worth.* One of his stronger replies is against  
 11 (18), the proposition that Matthew guard's story is an uncorroborated, Christian story that bears  
 12 the earmarks of a legend. Craig correctly observes that the historicity of the hearsay does not  
 13 depend upon the historicity of the entire story. As we saw in Chart 4, Craig argues for the  
 14 historicity of the hearsay (33) on the basis of (30) and (31), neither of which appeals to the  
 15 historicity of the entire guard story.

16  
 17 His other comment regarding this objection, however, misses the mark. Objection (20) seems to  
 18 be based upon the following inductive argument.

19  
 20 (21\*) The extant writings of one contemporary Jew, Josephus, do not mention what  
 21 happened to Jesus' body after his death.

---

22 (20) ∴ Contemporary Jews did not care what happened to Jesus's body after his death.

23  
 24 Although I once defended a very similar argument, it now seems to me that this argument is  
 25 highly questionable. Proponents of the Jewish hearsay argument will surely protest that Josephus  
 26 is not representative of the Jewish authorities, who were involved in Jesus' trial, execution, and  
 27 burial. Since the argument includes no premises to address these possibilities, it is weak in its  
 28 current form. Additional premises are needed to justify the inference from (21\*) to (20).

29  
 30 Craig, however, misses this point and instead replies with a weak inductive argument of his own.

31  
 32 (7\*) *Matthew 28:15 testifies that* the accusation of theft was "widely spread among Jews  
 33 to this day."

---

34 (7) ∴ The accusation of theft was "widely spread among Jews to this day."

35  
 36 Like objection (20), however, this argument is not inductively correct as stated. By itself,  
 37 premise (7\*) does not make (7) highly probable. One or more additional premises are needed to  
 38 make the inference from (7\*) to (7) a strong one. At first glance, this might seem like an easy  
 39 gap to fill. The most obvious candidate for the missing premise would be to add a statistical  
 40 generalization about assertions made by an author about an opponent in the opponent's presence.  
 41 This generalization is can be represented as (G1) and is the first premise in the following  
 42 statistical syllogism.  
 43

1 (G1) Most assertions made by an author about an opponent in the opponent's presence  
2 are true.

3 (7'\*) Matthew 28:15, an assertion made by an author about an opponent in the  
4 opponent's presence, *testifies that* the accusation of theft was "widely spread among Jews  
5 to this day."

---

6 (7) ∴ The accusation of theft was "widely spread among Jews to this day."

7  
8 While the above argument is an improvement over its predecessor, it is weak in its current form.  
9 (G1) is a statistical generalization about what happens *most* of the time. Therefore, (G1) and  
10 (7'\*) do not entail that (7) is true; at best, (7'\*) is merely evidence favoring (7). For all we know,  
11 (7'\*) could be an exception to (G1). For example, it is possible that Matthew 28:15 is a lie;  
12 Matthew's Jewish opponents denounced it as such; but Matthew deliberately suppressed their  
13 rebuttal. In order to support the applicability of (G1) to (7'\*), then, one or more additional  
14 premises (in the form of ancillary evidence) are needed to address this and other possibilities. For  
15 example:

16  
17 (G2) Most lies told by Matthew (if any) were exposed by his Jewish opponents.

18 We have no evidence that contemporary Jewish opponents of the Christian Way felt  
19 Matthew's statement in 28:15 was a misrepresentation of their position.

---

20 ∴ Matthew's contemporary Jewish opponents did not believe his statement in 28:15 was  
21 a lie.

22  
23 It seems to me, however, that that argument is very questionable. For all we know, none of  
24 Matthew's contemporary opponents had heard or read Matthew 28:15. Moreover, even if they  
25 were familiar with Matthew 28:15 and denounced it as a lie, it is far from obvious that their  
26 response would have been recorded either by Matthew or by themselves. Finally, supposing their  
27 response had been recorded, it might have been lost or destroyed. For example, Josephus might  
28 have recorded the response, but it was later erased by the Christian editor who doctored the  
29 famous *Testimonium Flavianum* passage.<sup>70</sup> For all of these reasons, then, the argument is  
30 inductively incorrect.

31  
32 3. *Craig has not yet refuted objection (25)*. Craig's reply seems to consist of two basic points,  
33 (27) and (28). Turning to the former, this is an unsupported assertion, with no evidence offered  
34 in support. In particular, Craig offers no evidence against the scenario described by Gundry in  
35 which "Joseph feared to incur" the wrath of the Jewish authorities "by telling them of his service  
36 to Jesus' corpse."<sup>71</sup> Moreover, in order for (27) to be a strong refutation of objection (25), (27)  
37 has to presuppose that Joseph was still in Jerusalem once the disciples began to proclaim the  
38 resurrection. For all we know antecedently, however, Joseph may have left Jerusalem or died  
39 after he buried Jesus and before the disciples began to proclaim the resurrection.<sup>72</sup> And Craig  
40 presents no evidence that Joseph was even in a position to comment on the location of Jesus'  
41 corpse.

---

<sup>70</sup> Cf. Richard C. Carrier, "The Plausibility of Theft" in *The Empty Tomb: Jesus Beyond the Grave* (ed. Robert M. Price and Jeffery Jay Lowder, Buffalo: Prometheus, 2005), p. 357.

<sup>71</sup> Robert H. Gundry, "Trimming the Debate" in *Jesus' Resurrection: Fact or Figment?* (ed. Paul Copan and Ronald K. Tacelli, Downers Grove: InterVarsity, 2000), pp. 107-08.

<sup>72</sup> I owe this point to Richard Carrier.

1  
2 As for the latter, Craig presents (29) as support for (28). Although Craig presents no evidence for  
3 (29), it seems reasonable to me to suppose that Joseph had at least one helper, possibly  
4 Nicodemus. Nevertheless, Craig presents no ancillary evidence to license the inference from (29)  
5 to (28). For all we know antecedently, Joseph's servants might have been hired help who had no  
6 interest in refuting the disciples' proclamation of the resurrection. And, like Joseph himself, they  
7 may have feared the reaction of the Jewish authorities by speaking publicly of their involvement  
8 in Jesus' burial. Again like Joseph, they may have no longer been in Jerusalem by the time the  
9 disciples began to proclaim the resurrection. And Craig presents no ancillary evidence that shows  
10 otherwise. Hence, the inference from (29) to (28), in its current form, is weak.

#### 11 **D. An Analysis of the Matthean Evidence of a Guard at the Tomb**

12  
13  
14 1. *The argument from (54) and (79) to (53) violates the inductive requirement of total evidence.*  
15 Specifically, the argument fails to consider what Biblical scholar Raymond Brown has called

16  
17 ... a major argument against historicity that is impressive indeed. Not only do the other  
18 Gospels not mention the guard at the sepulcher, but the presence of the guard there would  
19 make what they narrate about the tomb almost unintelligible. The three other canonical  
20 Gospels have women come to the tomb on Easter, and the only obstacle to their entrance  
21 that is mentioned is the stone. Certainly the evangelists would have had to explain how  
22 the women hoped to get into the tomb if there were a guard placed there precisely to  
23 prevent entry. In the other Gospels the stone is already removed or rolled back when the  
24 women get there. How can we reconcile that with Matt's account where, while the  
25 women are at the sepulcher, an angel comes out of heaven and rolls back the stone?<sup>73</sup>

26  
27 2. *(80) is weak evidence for the existence of the guard at the tomb.* Since Jesus was buried Friday  
28 night but Matthew's story does not have the guard arriving until Saturday, this leaves an obvious  
29 period of time during which the body could have been stolen. In contrast, the Gospel of Peter has  
30 the guard arriving almost immediately after the burial. Craig takes this gap to be evidence  
31 favoring the historicity of the guard. That argument assumes, however, that the Jewish  
32 authorities did not take the obvious step of verifying the body was still in the tomb before  
33 guarding it. As Brown argues, "If the authorities were smart enough to remember and understand  
34 a statement of Jesus about resurrection made long ago, they were scarcely so naïve as to guard an  
35 empty tomb."<sup>74</sup> Furthermore, he argues, the Gospel of Peter did not move the sealing of the tomb  
36 up to Friday afternoon to create a failsafe apologetic. In his words, "That dating is related to  
37 another motive for sealing the empty tomb, namely, a reaction to what the people were saying in  
38 response to Jesus' death that had just taken place (8:28-29)."<sup>75</sup>

<sup>73</sup> Raymond Brown, *The Death of the Messiah*, Vol. 2, p. 1311.

<sup>74</sup> Brown, p. 1309, n. 53.

<sup>75</sup> *Ibid.*

1 **E. Assessment**

2

3 As it stands, the Jewish hearsay argument is clearly invalid. Moreover, Craig has not yet  
4 provided an inductively correct argument for the conclusion that the Jewish hearsay can be  
5 assigned an early date. This, in turn, has prevented him from successfully defeating the objection  
6 that the Jewish opponents of the Christian Way were in a position to know that the tomb was  
7 empty.

8

9

10 (to be continued)