

THE WITNESSES



...And nothing but the truth,
so help you God.

EUGENE W. EMMERICH III

The Witnesses

....and nothing but the truth so help you God!

by Eugene W. Emmerich III

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The Witnesses

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Other books by the author available on Amazon:

Eternal Life

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Life or Death Publisher

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Opening Statements



Opening Statements

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Opening Statements

(Critiquing exhibit “A”)

Before you examine this “Witnesses” project I feel it’s important to tell you, that if you have picked up this book to read for entertainment purposes you are going to be disappointed. This is a Joe Friday "Just the facts ma’am" compilation of evidence. This is an examination of the New Testament documents to see if what is written in them is valid. Is the content a collection of fables or facts? Are the writers credible, and accurate? Is their work verifiable and historically correct? My main objective is to establish whether or not what we call the New Testament is really historical documentation from people claiming to be eyewitnesses of the events they describe.

Part of the method I will use to examine these documents is something I've never seen used before but makes too much sense to not employ. I posed the question to my local District Attorney, Crime lab and homicide divisions, “When the courts establish the testimonial validity of a person claiming to be an eyewitness, how do they do it?” Without any hesitation they unanimously directed me to the state jury instructions. They see those instructions as the best way to establish testimonial fact. The instructions give consistency to the examination of the claims and uniform references that can be cited during the witness’s testimony. It allows us to cross-examine the testimonies with consistency.

Opening Statements

Another thing I will do is examine the content of the documents. Are the stories and the content historically verifiable? Are the people and places mentioned real? Were the documents written near the time of the described events? This last point is important because if the testimonies were written during the generation that the events were claimed to have happened in, then it gives opportunity to refute anything contained in the document that isn't true or factually accurate by others who were eyewitnesses as well. This eliminates the possibility of the accounts being exaggerated, or fabricated legend. It insures fact instead of fiction. Please pay attention to how many facts work together to make up this case and how many witnesses testify to the same detailed account. I'm confident you will see that the eyewitness testimonial evidence reveals the truth about Jesus of Nazareth and must be viewed as accurate historical documentation.

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Can I Get a
Witness



Can I Get a Witness

The Witnesses

Can I get a Witness?

While I was out walking this morning I witnessed two cars run into each other at an intersection. City police quickly arrived at the scene and assessed the situation. After they had determined that no one was injured they began to question the people who had witnessed the accident. Law enforcement documented official statements from the eyewitnesses about what they saw transpire. The statements were examined against the evidence at the scene; what direction glass flew, skid marks, and the position of the vehicles. The testimony from the eyewitnesses was considered evidence and was a critical element in the process of determining the facts of the accident, establishing what was true and who was liable.

When I got home I read in the news that a Mafia kingpin had been indicted on numerous criminal charges. The district attorney's case against this individual was based on the testimony of a witness. The witness had been placed in protective custody because his life had been threatened by the crime syndicate. The threat and the protective custody order were the result of both parties knowing that the testimony of the witness was critical evidence in the case against the accused criminal. The witness's testimony was especially critical because of his close relationship with the accused. It provided the prosecution with inside information and specifics pertaining to the case. Again, the testimony of the witness was considered critical evidence.

Can I Get a Witness

Later that same day I was driving to the train station to pick up a friend. When I pulled up to a major intersection I noticed it was closed off with yellow crime scene tape. As I looked closer I saw a man's body lying in the street. He had been killed earlier by a hit and run driver. Law enforcement was working to gather details about the accident. A police officer told me later that they were not hopeful of finding the hit and run driver because no eyewitnesses had come forward to help with the investigation. The officer told me that many crimes such as murder, go unsolved because of a lack of eyewitness testimony. Even though physical evidence may be present it is almost impossible to determine the facts of a case without eyewitnesses. He said, "The eyewitnesses give us a verbal photograph of what happened." So I think it would be safe to say that the historical eyewitness testimony we are about to examine should be considered a textual snapshot of history.

I mention these three instances to give examples of how a witness's testimony is used in determining truth. When I was researching the importance of witness testimony I contacted the Santa Clara Co. District Attorney's office, Crime lab, and San Mateo Co. homicide division, to ask them how they view eyewitness testimony when trying to solve, prosecute, or establish the facts of a case. Their response was unanimous. They all directed me to the California state jury instructions (CALCRIM). These instructions tell the jurors how the courts view eyewitness testimony and how they the jurors should view eyewitness's statements. I have copied two sections from the lengthy document for use as guidance, as we try to determine if we have historical documentation from eyewitnesses of the life of Jesus of Nazareth. The first one is number 222-Evidence, and the second is 226-Witnesses. You should find them fairly self explanatory.

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I will make some important observations from these instructions after you read them. I feel it is necessary not to lose track of them as we examine the historical documents of the Christian New Testament.

222.Evidence

LexisNexis Matthew Bender, official publisher of the Judicial Council Jury Instructions. CALCRIM No. 103 PRETRIAL 104. Evidence; You must decide what the facts are in this case. You must use only the evidence that is presented in the courtroom [or during a jury view]. “Evidence” is the sworn testimony of witnesses, the exhibits admitted into evidence, and anything else I tell you to consider as evidence. Nothing that the attorneys say is evidence. In their opening statements and closing arguments, the attorneys will discuss the case, but their remarks are not evidence. Their questions are not evidence. Only the witnesses’ answers are evidence. The attorneys’ questions are significant only if they help you understand the witnesses’ answers. Do not assume that something is true just because one of the attorneys asks a question that suggests it is true. During the trial, the attorneys may object to questions asked of a witness. I will rule on the objections according to the law. If I sustain an objection, the witness will not be permitted to answer, and you must ignore the question.

Can I Get a Witness

226. Witnesses

Judicial Council Jury Instructions. CALCRIM No. 104

PRETRIAL 105. Witnesses;

You alone must judge the credibility or believability of the witnesses. In deciding whether testimony is true and accurate, use your common sense and experience. You must judge the testimony of each witness by the same standards, setting aside any bias or prejudice you may have. You may believe all, part, or none of any witness's testimony. Consider the testimony of each witness and decide how much of it you believe. In evaluating a witness's testimony, you may consider anything that reasonably tends to prove or disprove the truth or accuracy of that

testimony. Among the factors that you may consider are:

- 1-How well could the witness see, hear, or otherwise perceive the things about which the witness testified?
- 2-How well was the witness able to remember and describe what happened?
- 3-What was the witness's behavior while testifying?
- 4-Did the witness understand the questions and answer them directly?
- 5-Was the witness's testimony influenced by a factor such as bias or prejudice, a personal relationship with someone involved in the case, or a personal interest in how the case is decided?
- 6-What was the witness's attitude about the case or about testifying?
- 7-Did the witness make a statement in the past that is consistent or inconsistent with his or her testimony?
- 8-How reasonable is the testimony when you consider all the other evidence in the case?
- 9-Did other evidence prove or disprove any fact about which the witness testified?
- 10-Did the witness admit to being untruthful?
- 11-What is the witness's character for truthfulness?
- 12-Has the witness been convicted of a felony?

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- 13-Has the witness engaged in [other] conduct that reflects on his or her believability?
- 14-Was the witness promised immunity or leniency in exchange for his or her testimony?

Do not automatically reject testimony just because of inconsistencies or conflicts. Consider whether the differences are important or not. People sometimes honestly forget things, or make mistakes about what they remember. Also, two people may witness the same event yet see or hear it differently. If the evidence establishes that a witness's character for truthfulness has not been discussed among the people who know him or her, you may conclude from the lack of discussion that the witness's character for truthfulness is good. If you do not believe a witness's testimony that he or she no longer remembers something, that testimony is inconsistent with the witness's earlier statement on that subject. If you decide that a witness deliberately lied about something significant in this case, you should consider not believing anything that witness says. Or, if you think the witness lied about some things, but told the truth about others, you may simply accept the part that you think is true and ignore the rest.

{Evidence Defined.-Evid. Code, § 140. Factors.-Evid. Code, § 780}

Judicial Council Jury Instructions.

Can I Get a Witness

As you read the court's instructions to the jurors you can see how the courts view the witness. You can see that they view the witness's testimony as evidence, and how the jury should do the same while scrutinizing the witness's character and statements with a non-bias, non-prejudicial consistency. This is how I want to examine the documents of the Christian New Testament. We should examine them with the same criteria that are used to establish the accuracy and reliability of any historical witness. They should be scrutinized with the same non bias, non prejudicial consistency that other historical documents are examined with. Since the writers of the Gospel documents claim to be eyewitnesses of the teachings, miracles, and resurrection of Jesus, we should treat their testimony the same as any witness.

In the examination of the witnesses' testimony we need to establish some important facts.

First-Credibility: Are the witnesses credible? In other words, can we trust what they say? Examine the criteria for the jurors and apply that to the people who claimed to be eyewitnesses of the resurrection of Jesus.

Second-Accuracy: If the testimony of those claiming to be eyewitnesses wasn't recorded until two decades after the fact, can we trust the accuracy? Even if they were of honest character it doesn't mean they remembered the facts accurately.

Third-Refuted: Is their testimony refuted by anyone else who may have been an eyewitness? Did anyone claim to have information as to an ulterior motive of the witnesses or any sort of collusion with the intention to deceive?

Forth-Verified: Is the testimony verifiable? Is there any way to verify if the statements by the eyewitnesses are factual or not? Are the statements corroborated by anyone else or by history?

The Witnesses

The main purpose for writing this book is to establish the fact that historical evidence shows that we have documentational testimony from eyewitnesses who claimed Jesus died and rose from the dead. They testify to witnessing many other miracles as well. My effort in this project will be to cause us to examine this eyewitness evidence in the same manner in which we would any other eyewitness evidence. Before I address the four things I just mentioned, I feel I need to establish historical facts about two other things. First, during the time which the eyewitness documents were written the nation of Israel was governed by a theocracy. That means the church is the government. In their law it states how witness testimony was to be treated, and it defines the responsibility witnesses have to accuracy and honesty. It's important to understand this because it sheds light on the behavior of a witness in Israel during the first century. Second is the examination of the eyewitness documents themselves. How do we know when they were written and who they were written by? What light does history shed on these questions? After I present to you the known facts about these documents, I will then examine them and the alleged authors in view of the four questions and the jury instructions.

Can I Get a Witness

"...Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?"



When evaluating the testimony of a witness the courts in America have shown how the process should be conducted. Eyewitness testimony is viewed as evidence, and corroborated eyewitness testimony is irrefutable. This book scrutinizes the same way the courts would, the documentation that claims to be eyewitness testimony, from people who walked with Jesus and were witness to his resurrection, teaching, and miracles.

I examine and evaluate the alleged eyewitness documentation in light of instructions given by the United States judicial system. I prove their credibility and accuracy, I give correct dating and origin, and I establish logical conclusions based on behavioral analysis. Ultimately, I answer the question, "Does the New Testament documentation come from eyewitnesses or not?"

