

## FACING A MISCARRIAGE OF JUSTICE?

Bob Bonner

Acts 24:1-9

June 21, 2015

Eight months ago on October 15, 2014, David McCallum, a Brooklyn man locked away for twenty-eight years on a flimsy murder rap, walked free after a judge vacated his wrongful conviction. At the time of McCallum's conviction, Ronald Reagan was still president, a gallon of gas was eighty-nine cents, and McCallum was sixteen years old. After years of fighting for his freedom, McCallum was finally given a second lease on life.

Unfortunately, another man who was wrongly charged and sent to prison along with McCallum, Willie Stuckey, died while in prison in 2001. The same judge also vacated his conviction. Stuckey's mother was in court to hear the news, but didn't get to walk out with her son as did McCallum's mother.

Then forty-five, David McCallum said that day as he walked out of court, "It is a bittersweet moment, because I'm walking out alone. Someone else is supposed to be walking out with me. I'm really very happy but very sad at the same time."

Being wrongly accused, imprisoned, and dying in prison in that circumstance is the height of the miscarriage of justice. None of us want to experience a miscarriage of justice or to be found guilty of having been a party to such. However, it is often that on a smaller scale many of us have become part of a crowd who make the innocent appear guilty or wrongly accuse another or judge another.

This week and next, as we continue our study of **Acts**, we want to look at this subject of injustices suffered as a result of false accusations. The key figure in our text, the one whose life is on the line, is the Apostle Paul. In these two studies, we will observe how to face such injustice when it occurs, as well as how to avoid being accomplices to common miscarriages of justice.

Following the close of his third missionary journey, the Apostle Paul returned to Israel for the first extended visit since his commitment to follow Jesus Christ twenty-five years earlier. Although called to preach to the Gentiles, the Apostle Paul, a Jew, had always been deeply concerned about his Jewish brethren hearing the Gospel and recognizing Jesus Christ as their promised Messiah.

From his return to Jerusalem in **Acts 21:17** to our passage this morning in **Acts 24**,

Paul had been back in Israel twelve days, according to **Acts 24:11**. Upon his arrival in Jerusalem, news quickly spread that this Jewish evangelist to the Gentiles had returned. The bottom line was that at Paul's homecoming, he was not well received.

Other than an initial meeting with the elders of the Jewish church in Jerusalem, there is no indication in Scripture that Paul spent any time teaching Bible studies, preaching, or initiating any evangelistic campaigns. In fact, in **24:12**, Paul specifically states that nowhere did they find him carrying on a discussion with anyone or causing a riot. Paul didn't go to Jerusalem to do this. His primary reason for returning to Jerusalem was to fulfill his Nazirite vow before Passover. We do not know what the vow concerned; but it required shaving his head and following some of the Jewish laws for purification, as well as presenting special offerings to the Lord in the Temple.

One day, according to his own testimony, he was not with a crowd or group of people, which I take to mean that even though there may have been many in the Temple when he was there, he was alone with God amidst other people, worshipping. Suddenly, a unique opportunity came to him to offer up his personal testimony of how he came to Christ. He was spotted in the Temple by some Greek Jews who had come to Jerusalem for two reasons: One was to worship at Passover. The second was to find Paul and have him put to death for his evangelization of Jews and Gentiles in Greece. When these Hellenistic Jews spotted Paul, they grabbed him, dragged him out of the Temple under false accusations, whipped up the crowd, and severely beat him. If it had not been for Lysias, the Roman commander, sending down troops from the Towers of Antonia to the courtyard of the Temple Mount to arrest Paul, he would have been beaten to death.

Lysias ordered Paul arrested and wanted to find out what all of the fuss was about. He got no help from the enraged crowd on the Temple Mount. On the way to being escorted into the Towers of Antonia, which was a barracks for the Roman soldiers as well as a prison, Paul asked permission to speak to the crowd, for up to that point, he had never had the opportunity to give a defense against the false accusations made about him. What followed was Paul's first formal opportunity to share his personal testimony before a large audience in Jerusalem. At the end of his address to this highly nationalistic and patriotic Jewish crowd, who hated their Gentile oppressors, Paul mentioned that God had called him to be His messenger to the Gentiles. At that point, the crowd immediately erupted and called for Paul's execution.

Lysias was surprised by the crowd's sudden uproar and took Paul into the barracks to have Paul scourged. The purpose of this torture was not to punish Paul but to quickly get to the truth about why the Jews were so upset. Just before the first scourge was allowed to strike Paul's back, Paul declared that he was a Roman citizen. This immediately stopped the scourging because no Roman was ever allowed to be tortured without first having had a legitimate trial.

This forced Lysias to set a date for a trial the very next morning. Invited to represent Paul's accusers would be the Jewish Sanhedrin. The site of the trial would be just outside the Towers, because the Jews would not risk defiling themselves for Passover by entering a Gentile establishment. The court trial barely got started when the hatred for Paul erupted again, and Lysias had to order that Paul be rescued by the soldiers a second time and returned to the prison for his protection.

Having learned over the previous eighteen hours that the furor of the Jews was driven by religious concerns rather than any violation of Roman law that required execution, Lysias planned to send Paul to the present Roman governor of Judea, Antonios Felix, for a decision as to what should be done with Paul. But before he could get fully prepared to send Paul to Felix, Lysias learned that there was an assassination plot put into motion by some Jewish terrorists. Not wanting a Roman citizen assassinated on his watch by Jews, Lysias, under the cover of night, had Paul quickly escorted out of Jerusalem and sent to Governor Felix in Caesarea.

Hence, the span of time for the events from **Acts 21:27** to the beginning of our text in **Acts 24:1**, or from Paul's arrest on the Temple Mount to his arrival in Caesarea, was about forty-eight hours. A lot happened during those forty-eight hours, and very little of it was sleep for Paul. As a result, Paul must have been physically, emotionally, and mentally exhausted. Thankfully, he had five days to rest and be ready for his next trial, which we will look at in **Acts 24**.

But before we go there, it is important that we get acquainted with a major player in this scene, Governor Antonios Felix. Who was he? Felix governed Judea from AD 52-59. Felix owed his high position to his brother Pallas, who had considerable influence in the court of the then Roman emperor Claudius Caesar. Both brothers were former slaves, freed by Caesar's family and then granted an official position. The high office of governorship granted Felix was something almost unheard of for a former slave. His appointment was frowned upon by some Romans, as is reflected in the words of one Roman historian, Tacitus, who said that Felix "wielded royal power with the instincts of a slave" (*History* 5.9). The reference to

“royal power” probably pointed to Felix’s administrative failures within his own home, as well as his administrative failures as a governor.

Felix’s governmental administration was marked by many brutally suppressed insurrections of the Jews, demonstrating his total lack of understanding or sympathy for the Jews. Felix’s administrative ineptitude was bound to catch up with him sooner or later, and it did. Two years after our present scene, Felix was finally removed from office for his total mismanagement of a dispute between the Jews and Gentiles of Caesarea. Felix left Palestine in a state of civil disorder that later culminated in AD 70 with the Jewish war against Rome. As a result of that war, Jerusalem and the temple were destroyed. With that, the formal Jewish priesthood ceased, and without a Temple and priests, the Jews’ ability to present sacrifices to the Lord.

As it concerned Felix’s administration of his own home, he had three wives, all of whom were princesses. The first one we know nothing about. His second wife was the granddaughter of Antony and Cleopatra, whose names have been made famous by Shakespeare and Hollywood. The third wife, Drusilla, appears with Felix later in this account. She was a Jewess, the daughter of Herod Agrippa, the king who had put the Apostle James to death. She had been the wife of the king of Emesa, which would later be known as Syria, up the coast from Caesarea across from the island of Crete. Felix had seduced Drusilla away from her husband, and now she was living with him as his wife.

By the time Paul arrived in Felix’s courtroom, Felix had been in office for several years. Our passage begins in **Acts 24:1**, with a Jewish spokesman, Tertullus, and his greeting of Governor Felix.

**<sup>1</sup>After five days the high priest Ananias came down [to Caesarea] with some elders, with an attorney named Tertullus, and they brought charges to the governor against Paul. <sup>2</sup>After Paul had been summoned, Tertullus began to accuse him, saying to the governor, “Since we have through you attained much peace, and since by your providence reforms are being carried out for this nation, <sup>3</sup>we acknowledge this in every way and**

everywhere, most excellent Felix, with all thankfulness. <sup>4</sup>But, that I may not weary you any further, I beg you to grant us, by your kindness, a brief hearing.

The term in **verse 1**, “**attorney**,” is literally the word describing Tertullus as an orator. He was a hired professional speaker whose job it was to make a skillful presentation of a case in court. His training was not as an attorney but rather as a slick communicator or salesman.

The Jewish leaders wanted a persuader, someone who could stroke Felix’s ego and ignite fiery accusations against Paul, all the while clouding the facts. Tertullus was their man. He was a pompous windbag. One only needs look at his opening remarks to see what I mean: “**Since we have through you attained much peace.**” Hog wash! In fact, in AD 52, Judea had suffered widespread bloodshed from the Jewish insurrections that Felix had provoked. He was hardly a man of peace. But in comparison to the Jews hatred for one of their own, the Apostle Paul, they would embrace Felix for now, with every form of flattery they could think of, just to get to Paul.

In **verses 5-8**, Tertullus leveled four charges against Paul and then closed his rather short statement with a brief instruction for Felix to investigate for himself whether or not these charges were true. We read:

<sup>5</sup>For we have found this man a real pest and a fellow who stirs up dissension among all the Jews throughout the world, and a ringleader of the sect of the Nazarenes. <sup>6</sup>And he even tried to desecrate the temple; and then we arrested him. [We wanted to judge him according to our own Law. <sup>7</sup>But Lysias the commander came along, and with much violence took him out of our hands, <sup>8</sup>ordering his accusers to come before you.] By examining him yourself concerning all these matters you will be able to ascertain the things of which we accuse him.” <sup>9</sup>The Jews also joined in

**the attack, asserting that these things were so.**

The first charge against Paul was that he was a “**pest.**” Originally, the word “**pest**” meant plague. Hence, Tertullus was associating Paul with being an infectious political disease, spreading his contagion around the world. Veiled in Tertullus’ comments is the idea that if Felix were to allow Paul to be set free and to continue what he was doing, Felix would be judged as one who was in partnership with the spreading of turmoil, civil unrest, disorder, and maybe even rebellion throughout the empire. Not a good thing!

Tertullus’ second charge was that Paul was an agitator of worldwide dissension. This charge had political overtones, because Rome desired to maintain order, the Pax Romana, or the “Peace of Rome” throughout its empire. No Roman leader was to tolerate any form of dissension by people under his authority.

The third charge was that Paul was a “**ringleader of a sect.**” The term “**sect**” comes from the root word from which we get our word heresy. It is a word that points negatively to a faction or split-off party that does not represent its true roots. By calling Christianity a sect, Tertullus made it appear that Christianity was divorced from the Jewish religion. That was of tactical importance, because Rome only permitted certain religions such as Judaism the legal status of being legitimate. If you were not of a legitimate religion, Rome would ban your practice of worship. Rome would not tolerate any new religions. Hence, Tertullus was making the point that Paul was representing an unacceptable new religion based on Roman law, and that it had nothing to do with Judaism.

To make matters worse for Paul, Tertullus pointed to Paul as the “**ringleader,**” a military expression that signified that Paul was the point man, the champion, or the instigator of this sect. The idea was that as a snake is killed when its head is cut off, so could Felix kill this heretical sect by getting rid of Paul.

The fourth and final charge was Tertullus’ most serious. He saved it for last, because it had to do with bringing a Gentile into the Temple. Rome had granted authority to the Jewish leadership to execute any Gentile who entered the Temple, because it would upset the status quo of the Jews who were so hard to handle already. Rome was all about keeping the peace. This permission for Jews to execute those who brought disturbances to the Temple Mount also included executing one of their own Jewish brethren. If Paul had brought a Gentile into the Temple and thus disrupted the peace, he would have been guilty of violating this Roman law and legally could have been executed by the Jews. Tertullus is falsely

accusing Paul of this. But Paul had not brought a Gentile into the Temple. He was at the Temple as a single worshiper presenting an offering to the Lord.

Furthermore, if you look closely, Tertullus did not charge Paul with actually desecrating the Temple in this way, but simply stated that Paul “**tried to desecrate the Temple.**” But even that was a bold face lie. There was no Gentile with Paul when he was grabbed by the Jewish Temple guard. He was alone. Paul had tried to do all he could to honor Jewish tradition.

But then, Tertullus quickly added, “**We seized him,**” thus suggesting that the Temple guards had acted appropriately and were fulfilling their duty until Lysias stepped in and stopped them.

In summation, Tertullus used every possible inflammatory and emotional trick he could to turn Felix against Paul. But as we will see next week, Paul was up to the task of uncovering the deceit of his opponents, while at the same time representing his innocence, as well as taking the opportunity to lay out the gospel.

There is some debate among Biblical scholars as to whether or not part of **verse 7** and **verse 8** is the original text. If it is, then Tertullus’ instruction to Felix to “**examine him**” refers to an examination by Felix of his own Roman commander, Lysias (who is not on site at the moment), not of Paul. Tertullus’ challenge to Felix was a bluff, but it was intended to convince Felix that even his own man Lysias would agree with Tertullus’ conclusions. However, had Felix ever followed up on the suggestion, he would have discovered that Lysias would not have been able to agree with Tertullus, because Lysias was not an eyewitness to any of the charges.

In **verse 9**, Luke informs us that the rest of the Jewish leaders asserted that the charges against Paul were true, and by doing so they wanted Felix to believe, without stating it, that they were all eyewitnesses to these accusations. But they were not eyewitnesses. They were merely prejudiced rumormongers, caught up in their blind hatred for something or someone they knew little about. Furthermore, the actual eyewitnesses and the originators of the accusations against Paul were the Jews from Greece, who were not even present at this trial, as Paul will demonstrate later in the passage. Hence, Paul will unveil his opponent’s lies and expose their fabricated testimony against him.

Now, let’s stop there and consider what lesson or application the Lord might have for us. To do so, let’s recognize what is at the root of Paul’s wrongful arrest and life-threatening experience. It is a false accusation allowed to be accepted and

passed on as true without having the Biblical requirement of verification by two or three eyewitnesses. Paul would never have been beaten or falsely arrested if his accusers were stopped and examined as to their being eyewitnesses to Paul's sin or wrong doing.

In the beginning this morning, I said, "None of us want to experience a miscarriage of justice or be found guilty of having been a party to such. However, there are often days on a smaller scale, that many of us have become part of a crowd who make the innocent appear guilty."

If we had time this morning, I could show you from Scripture that Jesus expected and warned his followers they would experience various levels of injustice in life in general, not just because they were followers of His. Hence, we are not to expect in this life the fulfillment of total justice. Complete justice will not happen until Jesus comes again. Furthermore, as **Matthew 18** teaches, when injustices happen, we are called to forgive others, regardless of whether or not they have admitted their wrong doing and asked for our forgiveness. We are to act toward others as Jesus acted toward us when we sinned against Him. He didn't just forgive us; He died in our place! The bottom line is that suffering unjustly in this world is to be expected.

Some of you have felt among family, former friends, business partners, fellow workers, and students the sting of being treated unfairly due to false accusations made against you. Some of us have been part of wronging others through our own false accusations or the carrying forward of someone else's false accusations.

Some instances of these deeply felt hurts involve relationships that we have enjoyed with special friends, boyfriends and girlfriends. Some have had their marriages severely harmed as a result of rumormongers. Ministries and businesses have been seriously set back because some of us have spoken of matters that were either not true, or the information we had was slightly twisted. People's reputations have been harmed or irreparably damaged because of false accusations.

Our God is a just God and takes justice seriously, and He especially takes to task those who deal unjustly with others on the basis of false testimony or on the testimony of a single eyewitness. Knowing our fallen world and our sinful flesh's appetite for deceit, jealousy, greed, self-glory, and hatred, God has set down some very clear guidelines to prevent a lot of unnecessary participation on our part in wrongly damaging someone's life through false accusations.

Please look with me at four such passages:

**Deuteronomy 17:6** (NASB95), <sup>6</sup>“**On the evidence of two witnesses or three witnesses, he who is to die shall be put to death; he shall not be put to death on the evidence of one witness.**”

Please note that in the whole context of **Deuteronomy 17** and **19**, the witnesses are meant to be eyewitnesses to the sin or crime, not eyewitnesses to the confrontation or trial, and not merely eyewitnesses to the appearance of evil, but the factual event of evil. This is made clearer in the next passage, **Deuteronomy 19:15-19** (NASB95).

<sup>15</sup>**A single witness shall not rise up against a man on account of any iniquity or any sin which he has committed; on the evidence of two or three witnesses a matter shall be confirmed.** <sup>16</sup>**If a malicious witness rises up against a man to accuse him of wrongdoing,** <sup>17</sup>**then both the men who have the dispute shall stand before the LORD, before the priests and the judges who will be in office in those days.** <sup>18</sup>**The judges shall investigate thoroughly, and if the witness is a false witness and he has accused his brother falsely,** <sup>19</sup>**then you shall do to him just as he had intended to do to his brother. Thus you shall purge the evil from among you.**

Why do you think the Lord found it necessary to include these instructions about two eyewitnesses? Because our fleshly bent as human beings is toward evil more often than it is toward good. Notice that in **verse 19**, the “**evil**” God has in mind is not just a sin committed, but the very sin of wrongly accusing another without being an actual witness to the sin or crime. And there was a penalty for being a false or wrongful witness.

Here is one other principle to consider from **Deuteronomy** when you are called to make a decision as to whether to believe a story or to give counsel to someone concerning a conflict. Conflict requires that we always hear both sides in the

presence of their opponents before we make a determination (**Deuteronomy 17:6; 19:15-19**).

Why is more than one eye witness required? Because one person's perception of reality does not equal reality!

By the way, these very passages are what Jesus had in mind when he quoted them in **Matthew 18:15-16**, concerning the confrontation of someone who has sinned against another. He said in **Matthew 18:15-16** (NASB95):

**<sup>15</sup>If your brother sins, go and show him his fault in private; if he listens to you, you have won your brother. <sup>16</sup>But if he does not listen to you, take one or two more [eye witness to the sin not the confrontation] with you, so that by the mouth of two or three witnesses every fact may be confirmed.**

It is the confirmation of the facts of the case by two or three eyewitnesses that Jesus stresses here. So, before you pass on hearsay information and become part of the problem of furthering injustice, ask yourself:

Was I an eyewitness?

Was the one who told me this information an eyewitness?

Was their testimony corroborated by another eyewitness?

The Apostle Paul, being a Jew and having experienced wrongful accusations as a leader, knew full well the danger and harm a false witness or someone who was not a witness to an event can cause to a person or ministry, if that person is allowed to pass on wrongful information about a leader without being stopped. That's why he warned his disciple Timothy in **1 Timothy 5:19** (NASB95), "**Do not receive an accusation against an elder except on the basis of two or three witnesses.**"

Again, the witnesses were to be eyewitnesses to an actual wrongdoing; not the perception of a wrongdoing, or a suggested wrong motive for doing something wrong. We are not to judge people's motives, because who can judge the motives of the human heart? No one!

Why bring up this warning concerning an elder? I can think of at least two reasons: First, elders often must make leadership decisions that do not have any Biblical

precedents. For example, do we build a gym or hire a worship leader? Many will not agree with their decision or may not know all of the facts that led to their decision. As a result, people can make false assumptions which can lead to false accusations about motives that can wreak havoc on a church family. Paul realized that these were wrong actions of the people.

There is a long-standing observation about those who don't like or are jealous of another's leadership: If they can't attack their theology, they will attack their character through attacking their motives.

Second, when people are properly corrected or disciplined concerning their walk with Christ, they will often strike back at those who exposed their weakness or sin. One way to do that is to falsely accuse the leaders.

Much more could be said about this subject of pushing forward injustices through promoting false accusations. But this is enough for now.