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Paul's Appeal to Caesar
25: 1-12

59 AD

Paul's appeal to Cesar DIG: Seeing that two years has passed since the trial in chapter 24, what does the request here show about the strength of the Jewish leaders' opposition to Paul? How might the contrast between Paul now and in 9:1-2 account in part for their animosity? How is Paul being used as a pawn by these Roman officials in 25:9 and 24:27? How might this account for his decision to appeal to Caesar?

REFLECT: What do you do when you feel that no matter what you say, you will not really be heard by another person? What was one circumstance that threatened to ambush you in your spiritual life? How did you deal with it? If someone wanted to prove you are a believer, what evidence from this past week could they use?

After Felix was removed by Emperor Nero (**to see link click Cv – Paul's Defense before Governor Felix**), he was replaced by **Porcius Festus**, a better man than **his** predecessor, who took up **his** duties with the intention of doing what was right. However, **he** soon discovered that **Jewish** politics was not easy to handle, especially the two-year old case of the apostle **Paul**, a prisoner with no official charges against **him. Paul** was **a Jew** whose countrymen wanted to kill **him**, and **he** was **a Roman** whose government didn't know what to do with **him**.

What a dilemma! If **Festus** released **Paul**, **the Jews** would cause trouble, and that was something **the** new **governor** dared not risk. However, if **he** held **Paul** prisoner, **Festus** would have to explain why **a Roman** citizen was being held without definite official charges. **The** new **governor** knew that it was smart for **him** to act quickly and take advantage of the fact the **he** was a newcomer on the scene. To delay would only make the problem worse, and it was bad enough already.[575]

The visit of Festus to Jerusalem: Knowing how important it was for **him** to get

along with **the Jewish leaders**, **Festus** lost no time in visiting **the Holy City** and paying **his** respects, and **the leaders** lost no time in bringing up **Paul's** case. It was not likely that **the** new **governor** knew anything about the original plot or even suspected that **the Jewish leaders** were out for blood. **Three days after Festus arrived in the province** of Judea**, he went up to Jerusalem from Caesarea.** While **Caesarea** was the capital of Judea for **the Romans**, **Jerusalem** was the capital for **the Jews**. So **Festus** quickly traveled to **Jerusalem** to begin **his** new relationship with **them (25:1)**. **Festus** surely knew of the volatile situation in **the Land he** was about to rule, and this made the securing of these social networks of support and power all the more crucial. What **he** could not have known is that this elite did not speak for a very large segment of the **Jewish** society, as it did not have their trust, nor could **he** have known the extent of the corruption among **the elite** and the lengths **they** would go to stay in power and rid **themselves** of troublemakers.[576]

There, the ruling kohanim (the twenty-four priests who were Sadducees) **and the leading Judeans** (or the Pharisees of the Sanhedrin) **brought charges against Paul** again after two years**. They** couldn't get **their** way with **Felix**, so now **they** were hoping to get **their** way with **Festus**. **They were** continually **urging him, asking a favor – to have Paul sent from Caesarea to Jerusalem, planning an ambush to kill him on the road (25:2-3). "Kill Paul!"** had been the cry of **the** unbelieving **Jews** ever since **Paul** had returned to **Jerusalem (21:27-32, 22:22, 23:10-15)**; however, **Festus** knew nothing of this. The situation was growing more serious by the minute, for now it was **the Great Sanhedrin** (see the commentary on **The Life of Christ Lg – The Great Sanhedrin**), and not a common mob, that was plotting **Paul's** death. You would think that **their** anger would have subsided after two years, but it had not. The Adversary, **a murderer from the beginning**, was hard at work **(John 8:44)**.

Although **Festus** was a more conciliatory character than **Felix**, yet on **his** first visit to **Jerusalem, he** stood firm. **Then he answered that Paul was being guarded at Caesarea** so there was no need to bring **him** to **Jerusalem, and that he himself was about to go there shortly. "So then," he said, "let the prominent men among you go down** [to **Caesarea**] **with me; and if there is any wrong in the man, let them accuse him" (25:4-5).** But **his** first response in **Jerusalem** was the response of a political novice (as far as **the Jews** were concerned), and not yet aware of who held the power and what **their** interests were.

Paul's appeal to Caesar: **Festus** was efficient. **After spending not more than eight to ten days with them, Festus went down to Caesarea. The next day, he sat on the** raised **judgment (bema) seat**, giving **him** legal authority, **and ordered Paul to be brought in. Paul's accusers** assumed a threatening posture, surrounding **him** both physically and with **their** accusations. **When he arrived, the Judeans who had come down from Jerusalem stood around him, bringing against him many serious charges that they could not prove (25:6-7). Luke** probably wasn't present, but shorthand was used as early as 50 AD, and copies were available to **the defendant**.[577] This time **the Jews** had no lawyer like **Tertullus (24:1a),** so **they** made **their** case in numbers and generalities. **They** made the same claims as **Tertullus**, and then added more for good measure. But **they** still couldn't prove anything. **They** used constant repetition instead of evidence.

Paul summarized **his defense,** saying: **I have committed no offense against the Torah of the Jewish people, or against the Temple, or against Caesar.** This mention of **Caesar** prepares us for **Paul's appeal. But Festus,** seeing that there was nothing in **Roman** law that **he** could be charged with, and **wanting to do the Jewish leaders a favor, said to Paul, "Are you willing to go up to Jerusalem to be tried before me" (25:8-9)?** Tactfully, **he** assured **Paul** that **he** would not hand **him** over to **Jewish** jurisdiction. It would be **a Roman** trial **"before me,"** as **he** put it. It was not at all clear what **Festus** was proposing. Was **he** proposing a mere change of venue with a **Roman** trail in **Jerusalem**? Or was **he** suggesting a change of jurisdiction? It may have been something like the hearing before **the Sanhedrin** arranged by **Lysias (23:1-10)**. Perhaps **the governor** envisioned a formal trial with some of **the Jewish leaders** on **his** advisory council. In any event, it was a dangerous proposal from **Paul's** point of view, and **Festus'** motives were not innocent. **Luke** hinted at this by noting that **he** wanted to grant **the Jews "a favor"** of transporting **Paul** to **Jerusalem (25:3).** It must have seemed to **Paul** like **his** resolve was melting away. **Paul** remembered the plot to **kill him** on the road to Caesarea (see **Cs – The Conspiracy to Kill Paul**). **He** wondered if **Festus** might go down that same road and ultimately hand **him** over to **the Jews**. **Paul's** overall strategy was clearly to remain under **Roman** jurisdiction, even if **he** had to go over **Festus'** head.

Like Felix, **Festus** found **himself** unable to rise above the pressure exerted by **the Jewish** power structure and ultimately compromised **his** sense of justice with respect to **Paul**. In this regard **Festus** behaved much like Pontus Pilate in the trial

of **Yeshua** when he washed his hands of the matter, saying: **I am innocent of this man's blood. It is your responsibility (Matthew 27:24)!** In fact, many striking similarities occur between **Paul's** experience in **Acts 25-26** and the trial of **Messiah** in **Luke 23:1-25**.[578]



However, **Festus** could not force **Paul** to change the venue of **the** trial because **he** was **a Roman** citizen. **Paul** said: **I am standing before Caesar's judgment seat,** a **Roman** citizen standing before **a Roman** tribunal, **where I ought to be tried. Festus** was **Caesar's** representative and **he** should have been the one to judge. There was no basis for turning **him** over to **the Jews** to be tried in **Jerusalem**. **He** detected **the governor's** motive and threw it right back in **his** face: **I have done no wrong to the Judeans, as you very well know. If then,** for the sake of argument, **I am in the wrong and have committed anything worthy of death, I do not seek to escape death. But if there is nothing to their charges, no one can turn me over to the Sanhedrin. Paul** knew that **he** wouldn't have a chance if that happened. Now that **Festus** appeared to be on the verge of handing **him** over to **the Jews, Paul** made a legal maneuver around both **the governor** and **the Great Sanhedrin** with **his** declaration: **I appeal to Caesar (25:10-11)!**[579]

Similar to the earlier two instances in which **Paul** claimed **his** rights of citizenship, **Luke** once again depicts **Paul** asserting **his** rights to **appeal** before a small, predominantly **Roman** group and only as a last resort, only when **he** could no longer tolerate a course of action being proposed by a **Roman** official. In other words, **Paul** exercised **his** right of **appeal** only under extreme pressure.[580]

Initially, I'm sure **Festus** was relieved. The pressure was off of **him** to make a decision. **He** could rightly tell **the** infuriated **Jewish leadership** that the decision was out of **his** hands. **Paul** had chosen to go to **Rome**. But after the relief subsided,

Festus realized that **he** had another problem on **his** hands, that of **the report he** had to send to **Caesar**.

A **governor** usually had an advisory **council** that consisted of the higher officials in **his** administration. Although ultimate decisions were solely in **his** hands, **he** could turn to this group for consultation on difficult matters of law. **Paul's appeal** was certainly no everyday occurrence, and **Fetus** turned to **his** council before giving formal acknowledgement. **Then when Festus had consulted with his council, he responded, "You have appealed to Caesar – to Caesar you shall go" (25:12)!** In this particular case, the **Caesar** in question was Nero (54-68 AD). Anyone familiar with Nero's later persecution of the Christians in **Rome** might assume that this didn't bode well for **Paul**. This was in the earlier years of Nero's reign, however, years marked by a general stability. His "dark side" had not surfaced. Perhaps more significant than **Paul** going to **Caesar**, was **Paul** going to **Rome** to bear **his** ultimate witness **(19:21** and **23:11)**.[581]



A closer look at justice, citizenship and appeals in the provinces: No doubt it galled the members of **the Sanhedrin** that **Caesarea** was the provincial seat of power and **they** had to go there to try to obtain justice. For **them**, the temptation was great to take matters (or even stones) into **their** own hands. Notice, for example, that during the period of time between the departure of Felix and the coming of **the Sanhedrin** to **Caesarea** to see **Festus**, recognizing a power vacuum and thus a window of opportunity, took matters into **their** own hands and murdered **Jacob (James)**, the half-brother of **Yeshua** and the leader of the Messianic community in **Jerusalem** (see **Bs – The Council at Jerusalem**). The dizzying vantage point from the southeast corner of the Royal Stoa was said by **Josephus** to drop some 450 feet to the Kidron Valley below. **And according to early tradition, Jacob was martyred by being thrown from there because**

he would not renounce his faith (Antiquities 20.200).

Roman citizens were few-and-far-between in **Judea** during the mid-to-late 50s, and **Jewish** ones even more rare. Therefore, there were probably few precedents in dealing with a case like **Paul's**, a person caught between **Jewish** and **Roman** law. The question of jurisdiction must have been very puzzling for **Festus** in view of the fact that **the Jewish accusers** stressed political charges but really wanted to judge **Paul themselves**; while **Paul** stressed theological matters but insisted on **Roman** justice.

From an early date **Roman** citizens had possessed the right of appeal against an official's conduct of their case to the people. When the **Roman** state became an empire, the right of appeal transferred to **the emperor**. This right was given to **Roman** citizens beginning in 509 BC and was one of the most cherished rights of **a Roman** citizen. It guaranteed further investigation. The one making the **appeal** would be transferred to **Rome** and **the emperor himself** would make the final decision. There might be little or no need for such an appeal if one was faced with a good **governor**, but **Festus** was new, and **his** judgments an unknown quantity. Clearly, **Paul** did not trust **him**; indeed, **he** accused **the governor** of bias. Furthermore, precisely because **Festus** couldn't determine what the crime or issue really was between **Paul** and **his accusers**, **Paul** had to assume the worst. But more than anything else, **Paul** knew that **Yeshua** had commanded: **Don't worry! For just as you have testified about Me in Jerusalem, so you must also testify in Rome (23:11)!**[582]