

Outline

1. Trial before Festus
 1. Jews ask the newly arrived Festus to send Paul to Jerusalem for trial
 2. Festus counters
 1. Paul is already in Caesarea
 2. He was about to go there himself
 3. They should go, too, and trial will be had there
 3. The Jews are unable to prove any charges
 4. Festus asks Paul if he would be willing to be tried in Jerusalem
 5. Paul appeals to Caesar
2. Trial before Agrippa
 1. Festus presents this as a problem in what to tell Nero
 2. Agrippa asks to hear
 3. No prosecution — only Paul speaks
3. Paul's defense — to Agrippa
 1. He holds to his trial being about the resurrection
 2. Recounts his persecution of the church
 3. Recounts his conversion
 4. Speaks of his current actions
4. Festus interjects
 1. Asserts that "much learning" had driven Paul out of his mind
 2. Paul responds but quickly turns his attention back to Agrippa
5. Agrippa responds
 1. "Do you want me to become like you with so little of an argument?"
 2. Paul responds that he does, except for the chains which bind him

Commentary

Even two years later, the Jews are still ready to kill Paul. They begin by trying to get him

back to Jerusalem. Note that Festus has only been “on the job” for a few days. While Acts 25:1 says “three days” do understand that this is when he goes to Jerusalem, the capital of the Jews. This would have been a courtesy that a Roman governor would extend at the beginning of his administration, but the actual provincial capital was Caesarea. Thus, it makes more sense to him that a Roman prisoner held in Roman custody should be tried there.

In the course of Paul’s first trial before Festus, it becomes evident to him that this matter is rooted in the interpretation of Jewish law and custom. In other words, this is not a matter for Roman rule. Thus, he tries to send Paul to Jerusalem — as a favor to the Jews as he would not want to antagonize his subjects so early in his administration. However, Paul realizes that the trip to Jerusalem would result in his death. Thus, he takes advantage of the right of *provocatio ad caesarem* (appeal to Caesar).

The appeal to Caesar was a long-standing right. Originally, the *provocatio ad populum* (appeal to the people), the right was first established in the Valarian law (dating back to 509 BC — see notes on Acts 22). The intent of the law was to take capital punishment out of the hands of the consuls and place the trial before all of the people. Eventually, that appeal is placed in the hands of the emperor:

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Originally the Roman law allowed an appeal from the magistrate to the people (*provocatio ad populum*), but the emperor represented the people and so the appeal to Caesar was the right of every Roman citizen. (Robertson.)

The *provocatio ad populum* thus became the *provocatio ad caesarem*.

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The right of a Roman citizen to appeal to the emperor in legal proceedings had a

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long history and there were two terms used in this regard: *provocatio* and *appellatio*. In the case of the *provocatio*, the Roman citizen had the right to appeal to the gathering of the people against the judgement of the consul. This privilege was not accorded to everybody; women, slaves and strangers were not allowed to use it, and initially it was restricted to the citizens of Rome and those within a one-mile radius of the city. Later it was extended to the provinces. The *appellatio* was introduced to protect the Roman citizen against unfair treatment by a magistrate. In later times, however, the *appellatio* and the *provocatio* became conflated. (de Villiers, 1998).

Also of note on the topic is the following regarding what an appeal to Caesar entailed:

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Appealing to Caesar did not necessarily mean that the emperor himself would judge the case, but rather ensured that it would be heard in a Roman court. Once the right was invoked, the magistrate was required to send the citizen to Rome, and the citizen was protected from further prosecution outside Rome.

Several decades after Paul's time, the general application of *provocatio* changed—specific legal issues automatically transferred to Roman courts. By the time of Trajan's reign (ad 98-117), citizens with certain charges like treason or laws outside the normal scope of Roman law “were automatically sent by provincial governors to Rome for trial” (Sherwin-White, *Roman Law*, 60). (Kraeger, 2016).

This leads to a problem for Festus. In sending Paul to Rome, he would need to let the Roman officials in Nero's court know what the charges are. As Festus has already realized, the actual offense is one regarding Jewish law and custom. There really are no grounds upon

which Paul may be tried and sentenced to death in a Roman court under Roman law. This is why Festus asks for the assistance of Agrippa.

Paul's statement to Agrippa speaks mainly of things that Agrippa would have known, save for the account of Paul's conversion. Paul makes much of this point, saying that he "knows these things" and that "this has not been done in a corner" (Acts 26:26).

The KJV and NKJV have Agrippa's famous quote: "You almost persuade me to become a Christian" (Ac 26:28, NKJV). On this, Longenecker notes:

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Whatever he may have thought about Paul's message personally, he was too worldly-wise to commit himself in public to what others thought was madness. So he parried Paul's question with his own clever, though rather inane, one: "Do you think that in such a short time you can persuade me to be a Christian?" The adjective *oligos* often has reference to quantity and here could mean "with such few words" or "with such a brief argument." But it is also used with the preposition *en* ("in") to denote duration (cf. BAG, p. 566b). And this is how NIV rightly translates it here—"in such a short time" (so also RSV and TEV). KJV's translation of Agrippa's reply to Paul, "Almost thou persuadest me to be a Christian," has become one of the famous quotations in history. Countless sermons have been preached on it and a gospel hymn inspired by it. Nevertheless, it is not what Agrippa said, nor is KJV's translation of v. 29 what Paul said. (Longenecker, 9554-555.)

Likewise, Lenski notes:

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The omission of the verbs of saying in these two verses makes the narrative more dramatic even as what they narrate is the dramatic climax of Paul's



address. The history of the exegesis of these two verses is too long and too varied to be surveyed here. Ἐν ὀλίγῳ cannot mean “almost” (A. V.), and the revival hymn, “Almost persuaded,” loses its Scriptural basis. Agrippa’s word is not a scoff, nor is it “spoken ironically and in contempt.” To find a twinkle of humor in it, to which Paul replies with a similar humorous touch, is too frivolous to need refutation. Confronted by a *yes* or *no* alternative, Agrippa evades both and in the presence of this high company assumes a superior tone. In the discussion of the linguistic difficulties the real point of Agrippa’s remark is lost. From the simple question of believing the prophets Agrippa at once leaps to the question of becoming a Christian. Paul’s question asks in regard to the *first* step toward Christianity, Agrippa answers in regard to the *final* goal. He saw it all and lets Paul know this....

Agrippa charges Paul with persuading him to Christianity “in short order,” i. e., by means of his believing the prophets. Ἐν ὀλίγῳ has the emphasis. The sense is: “Thou art rushing me off my feet!” Agrippa imagines that he sees through Paul’s scheme and with an air of lofty superiority that is intended to impress the company lets Paul know that he sees through his plan of operation. Here we see the man’s evasion. He turns from the prophets and their plain, compelling utterances about the Christ by looking only at Paul and Paul’s purpose. He gets rid of the great fact that it ought to be only a short cut from the prophets and the prophecies to faith in Christ for any true and sincere Jew who believes these holy prophets of God. No; whatever Agrippa thinks of these prophets, letting them point him so directly to Jesus as the Christ is out of the question for him, a Herod, a king, although a Jew in profession. (Lenski, 1055-1057.)

Thought Questions

Consider the following thought questions:

1. What would the Jews have been risking to ambush Paul on the way to Jerusalem (Acts 25:3)?
2. What does Acts 25:15 indicate that the Jews had said concerning Paul and how does Acts 25:18 help in your interpretation?
3. What is the main issue of contention that Paul emphasizes in his speech to Agrippa?
4. What is the significance of Paul's question of whether Agrippa believes the prophets (Acts 26:27)?
5. What are your impressions of Felix and Agrippa given the events of Acts 25-26?