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THE KINGDOM AGENTS OR, THE TWIN OPERATIONS OF
KINGDOM AND EMPIRE IN THE TRIALS OF
JESUS AND PAUL

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THE KINGDOM AGENTS OR, THE TWIN OPERATIONS OF
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For the glory of the Ransomer, whose Law has overcome the systems of the world, now
and in the ages yet to come.

For Michael Heiser, who has taken his place on the divine council.

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PREFACE

The British author Joe Abercrombie—a writer of great talent and wit who has done more to innovate in the fantasy genre¹ than anyone since Tolkien—had an interaction with a fan recently which resonated deeply with me. The fan in question, like many enthusiasts of fantasy literature, expressed some consternation at the years-long gap between volumes that often accompanies the writing and release of huge multi-book epic series and asked him: “Do you hate writing?” Abercrombie, tweeting under the waggish sobriquet “@LordGrimDark” responded truculently, “I’m a professional writer. So yes.”²

There’s a truth there that’s hard to escape. Writing anything, particularly anything long, particularly when you have to do it, is a process akin to giving birth: joyful, yes, and profound, but also deeply painful. The more important the idea is to the author, the closer the subject matter is to his or her heart, the more difficult and painful it is. This thesis has been like that for me.

But I have found that the secret (or more appropriately, “the secret,” for it is not a secret at all) is to write with love, and with a knowledge that it is an opportunity to demonstrate the power and majesty of the author of love, Jesus Christ. We are talking, when we talk of our King, of a man who called upon his Father to forgive those who were killing him, *even as they killed him*. In Paul, we find a disciple so committed to the cause of Christ that he fervently wished he could sacrificially be condemned to hell to spare those who sought to ruin him: “For I could wish that I myself were accursed from

¹ Joe Abercrombie, *A Little Hatred* (New York: Orbit, 2019); Joe Abercrombie, *The Trouble with Peace* (New York: Orbit, 2020).

² Joe Abercrombie, Twitter, January 23, 2023, 6:45 A.M., <https://twitter.com/LordGrimdark/status/1613864728916262912?ext=HHwWgICwqfPazOUsAAAA>,

Christ for my brethren, my countrymen according to the flesh” (Rom. 9:3). How could I fail to write so simple a thing as this thesis, in the face of their examples?

It is impossible to write or act with love unless one has a long list of people surrounding him—each in their own way—with love of their own. I am richly blessed in this way. I owe thanks to so many people that I will surely miss some.

Thanks are owed, of course, to the Redeemer and Author of my life and destiny, the Lord Jesus Christ.

Beyond him, there are many people to whom I am grateful. My wife, DeAnna, has been a source of unflagging support. My son and daughter, Gideon and Chloe, inspire me with their dedication to their respective passions. And my advisor, Jonathan Pennington, has been a patient and gentle guide through the academic process at Southern Seminary, in a time when he has faced his own personal difficulties. I have received better love, support, inspiration, and guidance than I have deserved.

In the daily work to which I am called vocationally, I have been blessed with many friends who have created an environment where I can think fully about the way that Christ loves us through his imagers: Bob Hust, Steve Grady, Michelle Gubola, Chip Howard, John Kahle, Frank Kahle, Teel Smegal, Stacey Clayton, Tara Burcham, Rhonda Wallace, Kenzie Cordonnier, and many others.

Finally, I would be remiss if I did not mention something that I discovered in the throes of the COVID-19 pandemic: the connection between a healthy body and a healthy spirit. If you had told me five years ago that I would not only force myself to train with a barbell four or five times a week, but that I would actually enjoy it and find it to be an integral part of my walk with Christ, I would have laughed. But strength training has become, for me, one of the core pillars of understanding myself as an embodied being made in the image of God. I am blessed to have found a weight-training community that not only recognizes this connection but encourages and promotes it. Accordingly, I owe a huge debt of gratitude to the coaches and staff at Steadfast Performance Training in Plain

City, Ohio: Jonathan Raymond, Daniel Kriz, and Michael Yoder most especially, but also Sarah Oprean, Amber Reitter, Dr. Brianna Rausch, and Mindy Lobello. As the author of Hebrews wrote (in another context, of course): “Now no chastening for the present seemeth to be joyous, but grievous: nevertheless afterward it yieldeth the peaceable fruit of righteousness unto them which are exercised thereby” (Heb 12:11 KJV). I have found this to be true.

I hope that those who read this work find it valuable in understanding our correlation, as subjects of Christ’s inaugurated kingdom, with all the systems of the world.

Johnathan Edward Sullivan

Plain City, Ohio

May 2023

CHAPTER 1
INTRODUCTION

In the Dock

There is a widening of the eyes that gives it away. This is invariable.

I have counseled dozens, perhaps hundreds, of clients over the course of a 22-year legal career: plaintiffs who initiated a dispute over wrongs real or fanciful; defendants hailed into the dock or brought to stand before some arm of state authority; third parties compelled to enter a dispute not their own.

It never matters how the unfortunate soul arrived there, though. In every case, there is a revelatory moment that begins with that same gesture, a biophysical recognition of a present legal and metaphorical reality: the eyes widen slightly.¹ That's all. After that, after the floodgates open and awareness hits fully, there may be other physical signs, as the lizard part of the brain, its fight-or-flight triggers tripped, activates the strange physiological responses that define human behavior under stress: perspiration, dark patches appearing under the arms of blouse or well-starched dress shirt; shaking, clipped lines of neat text on bright yellow legal pads suddenly becoming broad and arcing parabolas of ink; even shortness of breath, lips parted slightly to enhance the intake of air.

But whatever subsequent indicia of stress follow it, that widening of the eyes is always the same, always signals the same thing: a shift in perception about the law that is foundational, monumental. Behind those eyes, no matter to whom they belong, a great

¹ The validity of this observation is confirmed by scientific study; there are a surprising number of clinical studies regarding the long- and short-term impacts of litigation on the health and well-being (physical and mental) of participants. See, e.g., Miguel Clemente and Dolores Padilla-Racero, "The Effects of the Justice System on Mental Health," *Psychiatry, Psychology, and the Law* 27, no. 5 (May 2020): 865–79 (focusing on family law case studies but summarizing the authorities).

weight is shifting and slipping its bonds and tumbling into motion, and suddenly the scales fall away, revealing the nature of the system into which the client has been drawn (or into which she has jumped, head- and heart-first). Before, the legal system was an abstraction, a process, something to be worked through. For some, it was a signpost of civilized life; perhaps it was even noble. For others, the system was a tool of oppression, designed from the ground up to insure the continuation of the societal status quo.

Now, though, it is revealed for what it is: a great and powerful engine, its distant gears slow to start and not at all nimble. It is neither noble nor oppressive, fair nor foul. It is worse: it is indifferent to the humanity of its participants at all. It is a vast and infernal combine, kicking up dust, belching fire and farting smoke, a thing of sharp ends and whirring, clangorous iron. Worse: once started, the machine cannot be stopped in its operations—useful or otherwise, just or otherwise, comprehensible or otherwise—without the expenditure of an enormous amount of blood or treasure (or both). Having spun up, it sets to work at inexorably and pitilessly grinding up everything that stands before it: men and money and businesses and organizations and common sense, all of it shredded up in the maw of the bureaucratic combine.²

Usually, this revelation comes too late; like *Macbeth*'s river of blood,³ by the time the moment of realization comes, it is just as easy to wade to the other side, with all its attendant costs and heartache, as to retreat. The cold calculus of court costs and potential damages and fear of legal noncompliance conspire together to feed the litigant into the jaws of the machine, hoping to preserve something—or, impossibly, to obtain some benefit—when she emerges from the other side.

² A. Leo Levin and Denise D. Colliers, "Containing the Cost of Litigation," *Rutgers Law Review* 219 (1984–1985): 219–27, 226 (as far back in history as 1985, each hour spent on a case in the United States federal court system cost taxpayers over \$600); Brittany Kauffman, "Study on Estimating the Cost of Civil Litigation Provides Insight into Court Access," University of Denver, February 26, 2013, <https://iaals.du.edu/blog/study-estimating-cost-civil-litigation-provides-insight-court-access>.

³ William Shakespeare, *Macbeth* (London: Bloomsbury, 2014), 98 ("I am in blood / Stepped in so far, that, should I wade no more, / Returning were as tedious as go o'er.").

The Agents of the Kingdom in the Courts of the Empire

I have wondered often, since I stumbled upon the Christian life, whether Jesus or Paul suffered such a revelatory moment. It is a truism that, wherever and whenever they live, Christians are faced with a supreme challenge, amply articulated by John the Evangelist: “If ye were of the world, the world would love his own: but because ye are not of the world, but I have chosen you out of the world, therefore the world hateth you” (John 15:19).⁴ Every generation, then, must struggle with the paradox of being *in* the world, but not *of* it.⁵ This was true, of course, for ancient Christians, who lived in the shadow of repressive human empires whose purpose and aim was to extinguish the new religion.⁶ It is true, too, for modern Christians, even in places of great peace and prosperity. Though the moral arc of human government—a phrase that represents thousands of interlocking and bureaucratic power structures—may occasionally overlap with what Jesus called “the kingdom of God,” it always ends by plummeting earthward, towards corruption and violence.

Outline of Argument and Explanation of Methodology

This thesis will explore this tension in the narrative of Luke-Acts, the monumental work formed by Luke’s Gospel and its sequel. In these conjoined works, the narrative focuses at unique length on the experiences of both Jesus and Paul with the legal structures of the Roman empire. Their twin narrative destinies are inextricably intertwined with authorities of a strikingly judicial character who meet, judge, sentence, and execute them, all while finding them innocent of the charges brought against them.

⁴ Unless otherwise stated, biblical quotations in this thesis are from the King James Version, the author’s preferred translation. There may be instances where quotations from other translation are useful or illustrative. Wherever an alternative translation is used, it will be so noted.

⁵ See, e.g., Joanne M. Marshall, “In the World But Not of It? Voices and Experiences of Conservative Christian Students in Public Schools,” *Religion and Education* 32 (2005): 85–106.

⁶ W. H. C. Frend, *Martyrdom and Persecution in the Early Church: A Study of a Conflict from the Maccabees to Donatus* (Eugene, OR: Wipf and Stock, 2014).

This pairing is not happenstance. At its core, Luke-Acts is about the arrival and inauguration of a new kind of kingdom, one founded on an ethic and habitus that is antithetical to the world systems of which Rome and its agents are the foremost representatives.⁷ But the arrival of this upside-down kingdom is more than a matter of philosophy or abstract theory in the Roman world into which Jesus and Paul were born; it represented a dangerous and wild element that confounded, and threatened to combust, the entire system. Accordingly, Luke *sotto voce* raises a question of enormous weight and moment for his readers: What strategies must they use to chart their course so that the new religion is not smothered up in its cradle? How can those sworn to the kingdom life live within the boundaries of empire?⁸

This thesis will argue that the answer in Luke-Acts lies with the deliberate contrast between Paul's approach to the Roman system and that of Christ.⁹ Christ's strategies before the Jewish and Roman legal authorities are strongly marked by his *externality*—that is, he is ontologically and categorically different from the agents of the Roman system—and deliberately aimed at his specific mission: the supernatural inauguration of the kingdom of God through his death and resurrection. As such, he reacts with silence and ambivalence to these authorities, who can neither understand nor natively process his terms. Paul is a different matter, however: Luke heroizes Paul as the consummate insider, a citizen of many worlds—Jewish, Roman, and Greek, utterly committed to the kingdom of God but negotiating with skill the systems of the empire—

⁷ Alan Kreider, *The Patient Ferment of the Early Church: The Improbably Rise of Christianity in the Roman Empire* (Grand Rapids: Baker Academic, 2016), 13–36 (describing what Kreider calls “the habitus of patience” that allowed Christianity to survive amidst hostile powers).

⁸ Kreider, *Patient Ferment*, 73–132; J. Dwight Pentecost, *New Wine: A Study of Transition in Luke-Acts* (Grand Rapids: Kregel, 2010).

⁹ John Clayton Lentz, *Luke's Portrait of Paul* (Cambridge, UK: Cambridge University Press, 1993).

to show that accommodation is not only possible, but necessary.¹⁰ For Luke, Christ's silence is a poignant and potent tool for demonstrating the power of suffering in the face of injustice, while Paul's navigation of the legal system demonstrates the continuing development of Christ's upside-down kingdom, a development that will ensure its survival. Christ was external to the world system; Paul is a kind of reverse agent *provocateur*, calling the empire's systems to more closely resemble Christ.

This thesis is structured in the following manner after this introductory chapter:

Chapter 2 will examine the overall design pattern and theological messaging of Luke-Acts. In particular, it will unpack two design motifs: (1) Jesus's "kingdom of God" as a future eschatological reality; and (2) the idea of the kingdom of God as a present lived reality that elevates the poor and oppressed through the actions of believers. These design elements, it will be argued, work together as part of Luke's distinct theological messaging: the kingdom of God both predicts and inaugurates a sociopolitical order in which the oppressed come to rule; and because of their work as initiators of that new sociopolitical order, the lives of Christ's followers will often resemble his.

Chapter 3 will address the climactic encounters of both Christ and Paul with Roman provincial judicial officials. It will recount the legal authorities and procedures that allowed them to be seized and tried (where known from the narrative); the mode of their trials; and the facts of how the Roman authorities, who could neither find them guilty nor release them, interacted with them.

Chapter 4 will achieve the main analytical thrust of this thesis by scrutinizing the responses of both men to Roman justice. It will argue that Luke has intentionally described Christ's silence before Roman authorities as a disengagement that contrasts the kingdom of God with the Roman world order in a way that the officials involved cannot

¹⁰ Lentz, *Luke's Portrait of Paul*, 105–38. Lentz postulates that almost the whole of Luke's depiction of Paul is puffery, designed to make Paul appeal to high-status citizens of the Roman empire.

process. It will argue that the Lukan Jesus is an enigmatic *external* agent of the kingdom of God whose presence and unexpected message are indecipherable to his Roman interlocutors. In contrast, Paul is depicted with markers of *internality* vis-à-vis the Roman world-system by way of identity, predilection, and destiny. Luke thus creates in Paul a heroic figure, a kind of reverse agent provocateur whose strategies provide a blueprint for accommodation with and, ultimately, transformation of, the systems of the empire.

Finally, Chapter 5 will serve as a short examination of the way in which the approaches of both Paul and Jesus may be integrated into the strategies of modern Christians in response to injustice, judicial or otherwise.

Conclusion

Whether then or now, the legal systems of the world have as their end a host of positive outcomes: the enactment of justice; the practice of mercy; the promotion of civic virtue; and the enforcement of order. But those outcomes, in the reality of the present age, often come face-to-face with the brokenness of the world and the oppressiveness of human empire. At worst—as was often the case in Rome and was certainly the case in the trials of Jesus and Paul—the result is corruption, oppression, and the punishment of the innocent to serve the interests of the powerful.

The clients I mentioned at the beginning of this introduction are almost invariably right when the realization strikes them that the American system is powerful and pitiless and indifferent to its own inefficiencies. They are right to be afraid of these flaws in the system, for they can occasion great loss of money and time. Litigants in the Roman system, with its autocratic origins and its lack of strong protections for the powerless, must surely have been doubly afraid.

Yet neither Christ nor Paul in Luke-Acts was daunted by the might of Rome. The Roman authorities and their proxies were both bewildered and dismayed by the system's inability to process the coming of a rival kingdom with a wildly different ethic

and a new way of being, intent upon living side-by-side with empire until empires' end. One wonders: did *their* eyes widen with realization as they discovered that these criminals represented a power and authority of a type so radically different as to be alien, presaging and enacting a shift in the balance of power that resounded beyond the merely juridical into realms that were ethical and spiritual, cosmic and eternal?

CHAPTER 2

INAUGURATED ESCHATOLOGY IN LUKE-ACTS: THE UPSIDE-DOWN KINGDOM OF GOD

The Kingdom of Yet-to-Come

Like everyone in Judea during the Second Temple Period, Paul and Jesus moved “through a Roman world”;¹ it would be “virtually impossible” to avoid “the projections and pretensions of the empire” and its representatives.² But Luke’s primary concern is about the kingdom of God, and he depicts his characters as agents of that kingdom. Thus, in order to fully understand the place of the trial narratives—the primary surfaces of contact between Jesus, Paul, and the Roman legal system—it is important to first understand the theological underpinnings of Luke and Acts as a combined work about the new kind of kingdom ethos that Jesus taught and which Paul advanced through his life and work.

It is tempting for modern readers to review Luke’s methodology and to conclude that he was a kind of ancient Near Eastern investigative journalist, seeking to accurately record the bare facts of Jesus’s ministry and the beginnings of his church (Luke 1:1–4). But Luke was not composed with only this object in mind; rather, it was intended to “corroborate early Christian belief in Jesus as God’s agent.”³ Luke’s viewpoint is colored by this aim, and by an aim that is secondary to it: explaining how

¹ Mark Black, “Paul and Roman Law in Acts,” *Restoration Quarterly: Studies in Christian Scholarship*, (1981): 201–15, 209.

² Dean Pinter, “The Gospel of Luke and the Roman Empire,” in *Jesus is Lord, Caesar is Not: Evaluating Empire in New Testament Studies*, edited by Scot McKnight and Joseph B. Modica (Downers Grove, IL: IVP Academic, 2013), 101–15.

³ Edith Z. Friedler, “The Trial of Jesus as a Conflict of Laws?,” *Irish Jurist* 32 (1997): 398–438, 400.

believers in this new religion can successfully navigate the world-systems of the Roman empire. That aim is accomplished in part through a complex thematic juxtaposition of the kingdom of God as both an eschatological endpoint and an inaugurated reality in the present age, with attendant ethical and sociopolitical implications in the present life of the believer.⁴

In some ways, of course, the kingdom of God in Luke and Acts has an orientation which makes it eschatological in character.⁵ The Israelite prophets—invoked time and again in Luke-Acts—marked out Israel’s history as an alternating pattern of judgment and restoration in the shape of God’s successive covenants with mankind and then with Israel.⁶ This pattern ends, for the prophets, in a convulsive end to history, with the arrival of God’s presence amongst his people and the restoration of national Israel in terms that lay bare God’s purpose for mankind.⁷ That coming is the culmination of political and social history described in Isaiah, Ezekiel, and the other prophets, with the final administration of absolute justice and the end of human oppression as a restored Israel, but also a restored and refreshed humanity, are drawn into a new kind of ruler-subject relationship with God as sovereign.⁸

Luke-Acts portrays that eschatological event as a restoration of right relationship between Israel and God, and through Israel all mankind.⁹ Indeed, this idea is

⁴ Laurie Guy, “The Interplay of the Present and Future in the Kingdom of God (Luke 19:11–44),” *Tyndale Bulletin* 48 no. 1 (May 1997): 119–37, 119–20.

⁵ Michael J. Vlach, “Israel’s Repentance and the Kingdom of God,” *The Master’s Seminary Journal* 27, no 2 (Fall 2016): 161–86, 161–63.

⁶ Peter J. Gentry and Stephen J. Wellum, *Kingdom through Covenant: A Biblical-Theological Understanding of the Covenants*, 2nd ed. (Wheaton, IL: 2012), 487–503.

⁷ Karl Allen Kuhn, *The Kingdom According to Luke and Acts: A Social, Literary, and Theological Introduction* (Grand Rapids: Baker Academic, 2015), 27–29.

⁸ Vlach, “Israel’s Repentance,” 161–68.

⁹ Gentry and Wellum, *Kingdom through Covenant*, 63–64; Kuhn, *The Kingdom According to Luke and Acts*, 28–29.

a part of the warp-and-woof of Luke from the birth narrative of Jesus onward, as the arrival of Christ is described in terms that are thick with eschatological implication: the arrival of Gabriel, interpreter of dreams; the advent of John the Baptist, himself a seer; and the frequent references to the moving of the Spirit as an enactor and enabler of events which execute prophecy and fulfill God's purposes.¹⁰

The text of Luke is pregnant with the expectation of this future kingdom.

Examples are legion:

1. Luke 11:2 (the Lord's Prayer) requests the arrival of the kingdom as a prospective reality ("thy kingdom come").¹¹
2. Luke 13:28 envisions an apotheosis of judgment for the wicked, as they are cast out of the presence of the saints (present and historical, including Abraham, Isaac, and Jacob) and into outer darkness. The allusion to the Old Testament patriarchs is a pointed way of demonstrating the eschatological character of the coming kingdom: heaven meets earth in the last time, and the righteous and the wicked are finally and eternally divided.¹²
3. Christ notes that though the kingdom of God comes with a present cost, there is a present *and future* reward associated with its arrival (Luke 18:29).
4. In the parable contained in Luke 19:11–27, Jesus dispenses with the idea then in the air that the kingdom would be entirely immediate in character; though the servants to whom the master distributes his *mina* are tasked with a current obligation, the king has not yet come into his kingdom for most of the parable.¹³

The theme of final, eschatological fulfillment is continued through Luke and into Acts, where the apostles, supernaturally empowered by the Holy Spirit, move to spread word of Christ's kingdom into Judea, Samaria, and the uttermost parts of the earth, with the implication that the eschatological fulfillment envisioned by the Old Testament prophets will well and truly come when the kingdom of God's emissaries

¹⁰ Thomas R. Schreiner, *The King in His Beauty: A Biblical Theology of the Old and New Testaments* (Grand Rapids: Baker Academic, 2013), 345–47.

¹¹ Darrell L. Bock, *Jesus According to the Scripture* (Grand Rapids: Baker Academic, 2002), 204.

¹² Kuhn, *The Kingdom According to Luke and Acts*, 25.

¹³ Guy, "The Interplay of the Present and the Future," 119–37.

reach the outermost bounds of the known world (Acts 1:11–20, 26–37; 2:9–14).¹⁴ The idea of *fulfillment*, then, of culmination and becoming, is key to the Lukan worldview: *history is moving towards a concrete end-goal*.

It is important, too, to note the importance of Christ’s death and resurrection as the catalyst for this eschatological end-state. Christ was not just teaching a way of life or a mode of being or a philosophy in the manner of the Stoics or the Epicureans (though he did, indeed, provide a whole-life philosophy, for those with an ear to hear it);¹⁵ rather, his death and resurrection created the necessary conditions for the supernatural kingdom of God to exist:

Christ’s resurrection stands as the firstfruits of the resurrection of the dead, which is to take place at the end of this age and at the beginning of the age to come. Thus, the resurrection of Christ in the middle of time introduces the age to come while the present age is still in play, creating the eschatological framework of two ages overlapping at once, or the now-not-yet schema that runs throughout [the New Testament].

[Thus] [t]he resurrection of Christ is also the key to the resurrection of believers in the age to come.¹⁶

A Kingdom of Losers: The Kingdom of God as a Present Sociopolitical Reality and Ethical Obligation

But those final, eschatological ideas—the restoration of Israel, the calling-in of the nations, and what moderns would call “the end of history”¹⁷—are, in some ways, far-off dreams in Luke and Acts. Luke is far more concerned with the realization of these

¹⁴ Michael S. Heiser, *The Unseen Realm* (Bellingham, WA: Lexham Press, 2015), loc. 5561, Kindle.

¹⁵ Jonathan T. Pennington, *Jesus The Great Philosopher: Rediscovering the Wisdom Needed For the Good Life* (Grand Rapids: Brazos Press, 2020).

¹⁶ Constantine R. Campbell, *Paul and the Hope of Glory: An Exegetical and Theological Study* (Grand Rapids: Zondervan Academic, 2020), 388. Campbell explores Pauline eschatology through an examination of all of Paul’s written work, and not specifically the Lukan writings. Nonetheless, this theme—and particularly the “now-not-yet” nature of the kingdom of God—are an integral part of Luke’s message, and (unsurprisingly) of his portrayal of Paul and Paul’s teaching.

¹⁷ Francis Fukuyama, *The Last Man and the End of History* (New York: Free Press, 2006), xi, 3–13.

eschatological outcomes in the life and ethic of the community of believers.¹⁸ Thus, the more immediate reality is that the kingdom is *present* in the time of the writing, and by extension in the present age. As a result, the kingdom creates in believers a responsibility to inaugurate the kingdom in word and deed, by living out an ethic that is in direct contravention to the systems of the present age.¹⁹

In some senses, this idea of the presence of the kingdom in the here-and-now (both of the text and in the current age) is intimated through Christ's described actions. Christ's first public act of ministry in Luke—his return to Nazareth and his initial teaching—announces that, pursuant to the words of Isaiah, power and authority have been accorded to him to initiate a time when prisoners are let loose, when the blind can see, and when the oppressed are released from their bonds; the ultimate jubilee year has begun (Luke 4:18–19). More: in his actions, Christ masters the spiritual powers that dominate the present age, casting out demons, healing and restoring the ill, and performing the miraculous across Judea. These signs, it is intimated, render the kingdom present in the *now* of the text.²⁰

But there is more than mere demonstration of mastery—whether exerted over illness, dark spiritual powers, or present earthly governments—that renders the kingdom present. Christ's kingdom ethic, as depicted in Luke, proposes a radical egalitarianism that, *contra* the systems of the world, welcomes in the marginalized and disenfranchised. As Crossan notes, “Jesus not only discussed the kingdom of God; he enacted it, and said others could do so as well.”²¹ This “radically subversive, socially revolutionary, and

¹⁸ Joel B. Green, *The Gospel of Luke*, New International Commentary on the New Testament (Grand Rapids: Eerdmans, 1997): 457.

¹⁹ Caleb C. Afulike, “Luke’s Portrayal of the Social Dimension in the Ministry of Jesus and the Apostles (Luke-Acts) According to Isaiah’s Message of Social Justice in Chapters 61:1–2 and 58:6,” *Journal of Religious and Theological Information* 17, no. 2 (April 2018): 41–54, 41.

²⁰ Schreiner, *The King in His Beauty*, 472–73.

²¹ John Dominic Crossan, *Jesus: A Revolutionary Biography* (New York: HarperCollins

politically dangerous” function of the kingdom of God is everywhere found in Christ’s teaching, and amplified by his miraculous acts.²² Luke is, in a very real sense, “the Gospel of the good news to the poor.”²³

It begins, properly enough, at the beginning, in the verses of the *Magnificat*: “He hath shewed strength with his arm; he hath scattered the proud in the imagination of their hearts. He hath put down the mighty from their seats, and exalted them of low degree. He hath filled the hungry with good things; and the rich he hath sent away empty” (Luke 1:51–53). In Luke’s story, the *evangelion*—the good news of a king’s arrival—comes not from the halls of imperial Rome or even the regal palaces of the Herodian rulers but amongst the poorest of the poor in the hill country north of Jerusalem.²⁴

Throughout Luke, Christ and his followers emphasize continually that only a lived ethic that elevates the poor and the humble is sufficient to bring forward the kingdom of God.²⁵ Asked what his followers should do, John the Baptist replies: “. . . He that hath two coats, let him impart to him that hath none; and he that hath meat, let him do likewise” (Luke 3:11). Christ’s followers, called to come after him, leave their worldly possessions behind (Luke 5:28). The kingdom of God in Luke-Acts requires that the low be raised and the high be cast down.²⁶ This eschatological endgame of radical equality requires the unfolding of a great reversal, which must be initiated in the present age by

Publishers, 1994): 104–5.

²² Crossan, *Jesus*, 94.

²³ Walter Pilgrim, *Good News to the Poor: Wealth and Poverty in the Book of Acts* (Eugene, OR: Wipf and Stock Publishers, 1981), 64–84.

²⁴ Kuhn, *The Kingdom According to Luke-Acts*, 133–34.

²⁵ Pilgrim, *Good News*, 147–59.

²⁶ Joel A. Nichols and James W. McCarty III, “Civil Law and Disobedience,” in *Law and the Bible: Justice, Mercy, and Legal Institutions*, ed. Robert F. Cochran Jr. and David Vandrunen (Downers Grove, IL: IVP Academic, 2013), 186 (“a key theme is the idea of ‘reversals’ . . . where God elevates the poor and humbles the rich.”)

enacting “the justice of the fellowship of a new [kingdom] community.”²⁷ This great reversal is not a strictly economic or social construct; rather, it revolves around power and authority, which in the Roman world were qualities produced by a variety of factors.²⁸

This, is, of course, part-and-parcel of the eschatological goals of the fully realized kingdom: Israel’s prophets were ever concerned with what modern readers might call “social justice,” including the plight of marginalized communities like the poor and the orphan, the despised and the refugee. In the teaching of Jesus, that concern becomes a lived ethic, bringing the kingdom of God into the present as an act of current resistance. Ultimately, “[o]ne of the distinctive marks” of the kingdom is “its aversion to unnecessary wealth and a corresponding identification with the ‘poor.’”²⁹

Christ, as portrayed in Luke, is at pains always to describe the kingdom of God in terms that make it clear his followers are to opt out of the social order where these markers of status are activated. In the new kind of kingdom inaugurated by his coming and of which he is the first citizen, Jesus teaches that the normal ways of gaining and keeping status in the Roman orbit are both insufficient and unaligned with the values of his own kingdom. Christ’s words in Luke place him in opposition to the values that inform human systems that exert control over their subjects, and the self-driven ethics that make such control desirable to men.

Economic power was just one such value: the social world in which Luke and Acts occur prized family status (above all), land ownership, vocation, ethnicity,

²⁷ P. A. Sampathkumar, “The Rich and the Poor in Luke-Acts,” *Bible Bhashyam* 4 (1996): 175–189.

²⁸ Kuhn, *The Kingdom According to Luke and Acts*, 130.

²⁹ Nicholas Perrin, *Jesus the Temple* (Grand Rapids: Baker Academic, 2010), 29–30; Kuhn, *The Kingdom According to Luke and Acts*, 43–44.

citizenship, and other concrete and symbolic values, real or perceived.³⁰ The Roman system of *clientele* required patrons—from the Emperor himself to provincial governors to the lower orders of nobility—to engage in patronage, giving gifts to those around them and (in return) exerting power through their networks of clients, expecting loyalty and gifts in return.³¹ Private arrangements of this kind were “the primary means by which the wealthy were legitimated as those most deserving of public office and prestige in the community.”³²

In Luke 22, Jesus provides a negative instruction against this system, and a final benediction to his disciples that once again stresses the idea of a great reversal. As the apostles argue amongst themselves who is to be the greatest, Christ notes that “[t]he kings of the Gentiles exercise lordship over them; and they that exercise authority upon them are called [‘]benefactors[’]” (Luke 22:25). His scorn for this idea is terse: “But ye shall not be so: but he that is greatest among you, let him be as the younger; and he that is chief, as he that doth serve” (Luke 22:26). The greatest, he tells them, is to be the least, and the least the greatest.

This would be easy to misunderstand. Jesus is not, by his terms, commanding his followers to refrain from rulership or generosity. Rather, their manner of benefaction must be different than that employed by the world-systems. Like the disciples who heard the sermon on the plain, the ethic of the kingdom requires generosity without expectation or gratefulness, irrespective of wealth or status. Leadership in the kingdom “is unconcerned with the accrual of status honor but itself reflects the humility of table servants and of those who occupy the bottom rung of social power and privilege, the

³⁰ Joel B. Green, *The Gospel of Luke*, New International Commentary on the New Testament (Grand Rapids: Eerdmans, 1997), 59–60.

³¹ Pyung Soo Seo, *Luke’s Jesus in the Roman Empire and the Emperor in the Gospel of Luke* (Eugene, OR: Pickwick Publications, 2015), 109–14.

³² Green, *The Gospel of Luke*, 60.

young.”³³

The radical kingdom proposed by Jesus in these passages is a kingdom of the despised, bound together by a belief in Christ and a dedication to bringing the eschatological kingdom envisioned by him into the present through their own lives. Entering the kingdom of God implies a new ethic of service and care for the communal well-being of the destitute. This ethic is lived out in the life of the early church, which—though clearly concerned with the spreading of the gospel message—was intimately tied up with care and concern for the poor, and which realized an ethic which considered Christ-followers identical to one another, regardless of social class.³⁴

Luke summarizes the life of this community in Acts 4:32–35:

And the multitude of them that believed were of one heart and of one soul: neither said any of them that ought of the things which he possessed was his own; but they had all things in common. And with great power gave the apostles witness of the resurrection of the Lord Jesus: and great grace was upon them all. Neither was there any among them that lacked: for as many as were possessors of land or houses sold them, and brought the prices of the things that were sold. And laid them down at the apostles' feet: and distribution was made unto every man according as he had need.

Kuhn has noted that this description follows hard on the heels of Peter and John's bold testimony before the Sanhedrin, encouraging readers “to see it as of a piece with the preceding narrative.”³⁵ The great power of the apostles in testifying to the resurrection of Jesus Christ is matched, in this thinking, by the powerful witness of their economic lives, which represent a lived ethic that subordinates the self in the service of the kingdom.³⁶

Accordingly, Luke-Acts is inherently a political and social polemic, calling for the construction of a new social order that realizes the eschatological implications of the

³³ Green, *The Gospel of Luke*, 768–69.

³⁴ David Andrew Smith, “‘No Poor among Them:’ Sabbath and Jubilee Years in Lukan Social Ethics,” *Horizons in Biblical Theology* 40: 142–64.

³⁵ Kuhn, *The Kingdom According to Luke and Acts*, 98–99.

³⁶ Kuhn, *The Kingdom According to Luke and Acts*, 98.

kingdom of God of which Jesus spoke. Adherents of “the way” that Jesus proclaimed must conform themselves—in word, in thought, and in deed—to ways of being that will reformulate the existing social, economic, and political order. This reformulated social order is characterized by *inversion*, turning the existing social order on its head.

It must be noted that this inverted kingdom shares some resemblance to the Roman regime. They share the same goal of conquest “by negotiating happiness with insiders and outsiders, [developing] a presence everywhere and [extending] citizenship to new groups.”³⁷ Though their aims are the same, these rival kingdoms frame the actions necessary for conquest in opposite ways: in Rome, through pride and might; in the kingdom of God, through service and humility.³⁸ Seyoon Kim has observed that in Luke’s telling of Christ’s temptation in the desert, the emphasis is on *how* Christ exercises power; the story does not attribute ownership of the world’s kingdoms to Satan, but rather invites Christ to exert control over them in a Satanic way: “[H]aving rejected . . . the exercise of his authority for his own good as a diabolic temptation and having resolved to follow only God’s word, Jesus embodies . . . the conception of leadership befitting the Kingdom of God.”³⁹ Accordingly, Luke’s intention is not necessarily to dismantle or replace current power structures, but rather to explain how power works in the kingdom of God and to see that power exercised in service and humility to the least of its citizens: “The Christian stance is twofold: to call the state back” to ways that mirror the kingdom of God, “and to be a faithful witness to Jesus.”⁴⁰

³⁷ John Navone, “Luke-Acts and the Roman Empire: God and Caesar,” *Bible Today* 42 no. 4 (2004), 230–34, 234.

³⁸ Richard Cassidy, *Christians and Roman Rule in the New Testament: New Perspectives*, Companions to the New Testament (New York: Crossroads Publishing, 2001), 20.

³⁹ Seyoon Kim, *Christ and Caesar: The Gospel and the Roman Empire in the Writings of Paul and Luke* (Grand Rapids: Eerdmans, 2008), 90.

⁴⁰ Peter Santandreu, “Pro-Secular? Luke’s Relationship with Roman Imperial System and Culture,” *Verbum* 15, no. 1 (2018): 21–32, 31; Navone, “Luke-Acts and the Roman Empire,” 234.

Obviously, this idea of an “upside-down” kingdom was unlikely to be popular with those who stood at the top of the social ladder. Luke alludes to this in the narrative itself: the way was, he tells Theophilus in Acts 28:22, “every where . . . spoken against.” Of course, there is significant disagreement about the extent to which “the way” is presented as a counter-state to Rome. Rowe has written that though Christians were viewed as subversive, largely as a result of their upside-down world view, charges of subversive activity are raised “so that such an understanding of the Christian mission can be narrated out of the realm of interpretive possibility.”⁴¹ In Rowe’s estimation, Luke’s narrative is intended as a “testimony to the reality of the resurrection,” not necessarily as a sociopolitical polemic.⁴² To Ahn, similarly, Christ transcends Caesar, presenting a kind of alternative empire that is nonetheless not in conflict with Rome.⁴³

Now and Not-Quite-Yet

Ultimately, then, the kingdom of God cannot be properly understood without understanding its position within time, as both an eschatological destination and a way of life in the present age. For the Lukan Jesus (and therefore for the church described in Acts), the kingdom of yet-to-come is cradled in the arms of the kingdom of now like a child, waiting to come into its fulness.⁴⁴ But it is not waiting to be born; it is present and vital and alive in the present age, and its ethics bind those who have sworn allegiance to it in the here-and-now, not at some future time. *Sotto voce*, Luke creates a picture of the kingdom as an invasion from the future, breaking into the present in the actions of

⁴¹ C. Kavin Rowe, *World Upside Down: Reading Acts in the Graeco-Roman Age* (Oxford, UK: Oxford University Press, 2009), 87–89.

⁴² Rowe, *World Upside Down*, 87–89.

⁴³ Yong-Sung Ahn, *The Reign of God and Rome in Luke’s Passion Narrative: An East Asian Global Perspective* (Leiden: Brill, 2006), 192.

⁴⁴ With apologies to Geoffrey Ryman. Geoffrey Ryman, *Was* (Northampton, MA: Small Beers, 2019), 359 (“The Land of Was was cradled in the arms of Now like a child. Was made Now tender.”).

members of the Jesus community to bring about the great reversal of which Christ's earthly ministry was the catalyst.

CHAPTER 3

SURFACES OF CONTACT: LUKAN ACCOUNTS OF BRUSHES WITH THE LEGAL SYSTEM OF THE EMPIRE

The Nature of Luke's Trial Narratives

That great reversal of the systems of the world must, by definition, include its legal systems. There is not much debate that the trial narratives of both Luke and Acts represent the climactic action of both books, nor does it take much beyond a cursory ability to analyze the incidents described in both texts to understand that Luke intended to construct a series of deliberate parallels.¹ In both narratives, the protagonists are referred to by Jewish authorities threatened by their theological messaging to Roman provincial courts, where the imperial procurators of Judea, in alliance with Herodian client-kings, hear their cases and conclude that they are innocent of any charge worthy of death. In both cases, neither man, though innocent, can be released.

The trials recounted in Luke and Acts are among the most famous in history.² Nonetheless, no contemporaneous extrabiblical account, nor any corroborating evidence internal to the New Testament testifies to them at any length.³ It is tempting to mine the

¹ Indeed, analyses of Luke's very deliberate construction of parallel lives for his protagonist are very old. See, e.g., Howard Heber Evans, *St. Paul the Author of the Acts of the Apostles and the Third Gospel* (London: Wyman and Sons, 1886), 117. ("It is . . . quite impossible that the author . . . can have drawn such a marked parallel . . . between St. Paul and our Lord without being himself conscious that he had done so."); see also James R. Edwards, "Parallels and Patterns Between Luke and Acts," *Bulletin for Biblical Research* 27, no. 4 (2017): 485–501; Jerome Murphy-O'Connor, *Jesus and Paul: Parallel Lives* (Collegeville, MN: Liturgical Press, 2007); Susan Marie Praeder, "Jesus-Paul, Peter-Paul, and Jesus-Peter Parallelisms in Luke-Acts: A History of Reader Response," *Society of Biblical Literature Seminar Papers* 23 (1984): 23–39.

² Walter M. Chandler, *The Trial of Jesus From a Lawyer's Standpoint: The Roman Trial* (New York: The Empire Publishing Co., 1908); Jonathan Burnside, *God, Justice, and Society: Aspects of Law and Legality in the Bible* (Oxford: Oxford University Press, 2011).

³ Paul W. Gooch, *Reflection on Jesus and Socrates: Word and Silence* (New Haven, CT: Yale

data provided by the trial narratives with the primary goal of unpacking them as authentic evidence of Roman trial practice in the provinces during the Second Temple period, with an eye towards the type of historical analysis that moderns enjoy.⁴

 Tempting, but not fruitful, though many have tried, with varying results.⁵ It is not quite clear whether Luke's accounts of the various Jewish or Roman legal proceedings in Luke-Acts may be properly seen as accurately descriptive of common trial practice in those jurisdictions.⁶ Though the broad assumption is that both Paul and Jesus were brought before some iteration of the Sanhedrin for their Jewish trials, the actions of the groups (much less their exact composition, function, and nature) do not match well with extant Rabbinic literature of the period describing trial practice of the Jewish court system. There is not broad agreement among these sources even on how many trials occurred, historically,⁷ or on the powers held by the authorities to order Christ's death, or

University Press, 1996).

⁴ W. Ward Gasque, "The Historical Value of the Book of Acts," *The Evangelical Quarterly* 41 (1969): 68–88, 68 (Ward noted the vast disagreement over every aspect of the historicity of the New Testament accounts: "Statements such as, 'Most scholars agree that ...', followed by the opinion of the author, are simply more sophisticated gimmicks in the same general category as the public orator's raising of his voice when he knows that his argument is weak. Scholars do not usually agree [about history]: they have opinions.")

⁵ Shimon Gibson, "The Trial of Jesus at the Jerusalem Praetorium: New Archaeological Evidence," in *The Word of Jesus and the Early Church: Identity and Interpretation in Early Communities of Faith*, edited by Craig A. Evans (Peabody: MA: Hendrickson Publishers, 2012): 97–120; A. N. Sherwin-White, *Roman Society and Roman Law in the New Testament: The Sarum Lectures, 1960–61* (Oxford, UK: Clarendon Press, 1965); Haim Cohen, *The Trial and Death of Jesus* (Old Saybrook, CT: Konecky and Konecky, 1968); Earl Schwartz, "The Trials of Jesus and Paul," *Journal of Law and Religion* 9, no. 2 (1992): 501–13.

⁶ Gibson, "The Trial of Jesus," at 98. But see *contra* Dominic Crossan, *Who Killed Jesus? Exposing the Roots of Antisemitism in the Gospel Story of the Death of Jesus* (New York: HarperCollins, 1996), 117–118.

⁷ Edith Z. Friedler, "The Trial of Jesus as a Conflict of Laws?," *Irish Jurist* 32 (1997): 398–438, 399 ("there was only one trial and it was before Pontius Pilate"); Catherine P. Best and Isidor M. Wolfe, "The Trial of Jesus, Revisited," *Advocate (Vancouver)* 50, 199–203 (there was no trial conducted at all, before any judicial body of note); S. G. F. Brandon, *The Trial of Jesus of Nazareth* (Dorchester, UK: Dorset Press, 1988), 92 (the Sanhedrin had only the ability to conduct an investigation); Darrell Bock, *Blasphemy and Exaltation in Judaism: The Charge Against Jesus in Mark 14:53–65* (Eugene, OR: Wipf and Stock, 1998), 191–192 (no formal trial of Christ occurred before Jewish authorities).

hold a trial at all.⁸ Indeed, some sources suggest that certain aspects of the story—the convening of a trial court on Passover, for instance—are not probable events.⁹

Luke’s description¹⁰ of the various appearances before Roman officials are no more consistent with historic records of Roman legal proceedings than his accounts of their Jewish analogues.¹¹ Many scholars, for instance, have noted the unrecorded and unprecedented nature of the events leading to Barrabas’s parole, finding such a practice logically unlikely to such an extent that it calls the exact historicity of Luke’s narrative into doubt.¹² On the other hand, Luke’s accounts are noteworthy for their precision in using the correct Greek nomenclature for the titles of Roman officers, and for certain aspects of the Roman judicial process that are well-attested in other sources.¹³

Whatever one ultimately concludes, one thing is clear: the details are fuzzy enough that readers should not look to Luke-Acts for a detailed historical account of Jewish or Roman justice; this would be akin to looking to *Perry Mason* or *To Kill a Mockingbird* to understand the vagaries of civil or criminal procedure or the complex rules that govern the introduction of evidence in American courts.

The trial scenes in Luke-Acts are, rather, a tool or lens through which Luke conveys his theological message, not an accurate depiction of trials as they were

⁸ Recent studies indicate that the Sanhedrin may not have been a permanent juridical body at all, but rather was two (or more) bodies who were holistically responsible for the religious and political life of the Jewish nation. In this view, the Sanhedrin was a consulting body convened to advise the high priest or his close confidants. David W. Chapman and Eckhard J. Schnabel, *The Trial and Crucifixion of Jesus: Texts and Commentary* (Tubingen: Mohr Seibeck, 2015), 16; Gibson, “The Trial of Jesus,” 100.

⁹ John Dominic Crossan and Jonathan L. Reed, *Excavating Jesus: Beneath the Stones, Beneath the Texts* (New York: HarperCollins, 2001), 264–71.

¹⁰ Note that though the trial narratives occur elsewhere in the Gospels—and in particularly in the Gospel of John—this thesis’s focus will be entirely on the narrative of the Lukan works.

¹¹ Jim Kerwin, *The Judicial Adventures of Paul the Apostle: A Look at Roman Law in Acts* (Chesapeake, VA: Finest of the Wheat Publishing, 1993), 24–26; Sherwin-White, *Roman Society*, 78–83; Harry W. Tajra, *The Trial of St. Paul: A Juridical Exegesis of the Second Half of the Acts of the Apostles* (Eugene, OR: Wifp and Stock, 1989), 1.

¹² Gibson, “The Trial of Jesus,” 100–102.

¹³ Tajra, *The Trial of St. Paul*, 1–3.

experienced in the day-to-day life of subjects of the empire. Indeed, it is fair to conclude that Luke knew little of Jewish or Roman trial practice or jurisprudence, and that the historicity of his account lies in its overall arc; though something like the trial accounts certainly happened, Luke has arranged and crafted the accounts in order to support and emphasize his theological messaging.

Understanding this orchestration of elements is the crux of apprehending Luke's argument for *how* Jesus and Paul illustrate strategies necessary for engaging with the disparate legal systems of the Roman *milieu* and, by extension, with systems of oppression in every age. It is thus necessary to examine each of the accounts of the twin protagonists of Luke-Acts with judicial authorities.

Roman Law in the Provinces: A Very Short Primer

First, though, it is helpful to recount what is known of the contours of Roman law as it existed in the provinces during the early years of the imperial period. When considering Roman law as a body, it is important to be specific: time and place both matter, in ways that might not be apparent to a student or practitioner of American law.

Relevant Concepts of Roman Law

Scholars have tended to divide the history of Rome into three periods: (1) antiquity; (2) the republican period; and (3) the imperial period; even these distinctions are likely not granular enough for a deep consideration of the law.¹⁴ At all times, a number of streams of influence shaped its substance and procedures: “Under the Republic, senators competed with each other, the priests (who were also senators) competed with the magistrates (who were sometimes also priests), and the jurists with the

¹⁴ Andrew Rigsby, *Roman Law and the Legal World of the Romans* (Cambridge: Cambridge University Press, 2010), 11.

advocates.”¹⁵ After the Republican period—and particularly in the period during which Christ and Paul were placed on trial—the emperors exerted a heavy, though surprisingly not always definitive, influence on the system.¹⁶

Nor is the historical period the only determining factor in analyzing the “law” that constituted “Roman law” in any particular situation. Indeed, though law within the city of Rome and its immediate environs is relatively well-documented and well-defined at all times, the “law” as it existed in Rome’s far-flung provinces was another matter entirely, and dependent to a great degree on the whims of individual officials. The powers of provincial governors in their domains was almost unchallenged, and whether an individual governor justified his decisions with reference to existing law or not depended on the personality of the man in question, on his slate of advisors, and on the materials available to him.¹⁷ In general, magistrates were empowered to do what was required to keep the peace,¹⁸ and their authority to find facts and determine law was not bound by strict rules regarding precedent or formalized lists of proscribed actions.¹⁹

Indeed, in the Roman system trials conducted before judicial officials were governed by a body of law loosely called the “*ordo*”²⁰ or “the list.” As with most laws in a civil system, the number of laws in the *ordo* was relatively small, dealing mostly with

¹⁵ Jill Harries, *Law and Crime in the Roman World* (Cambridge: Cambridge University Press, 2007), 13.

¹⁶ Rigsby, *Roman Law*, 14–24.

¹⁷ Harries, *Law and Crime*, 28.

¹⁸ Harries, *Law and Crime*, 29–32.

¹⁹ Ari Bryen, “Martrydom, Rhetoric, and the Politics of Procedure,” *Classical Antiquity* 33, no. 2 (2014): 243–280, 249 (noting that Roman provincial justice often relied on categories and facts as arbitrary as appearance or aesthetics in making determinations); Thomas E. Simmons, “Saint Paul’s Trial Narrative in Acts: Imperium Romanun vs. *Vasilea Tou Theou*,” *South Dakota Law Review* 65 (2020): 318–69, 322.

²⁰ Harries, *Law and Crime*, 29; Kerwin, *The Judicial Adventures*, 10–11; Sherwin-White, *Roman Society*, 14.

corruption or treason against the state.²¹ Romans divided cases into “public” and “private” matters in something like the way that Americans would divide “criminal” from “civil” matters. “Public” matters, however, were confined to those matters that impacted the public good, like bribery or abuse of office; common crimes—what moderns would think of as the proper subject of the legal codes—were often not included.²² Such crimes (indeed, the vast majority of offenses one could commit) were *extra ordinem* and therefore, ironically, most trials conducted dealt with charges that were by definition “out of the ordinary.”²³

In such cases, the provincial governor had almost absolute power to decide the fate of the accused and to determine the law, except under certain special circumstances associated with appeal. This discretion—and the undefined and perhaps infinite boundaries of the *extra ordinem* category—encouraged accusers to test the system by bringing accusations before the magistrates that were vague or ill-defined, but carried with them the sense of disorder or rebellion.²⁴ Typically, such charges amounted to the idea of *majestas* (roughly meaning, at least in this context, a crime against the deified emperor); the range of behaviors that made one guilty of this crime ranged from open rebellion against the state to tax fraud to merely insulting the emperor.²⁵

These streams of influence produced a system that was at once highly formal but not at all bound by the considerations of repeatability that are the core of the American system. There was no system of formal precedent, and judges and magistrates were typically permitted to “create” law in a way uncountenanced by modern systems,

²¹ Rigsby, *Roman Law*, 11–14; Sherwin-White, *Roman Society*, 13–15; Kerwin, 11–12.

²² Rigsby, *Roman Law*, 195.

²³ Harries, *Law and Crime*, 30; Rigsby, *Roman Law*, 195–196.

²⁴ Harries, *Law and Crime*, 28–29.

²⁵ Simmons, “Saint Paul’s Trial Narrative in Acts,” 320–321.

based either on their own legal or personal agendas, or on factors having nothing to do with the truth or falsity of the claims made by or against the parties.²⁶ Accordingly, a Roman magistrate was as likely to consider the social standing of accusers and accused, the political implications of a conviction or of certain types of punishment, or the personal interests of nonlitigants.²⁷

Such charges were heard (at least in the provinces) in the context of a proceeding called the *cognitio*, in which the magistrate heard the accusation and rendered a verdict under his own authority; the term is flexible enough that it also included those situations in which the magistrate independently investigated issues under the flag of law.²⁸

The charges against both Paul and Jesus were *extra ordinem*, particularly in the sense that they could not be easily defined. *Cognitio extra ordinem*²⁹ followed a structured procedural pattern: (1) the accuser was required to announce the charges in a declaration; (2) the defendant(s) were permitted to present evidence or argumentation in opposition to the accusations, typically employing the Roman style of *oratorio*; and (3) the provincial governor heard the matter and consulted with a *consilium*—a council of advisors selected for their political interest or usefulness, or (occasionally) for their subject-matter expertise.³⁰

²⁶ W. D. Aston, “Problems of Roman Criminal Law,” *Journal of the Society of Comparative Legislation* 13, no. 2 (1913): 213–31, 226 (“The Roman system . . . lack[ed] . . . a coherent law of evidence. . . [H]earsay was freely admitted. . . . Indeed, the defendant’s character [w]as . . . more relevant than the facts alleged against him.”).

²⁷ Harries, *Law and Crime*, 13–14; Bryen, “Martyrdom,” 248–49.

²⁸ Harries, *Law and Crime*, 28–30.

²⁹ It should be noted that though the literal translation of the phrase *extra ordinem* may cause it to appear “out-of-the-ordinary,” this appearance is the result of a category error. The participants in the Roman system considered proceedings *extra ordinem* to be every bit as legitimate and “regular” as proceedings that were “according to the list.” Harries, *Law and Crime*, 30.

³⁰ Harries, *Law and Crime*, 30; Sherwin-White, *Roman Society*, 17–18; Kerwin, *The Judicial Adventures*, 29.

The Roman Ideal

Of course, systems do not exist in a vacuum. They arise from the collective hopes, dreams, and needs of a particular people at a particular period in time. It is therefore useful to ask what the Romans themselves thought of their system. In particular, what were its ideals? And what did the enforcement of those ideals in places like Roman Judea say about them?

As it turns out, the Romans were, in this sense, quite modern. The student of Roman history will know that the republican and imperial systems of expansion were supported by the twin pillars of ruthless violence and almost inhuman efficiency.³¹ The Romans relied in both conquest and rule on “structural violence towards slaves, lower class, and conquered people, and on massive inequality between different social groups.”³² Indeed, it is difficult to think of the Romans without thinking of Calpurnius’s words, relayed through the historian Tacitus:

Romans, from whose oppression escape is vainly sought by obedience and submission. Robbers of the world, having by their universal plunder exhausted the land, they rifle the deep. If the enemy be rich, they are rapacious; if he be poor, they lust for dominion; neither the east nor the west has been able to satisfy them. Alone among men they covet with equal eagerness poverty and riches. To robbery, slaughter, plunder, they give the lying name of empire; they make a desert and call it peace.³³

But the Romans did not see themselves thus. They believed wholeheartedly that they were carrying the light of justice and law into a dark and benighted world. Indeed, they believed that *aequitas* (roughly, “equality”) and *iustitia* (roughly, “justice”) were divine principles, with their wellsprings in the work of the gods themselves; execution of the Roman legal system was thus a religious obligation, as well as a civil

³¹ Arthur M. Eckstein, *Mediterranean Anarchy, Interstate War, and the Rise of Rome* (Berkeley: University of California Press, 2009), 12–36.

³² Koenraad Verboven and Olivier Hekster, *The Impact of Justice on the Roman Empire* (Leiden: Brill, 2019), 1.

³³ Cornelius Tacitus, *Agricola*, trans. Alfred John Church and William Jackson Brodribb (New York: Fordham University, 1999).

duty.³⁴

Livy captures it perfectly:

There is a people on earth that wages wars for the freedom of others, at its own expense, its own toils and risk—and stands firm not just for those at its borders, or peoples in its near vicinity, or those joint by connecting lands, but crosses the seas so that there would be no unjust rule in the world and justice, and divine and human law would everywhere prevail.³⁵

As Verboven and Hekster observe in noting that Rome’s subjects (as many as a quarter of the whole human race then living) were in many cases convinced that Rome *was* justice:

Law is as much (if not more) a device to protect economic interests than it is to ensure the realization of abstract notions of justice and fairness Law is potentially a highly effective ideological construct to convince those who are subject to it that structural inequalities in wealth or power are for the common good, even if they are not good for everyone.³⁶

The literature from the Romans themselves notes the senses in which *aequitas* and *iusititia* on the one hand, and the compulsion to maintain the peace of the empire and the obedience of its subjects on the other were held in equipoise, with practicality often winning out.³⁷

And though substantive justice was not always in view, procedural rectitude—transparency and process and the creation of mechanisms for litigants (particularly citizens) to observe the system—provided an important hedge against absolutely arbitrary outcomes. The Roman system can justifiably be criticized as harsh, corrupt, and exploitative. But the important procedural safeguards that it pioneered in the ancient world and normalized in subsequent systems—the right to appeal to higher authorities,

³⁴ Nicolae V. Dura, “‘*Justitia*’ and ‘*Aequitas*’ in the Perception of the Greek Philosophers and of the Roman Jurists,” *Teologia Młodych* no. 4 (2015): 4–9, 8–9.

³⁵ Verboven and Hekster, *The Impact of Justice*, 1; Livy 33,33. Livy’s words are sobering to those of us who have—rightly or wrongly—thought of their country as a benevolent hegemon. Everyone, in the end, thinks they are the hero of the story.

³⁶ Verboven and Hekster, *The Impact of Justice*, 2.

³⁷ Verboven and Hekster, *The Impact of Justice*, 1; Dura, “‘*Justitia*’ and ‘*Aequitas*,’” 6–9.

for instance, or the fact that the provincial governor was typically required to announce his judgment publicly—in theory guaranteed a quantum of accountability.³⁸

This is worth considering as one examines the intersection of kingdom and empire. The Romans thought of their system in ways that they did not always live out in practice. But they *had* ideals. This is more than can be said for many systems, even today, and (as will be discussed more fully *infra*) though those ideals ultimately did not benefit Christ, they provided (potentially) an important entry point for Paul as an internal agent with transformative intent.

Jesus before the Authorities

The events surrounding Christ’s ultimate trial before the Roman and Herodian authorities begin in Luke 22 and continue through the end of the book, with his ultimate crucifixion and resurrection. A short examination of these events is necessary in order to unpack their meaning.

Contacts before Jesus’s Roman Trial

Our focus, as explained above, is on interactions with the Roman provincial authorities. But those interactions did not occur in a vacuum; they were preceded by, and in some cases intertwined with, Jesus’s contacts with the Sanhedrin and its various hangers-on, the religio-political arm of the native Jewish state in Judea.

Those interactions are described in Luke 22. Seized at Gethsemane under cover of darkness, Christ was taken to the home of Caiphas, the high priest. At Caiphas’s home, Christ was subjected to both torture and mockery (Luke 22:63–65), and then to a very strange hearing before both the high priest and what appear to be the Sanhedrin (“the elders of the people and the chief priests and the scribes”; Luke 22:66). Though it is unclear whether this hearing was a “trial,” it has a decidedly judicial flavor, with

³⁸ Harries, *Law and Crime*, 41–42.

witnesses, testimony, and a final condemnation.

Luke recounts the Sanhedrin's straightforward question: "Art thou the Christ?" (Luke 22:67). Christ's response is singular: answering them is useless, because if he defends himself, they will not believe him, and even if they believed him, they would not let him go (Luke 22:68). He ends with a terse but ambiguous affirmation: "Hereafter shall the Son of man sit on the right hand of the power of God" (Luke 22:29). This answer apparently catches the Sanhedrin by surprise, for they ask a followup: "Art thou the Son of God?" Christ's response, again, is abrupt: "Ye say that I am" (Luke 22:70). This draws a charge of blasphemy from the assembled jurists (Luke 22:71). Without further preamble, the chief thrust of the narrative—the fatal reference of Christ's case to the Roman authorities—begins: the Sanhedrin ("the whole multitude") led Christ to the Roman governor³⁹ of Palestine, Pontius Pilate.

The First Trial before Pontius Pilate

Given the vast discretionary powers of Roman magistrates, their personal and political positions matter. Accordingly, it is worthwhile to examine what kind of character Pilate is, and particularly to dwell for a moment on his troubled history with the Jewish authorities. The ancient accounts of Pilate's behavior paint him almost universally as cruel, vindictive, and violent, with a penchant for rule punctuated by vast contempt for the population over which he exercised authority and an "endless savage ferocity."⁴⁰ He had provoked widespread rioting upon his arrival from both Jews and Samaritans when

³⁹ Luke does not refer to Pilate by his title; of the gospels, only Matthew names his position: ἡγεμόνος, a title ("hegemon") too indefinite to conclusively place his rank among within the Roman governing apparatus. Both Josephus and Tacitus indicate that Pilate was *procurator*, while physical historical evidence found in Caesarea in the latter part of the twentieth century would seem to indicate that he was a *praefectus*. See, e.g., Gibson, "The Trial of Jesus," 102; F. F. Bruce, *Paul: Apostle of the Heart Set Free* (Grand Rapids: Eerdmans, 1983), 354. In any event, one thing is certain within the narrative of Luke: he is the ranking Roman official within Judea, and all parties perceive him as the locus of Roman power in the territory.

⁴⁰ Gibson, "The Trial of Jesus," 103.

soldiers bore into Jerusalem busts of the deified emperor affixed to their shields.⁴¹

On two other occasions, his conduct prompted rioting in Jerusalem, with accompanying acts of brutal suppression. First, shortly after his arrival in Jerusalem, he punished rioters whose activity was prompted by his misuse of funds intended for repair of the aqueduct into Jerusalem; large numbers of the rioters were killed by Roman soldiers or trampled underfoot by their fellows.⁴² On another occasion, not well-described in the histories but remembered in Luke 13:1, Pilate killed Galileans who were in Jerusalem to participate in temple worship (“There were present at that season some that told [Jesus] of the Galileans, whose blood Pilate had mingled with their sacrifices.”).⁴³

Accordingly, the reader of Luke who is aware of this background has reason to be uneasy with Christ’s movement from the house of Caiphas to the provincial governor’s palace; Pilate was, by predilection, politics, and personality, presiding over a powder keg. In such a case, the flexibility of the Roman justice system and the ability of litigants to creatively frame their charges, allowing extrajudicial factors to weigh heavily in the disposition of the case, was at its peak.

And the Sanhedrin knew it; on the way to the palace, they cleverly modified the nature of the charges that they would ultimately levy against Jesus, casting them in quite different terms than the theological dispute that caused such consternation in the preceding verses: “We found this fellow perverting the nation, and forbidding to give tribute to Caesar, saying that he himself is Christ a king” (Luke 23:2).

The proceeding that follows *seems* like a trial, though there are precious few indicia of Roman trial practice. Pilate begins his interrogation with a straightforward

⁴¹ Kazuhiko Yamazaki-Ransom, *The Roman Empire in Luke’s Narrative* (New York: T&T Clark International, 2011), 109–14; Gibson, “The Trial of Jesus,” 100–03.

⁴² Gibson, “The Trial of Jesus,” 100–03.

⁴³ It is also noteworthy that, years after Christ’s execution, Pilate massacred a number of Samaritans, an act of such unwarranted ferocity that he was recalled by the emperor. See Gibson, “The Trial of Jesus,” 103.

question: “Art thou the King of the Jews?” (Luke 23:3). It is apparent from this line of questioning that Pilate’s concerns are temporal rather than theological; by asking whether Jesus is making a claim to kingship over Judea, Pilate indicates a desire to eliminate rebellions of the type that he has already encountered during his troubled time as procurator. Christ responds ambiguously: “Thou sayest it.”

This response is ambiguous, but from it Pilate apparently concludes that whatever crime Jesus is guilty of, it is not guilt of the kind that the Jewish leadership has represented (that is, a threat to Rome). This is not surprising; Pilate was used to violent insurrection, not the mystifying and near-pacifist teaching that Jesus’s kingdom of God represented. Pilate accordingly announced: “I find no fault in this man” (Luke 23:4).

It is at this point that the Jewish leadership provide Pilate with an escape hatch familiar to reluctant judges everywhere: a jurisdictional challenge. The persistent Sanhedrin makes it known that Christ has stirred the people up with his teaching, “beginning from Galilee” (Luke 23:5). Pilate fixes on this immediately; Galilee was outside his jurisdiction, being ruled instead by the dynasty of Herodian client-kings (Luke 23:7). Accordingly, from Pilate’s perspective Christ should be judged by Herod, the tetrarch of Galilee.

The Trial before Herod

Pilate’s idea of putting Jesus before Herod was triggered by proximity as well as jurisdiction; Luke tells the reader that Herod was visiting Jerusalem at the time of Jesus’s trial (Luke 23:6). When Jesus was bound over to be judged by Herod, Herod reacted with joy: “Herod . . . was desirous to see [Jesus] of a long season, because he had heard many things of him; and he hoped to have seen some miracle done by him” (Luke 23:8)⁴⁴

⁴⁴ This desire is memorably recalled in *Jesus Christ Superstar*, Andrew Lloyd Weber’s musical, in which a vamping Herod requests that Christ, “Prove to me that you’re no fool / Walk across my

Whatever Herod's desire or expectation, he was left sorely disappointed. Jesus's response was singular: he said absolutely nothing, even as the "chief priests and the scribes" accused him (Luke 23:9–10). In response, Herod and his "men of war" viciously beat and mocked Jesus and then dressed him in a "gorgeous robe"—presumably, one fit for a king—and sent him back to Pilate for judgment (Luke 23:11). Pilate and Herod thereafter healed whatever rift had emerged between the two of them (Luke 23:12).

The Second Trial before Pontius Pilate

With Herod unable to make any decision, he referred Jesus back to Pilate. In the passage that follows, Pilate's exasperation as a magistrate is almost palpable: he once again sought to argue Christ's case before the Jewish leaders, indicating that neither he nor Herod could find any guilt in Jesus's conduct (Luke 23:14–15): "Ye have brought this man unto me . . . [and] I have examined him before you, [and] have found no fault . . . touching the things whereof you accuse him . . . lo, nothing worthy of death is done in him" (Luke 23:14).

Pilate's proposed solution: binding Jesus over for punishment, and then releasing him (Luke 23:16). This, the narrator tells the reader parenthetically, was in accordance with a tradition of the Passover that Pilate must release one criminal to the crowd at the Passover feast (Luke 23:17). But the assembled crowd would have none of it, regardless of Pilate's proposal.

If one man had to be released, they cried out "all at once," that man should be Barabbas, a rebel against the Roman government and an assassin (Luke 23:18–19). Three times Pilate proposed the same solution—the punishment and release of Christ—and

swimming pool." Though this is not biblical, of course, it accurately reflects the crassness of Herod's interest. See "Herod's Song (Try It and See)," track 18 on Original Cast, *Jesus Christ Superstar: a Rock Opera* (New York: Decca, 1970).Gor

three times the assembled crowd shouted him down, urging him instead to release Barabbas (Luke 23:20–22). At last, having reached the end of his patience, both with Christ and with the crowd, Pilate granted them their desire, and pronounced judgment: Jesus was sentenced to death by crucifixion. The final passion narrative begins (Luke 23:23–24).

Paul before the Authorities

Of all the characters who appear in the New Testament narratives, it is possible that we know the most about Paul; he wrote a good portion of the collected books of the New Testament through letters addressed to the churches, and at least some of his sermons and teachings have been preserved in the narrative of Acts. Accordingly, he occupies a curious place in the New Testament: a comparatively larger portion of his thought is available to us than just about any other New Testament figure. But his *actions* and *history* are known to us primarily through Acts, where he is the primary protagonist of the book's second half. Just as with Luke, the rising action of Acts leads ultimately to a trial (or a series of them) in which the protagonist's innocence of the charges against him is never in doubt, but in which the protagonist nonetheless marches towards a predetermined outcome.

Contacts before Paul's Final Trials

Even prior to this ultimate series of trials, Paul is no stranger to the Roman justice system, and not only in the sense that, like Jesus, he is referred by the Jewish authorities to the justice of their Roman masters. Indeed, legal trouble seemed to follow Paul wherever he went: with near-alarming regularity, he first sought the synagogue in every town, and his message was either rejected outright as heresy or stirred up passions that boiled over into violence. Not long after, he typically found the jail and then the Roman authorities.

Sergius Paulus. Paul's encounter with Sergius Paulus, the Roman governor of Cyprus, is instructive as the first episode in Paul's missionary journeys involving a Roman official. The facts of the encounter are terse but illuminating. Paul and his compatriot missionaries, Barnabas and Silas, after traveling to Cyprus from Selucia, arrived at New Paphos, Cyprus's provincial seat (Acts 13:5). There they came into contact with a "certain sorcerer, a false prophet, and a Jew" with the suggestive name Bar-Jesus⁴⁵ (Acts 13:7). The "deputy of the country,"⁴⁶ Sergius Paulus, had apparently fallen in with Bar-Jesus, and heard the testimony of Paul and Barnabas with the sorcerer in tow (Acts 13:7). Bar-Jesus sought through his influence to turn Sergius Paulus, who may have been predisposed to hear Paul and Barnabas, "from the faith" (Acts 13:8).

The climax of this encounter is particularly noteworthy, for two reasons. The first, which will be developed later in this thesis, is the curious juxtaposition of alternative names for the contending parties. Bar-Jesus, we are told parenthetically, is actually named Elymas (Acts 13:8). Paul, who heretofore has been referred to only with his Hebrew name, is suddenly addressed in the narrative for the first time as "Paul" (first parenthetically, but then throughout the narrative, without significant exception) (Acts 13:9).

Second, the Bar-Jesus episode is striking both for its resolution and for its impact on Sergius Paulus. Met with resistance from Bar-Jesus, Paul was suddenly imbued with supernatural power (Acts 13:9: he was "filled with the Holy Ghost"). Pronouncing a curse on the sorcerer, he declared that Bar-Jesus/Elymas, as a "child of the devil" would be afflicted with blindness "for a season" (Acts 13:10). The curse immediately took effect, closing Bar-Jesus's sight in "a mist and a darkness" (Acts 13:11). Sergius Paulus thereafter "believed, being astonished at the doctrine of the Lord" and becoming the first

⁴⁵ "Son of Jesus."

⁴⁶ The Greek is "ἀνθυπάτω" (*anthypato*), the typical Greek term for proconsul.

(named) Gentile to accept the teaching of Christ under Paul's teaching and preaching (Acts 13:12).

Before the Sanhedrin. As with Christ, Paul's gateway into the gauntlet of Roman provincial (and ultimately imperial) authority was a confrontation and quasi-judicial hearing before the Sanhedrin. That confrontation begins with Paul's return to Jerusalem following his missionary journeys and is described in Acts 21. Following a report to the Jerusalem church about his success in testifying to the Gentiles, Paul was seized by "Jews which were of Asia" (Acts 21:27). These men—their identities are not entirely clear—accused Paul before the assembled crowds at the temple of "pollut[ing] this holy place" by bringing Greeks there, and of "teach[ing] all men every where against the people" (Acts 21:28).

Paul's summary execution was stopped by "the chief captain of the band," a tribune of Roman soldiers⁴⁷ in Jerusalem by the name of Claudius Lysias, who had received words that "all Jerusalem was in an uproar" (Acts 21:31). This Roman force seized Paul and, unable to determine on the spot what charges might be laid against him, brought him in chains back to their garrison. Luke recounts a striking exchange that occurred on the way: Paul spoke to Lysias in Greek, and the tribune, surprised, relayed his mistaken belief that Paul was an Egyptian terrorist who had recently been active in the Judean wilderness (Acts 21:32–34). Paul was permitted, at his request, to address the crowds that accosted him, and testified to his commission to the Gentiles (Acts 22:1–23).

The crowd, unmoved, called for Paul's death and Lysias, apparently having reached the end of his patience and wary of the crowd, ordered that Paul should be subjected to questioning by scourging (Acts 22:24). As the soldiers prepared to execute

⁴⁷ Rendered in Greek as "χίλιάρχος" (*chiliarchos*), the common Greek nomenclature for a Roman tribune, the military rank that nominally commanded 1,000 men. Accordingly, this particular official would have been high-ranking within Roman military community in Judea.

their orders, Paul told them that he, too, was a Roman citizen, and could not be subjected to questioning under the lash (Acts 22:25). Lysias immediately stopped any efforts to torture him, and instead remanded him to the Sanhedrin.

Paul's trial before the Sanhedrin was brief but contentious. Paul greeted the assembled elders as brothers. Perceiving this as disrespectful, Ananias, the high priest, ordered those who were holding Paul to smite him on the mouth; this, in turn, provoked a heated response from Paul arguing that the high priest was not acting in accord with the law and an apology out of respect for the high priest's station (Acts. 23:2–3). Thereafter, Paul set the factions of the Sanhedrin on one another, arguing that he was being called to account for his belief in the resurrection of the dead (an idea proposed and advocated for by the faction of the Pharisees, with whom Paul claimed membership) (Acts 23:5–9). By casting things in these terms, Paul obligated the Pharisees to defend him in the Sanhedrin, throwing the whole council into confusion (Acts 23:10). Lysias, fearing for the safety of his charge, ordered that Paul should be removed to the company citadel (Acts 23:11).

What follows is a complex plot by the Jewish leaders to kill Paul, which is thwarted by the action of Paul's nephew and the quick thinking of Lysias. In an effort to maintain order, Lysias at last sent Paul for trial in the provincial capital, before the Roman procurator Felix. The tribune's letter to Felix is suggestive:

Claudius Lysias unto the most excellent governor Felix sendeth greeting. This man was taken of the Jews, and should have been killed of them: then came I with an army, and rescued him, having understood that he was a Roman.⁴⁸ And when I would have known the cause wherefore they accused him, I brought him forth into their council: Whom I perceived to be accused of questions of their law, but to have nothing laid to his charge worthy of death or of bonds. And when it was told me how that the Jews laid wait for the man, I sent straightway to thee, and gave commandment to his accusers also to say before thee what they had against him. Farewell. (Acts 23:26–30)

⁴⁸ Lysias's puffery regarding his motives for rescuing Paul—of whose Roman citizenship he was unaware until well *after* he had retrieved him from the mob—is an underappreciated spark of humor in the narrative, and object evidence that the impulse to present oneself in the best possible light to one's supervisors has ancient provenance.

Following this dispatch, Lysias sent Paul to the provincial governor's palace in Caesarea under armed guard (Acts 23:31–33).

The Trial before Felix of Caesarea

The stage is thus set for the climax of the entire narrative of Luke-Acts, a climax that will end with three separate trials before the Roman provincial authorities. These passages become an echo of the Lukan passages regarding Jesus's trials before Pontius Pilate.

As with Jesus, the charges against Paul are vague, novel, and not in the *ordo*, so they are presented by the litigants in a free-flowing way; accordingly, for good or ill the judge's personal circumstances and the political situation in which he found himself are components of the overall adjudication, in a way that would likely not matter at all in the American system. Contemporary historians report that Antonius Felix, the fourth procurator of Palestine and the person upon whom Paul's fate seemed to hang when he arrived in Caesarea at the end of Acts 23 was a highly corruptible official, subject to bribery and extortion and all manner of other wrongdoing.⁴⁹

A Greek freedman and political appointee whose brother Pallas was a chief courtier of the previous Roman emperor, Claudius, Felix wasted no time when he arrived in Roman Palestine in establishing himself as a force with the Herodian tetrarchs who held sway over the area.⁵⁰ Indeed, he married into the family: he had convinced his wife Drusilla, the daughter of Herod Agrippa I and the sister of the then-current tetrarch, to divorce Gaius Julius Azizus, King of Emesa, and marry him.⁵¹ He did not, however, adopt the Jewish faith of his Herodian in-laws, despite historic agreement that he had

⁴⁹ Bruce, *Paul: Apostle of the Heart Set Free*, 354–58.

⁵⁰ Yamazaki-Ransom, *The Roman Empire*, 135–45; Bruce, *Paul: Apostle of the Heart Set Free*, 355.

⁵¹ Yamazaki-Ransom, *The Roman Empire*, 140–141; Bruce, *Paul: Apostle of the Heart Set Free*, 355–56.

formed a close alliance with the Jewish leaders of the Sanhedrin, including Ananias, the priest who presided over Paul's trial.⁵²

All of this is to say that Felix sat at the delicate center of a webwork of familial, political, and religious relationships that would have tested the acumen of a man with far stronger character than he is reputed to have had. Following Lysias's dispatch of the letter describing his predicament in Jerusalem and the events which flowed from Paul's hearing before the Sanhedrin, Felix received Paul, and indicated that a trial could occur when Paul's Jewish accusers arrived (Acts 23:35).

As Kerwin and Sherwin-White have both pointed out, Paul's trial before Felix contains all three elements of the *cognitio*.⁵³ First, the interlocutors who ultimately arrived to prosecute Paul were Felix's political ally Ananias, a delegation of the Sanhedrin, and—for the first time in the New Testament—an actual prosecutor associated with the Roman legal function, an orator by the name of Tertullus (Acts 24:1–2).

Tertullus's oration follows. It begins with an attempt to obtain Felix's goodwill, in the Roman rhetorical style suitable to a forensic speech:⁵⁴

We accept it always, and in all places, most noble Felix, with all thankfulness. Notwithstanding, that I be not further tedious unto thee, I pray thee that thou wouldest hear us of thy clemency a few words. For we have found this man a pestilent fellow, and a mover of sedition among all the Jews throughout the world, and a ringleader of the sect of the Nazarenes: Who also hath gone about to profane the temple: whom we took, and would have judged according to our law. But the chief captain Lysias came upon us, and with great violence took him away out of our hands, Commanding his accusers to come unto thee: by examining of whom thyself mayest take knowledge of all these things, whereof we accuse him. And the Jews also assented, saying that these things were so. (Acts 24:3–9)

Tertullus's oration is focused to a major extent on a theme near and dear to Roman hearts: the centrality of peace and order. Given the turbulent environment of

⁵² Yamazaki-Ransom, *The Roman Empire*, 135–45.

⁵³ Kerwin, *Judicial Adventures*, 24; Sherwin-White, *Roman Society*, 17.

⁵⁴ Addressed *infra* in Chapter 4.

Judea and the precarious webwork of relationships in which Felix had enmeshed himself, Tertullus's point, and his arguments against Paul, are easy to understand. By emphasizing the vague charges against Paul as involving sedition and rabble-rousing and the promotion of a sect with vague aims and agendas, Tertullus also emphasized the potential for disharmony and violence in Felix's jurisdiction. More: without actually saying it, the oration implied the extent to which the governor was reliant on Jewish leadership—as they were reliant on him—to maintain the fragile order.

To his credit, Felix followed the *extra ordinem* trial process and gave Paul an opportunity to speak on his own behalf. Though the implications of Paul's defense are unpacked later in this thesis, his defense was straightforward: the evidence against him was insufficient. As to the charge of sedition, Paul simply stated that his prosecutors “neither found me in the temple disputing with any man, neither raising up the people, neither in the synagogues, nor in the city. Neither can they prove the things whereof they now accuse me” (Acts 24:12–13).

As to the idea that he had committed heresy, Paul argued that he and the Jewish leaders were having a theological dispute, but aimed at worshipping the same God. The difference: Paul was worshipping “according to the way” (Acts 24:14–16). As result, Paul implied, their dispute was not a matter for the Roman government, but rather a dispute between members of an ethnic religion. Paul thus signaled for Felix that belief in Christ (“the way”) was actually in continuity with the religion of his Jewish accusers, and therefore sanctioned under imperial law as a *religio licita*; it believed the same scriptures, was centered on worship of the same divinity, and shared the same hope of resurrection from the dead (Acts 24:17–21).

Felix's response was ambiguous (it is not a judgment), but its effect is clear: he issued a stay, holding Paul in custody until testimony from Lysias could be heard. (Acts 24:22). This action was taken, in part, because Felix had pre-existing knowledge of Christianity (“more perfect knowledge of that way”). This was also consistent with

Roman trial procedure—Felix had concluded that he needed Lysias as a part of his *consilium*, if he were to render a full and final judgment.

In any event, Felix’s words imply a short pause in the proceedings while the necessary witnesses—in particular, Lysias and his men—make their way to the provincial capital to provide evidence. This is consistent with regular criminal procedure in provincial proceedings *extra ordinem*: magistrates frequently requested their local military agents to testify during *cognitio* so that their account could be weighed against that of the accused and the accuser.⁵⁵

Whatever the implication, though, Paul in fact was kept under arrest for *two years* following this hearing, as Felix stood, frozen in the act of judgment by forces both internal and external: the competing schemes of his enemies, his family’s political situation, his own personal reservations about “the way” of which Paul spoke, and the possibility of drumming up some monetary gain for himself.

Though Luke’s portrayal of Felix thus far has been more measured than other historical sources, here Felix’s essential character breaks in. During the long term of Paul’s imprisonment, Felix and his wife, Drusilla, visit with Paul, who shares words about “righteousness, temperance, and the judgment to come” (Acts 24:23–25). These words—for reasons not explained but certainly known to Luke’s original readers—strike in Felix fear and trembling (Acts 24:25). Moreover, the reader is told, Felix extended the term of Paul’s imprisonment for two overarching reasons: (1) because he hoped that Paul would offer him a bribe (Acts 24:26); and (2) because, even after his replacement as governor, he hoped that leaving Paul imprisoned would stabilize the political situation, doing the leaders of the Jewish faction a favor (Acts 24:27).

⁵⁵ Cedric Brelaz, “The Provincial Contexts of Paul’s Imprisonments: Law Enforcement and Criminal Procedure in the Roman East,” *Journal for the Study of the New Testament* 43, no. 4 (2021): 485–507, 492.

The Trial before Porcius Festus

Paul's period of imprisonment continued into the term of a new procurator, Porcius Festus (hereafter, "Festus" as he is addressed in the text). Much less is known of Festus than of his predecessor, perhaps owing to his relatively positive reputation with extra-biblical sources like Josephus. Though his term of office was marked, like that of all his predecessors, by sporadic fighting with insurgent groups, he is nonetheless reported to have occasionally taken the side of the Jewish people in disputes with the Herodian tetrarchs.⁵⁶

The narrative picks up by indicating that when Festus arrived in Caesarea, as befitted a new procurator, he visited Jerusalem. There, the Sanhedrin met with him and explained the situation related to Paul. Their request: that he summon Paul from Caesarea to Jerusalem, ostensibly so that he could be tried but in reality so that he could be waylaid on the road and assassinated, as they had planned when he was sent from Jerusalem to Caesarea in Acts 23 (Acts 25:3). Festus, perhaps told by his predecessor or sensing a deception in the offing, demurred that the Sanhedrin could come to Caesarea and once again lodge a formal complaint against Paul (Acts 25:4–5).

The Jewish leaders accepted this invitation, and a second Roman trial of Paul was convened, with Festus presiding as judge (Acts 25:5–6). Compared to the trial before Felix, the narrative summary of this first trial before Festus is highly abbreviated.

Again, the Jewish leadership raised ambiguous and ill-defined charges against him, and once again Paul responded that he had done nothing against the law, against the temple, or against Caesar (Acts 25:7–8). Festus, seeking to curry favor with his Jewish allies, offered Paul the opportunity to go to Jerusalem, to be judged by him there (presumably to secure the assistance of the Jewish elders as a *consilium* of advisors)

⁵⁶ Yamazaki-Ransom, *The Roman Empire*, 145.

(Acts 25:9).⁵⁷

Paul made one last gambit: as a Roman citizen, he had the right in a criminal case to be tried by Caesar directly (*provocatio*⁵⁸); he invoked this right, indicating that before Caesar in Rome was where he “ought to be judged.” He ended his discourse with a flat demand: “I appeal to Caesar” (Acts 25:11). Festus’s response is equally flat: “[U]nto Caesar shalt thou go” (Acts 25:12).

The Trial before Porcius Festus and Herod Agrippa

But Paul’s deportation to Rome did not immediately occur; rather, his period of imprisonment in Caesarea continued for an indeterminate amount of time. This lengthening of his imprisonment allowed time for a state visit by King Herod Agrippa II (hereafter, “Agrippa”) and his sister, Bernice, which occasioned Paul’s final recorded trial.

Agrippa (known in Roman documents as Marcus Julius Agrippa), like Herod Antipas, to whom Jesus gave the proverbial cold shoulder (this king’s distant relation), was monarch over a small and rotating number of kingdoms and territories in Palestine.⁵⁹ Though little of relevance to the inquiry of this thesis is known of him, his personal history reveals at least two significant details of note. First, Agrippa was raised as a Roman in the court of Emperor Claudius, and throughout his life maintained an unswerving loyalty to the Roman state. In return for this loyalty, four generations of Roman emperors assigned to him an unusual amount of power for a client-king, allowing him an enormous amount of influence. In return, the coinage and records of his realms

⁵⁷ Bruce, *Paul: Apostle of the Heart Set Free*, 363.

⁵⁸ Bruce, *Paul: Apostle of the Heart Set Free*, 363–64; Sherwin-White, *Roman Society*, 67; Michael J. G. Gray-Fow, “Why Festus, Not Felix? Paul’s *Caesarem Apello*,” *Journal of Evangelical Theological Society* 59, no. 3 (2016): 473–85, 477–79.

⁵⁹ Bruce, *Paul: Apostle of the Heart Set Free*, 364.

during his lifetime attest to an every-intensifying appreciation for his Roman masters.⁶⁰

Second, and held in tension with this loyalty to Rome, was an apparently deep and more-than-political concern for the welfare of the Jewish people. During his time as a courtier of Claudius, he sided invariably with the Jews over the Samaritans, and supported the Jews in their pursuit of various causes.⁶¹ This is not to suggest, of course, that he would allow Jewish interests to outweigh his loyalty to Rome, or that he ever became more than a Roman client-king; but it does suggest that there was nuance to his approach to issues where the interests of both states were impacted. It also suggests that, as a jurist, Agrippa might more fully have appreciated Paul's unique position, suspended between Jewish and Roman concerns.

In any event, Agrippa's state visit to Caesarea with Bernice in tow was fortuitously timed, as was the configuration of Agrippa's nuanced interests. Both explain why Festus sought his advice regarding the question of Paul's fate. The way that Festus approached Agrippa also suggests Festus's conflict:

It is not the manner of the Romans to deliver any man to die, before that he which is accused have the accusers face to face, and have license to answer for himself concerning the crime laid against him. Therefore, when they were come hither, without any delay on the morrow I sat on the judgment seat, and commanded the man to be brought forth. Against whom when the accusers stood up, they brought none accusation of such things as I supposed: But had certain questions against him of their own superstition, and of one Jesus, which was dead, whom Paul affirmed to be alive. And because I doubted of such manner of questions, I asked him whether he would go to Jerusalem, and there be judged of these matters. But when Paul had appealed to be reserved unto the hearing of [Nero], I commanded him to be kept till I might send him to Caesar. (Acts 25:16–21)

Naturally, this predicament piqued Agrippa's interest, combining as it did questions central to the Jewish theological and political structure and also the interests of his Roman masters. Yet another formal hearing was thereafter convened ("with great pomp," befitting the presence of a king), though this one was not like the first trial before

⁶⁰ Yamazaki-Ransom, *The Roman Empire*, 186–95.

⁶¹ Yamazaki-Ransom, *The Roman Empire*, 187–94.

Festus or the longer affair before Felix.

Neither any prosecutor nor Paul's accusers appeared to present any accusations, so Festus himself briefly summarized his predicament: the Jewish leaders were crying out for Paul's death, but Festus had not found any guilt in him worthy of death, and could not himself adequately state the charges. Accordingly, if only so that he could correctly describe what was at issue to Nero, he had decided to initiate the present inquest.

Thereafter, it is Agrippa who conducted the hearing, and it is to him that Paul addressed his defense. That defense started with a virtual paean of praise to Agrippa, expressing Paul's happiness at being able to present a defense to the Jewish charges to someone so well versed in the "customs and questions which are among the Jews" (Acts 26:2). Paul unfolded a clear enunciation of the gospel message and of his own history ("my manner of life"). He repeated, again, the story of his life as a Pharisee and his persecution of Christians. And he gave the gospel: the news that Jesus was the firstborn from the dead and the fulfillment of the promises made to Paul's Jewish ancestors:

Having therefore obtained help of God, I continue unto this day, witnessing both to small and great, saying none other things than those which the prophets and Moses did say should come: That Christ should suffer, and that he should be the first that should rise from the dead, and should shew light unto the people, and to the Gentiles. (Acts 26:22)

Festus's reaction indicated that he still did not understand Paul's words deeply, nor the nature of the dispute between Paul and the Jewish leaders, for he accused Paul of insanity. Paul avers his sanity and, turning again to Agrippa, invokes Agrippa's knowledge of Jewish custom and religion: "King Agrippa, believeth thou the prophets? I know that thou believest" (Acts 26:26–27). Agrippa's response is immediate: "Almost thou persuadest me to be a Christian" (Acts 26: 28).

The conclusion of the trial echoed this positive reception. Having dismissed Paul, the tribunal concluded that "This man doeth nothing worthy of death or of bonds" (Acts 26:29). Nonetheless, Paul's initiation of his right to appeal to Caesar had

irrevocably set in motion the wheels of state; it could not now be called back. Paul's third and final recorded hearing before the Romans ends with Agrippa's near-plaintive assessment: "This man might have been set at liberty, if he had not appealed to Caesar" (Acts 26:32).

An Unwritten Coda: The Trial before Nero Caesar

The reader is never acquainted with the course or results of the trial before Nero, the Roman *imperator* who held sway over the entire known world. Luke narratively leaves Paul in Rome, at Nero's very doorstep, "in his own hired house . . . [p]reaching the kingdom of God, and teaching those things which concern the Lord Jesus Christ, with all confidence, no man forbidding him" (Acts 28:30–31). Despite the dark shadows that lie over the narrative, the ending of Acts strikes a true note of hope for the continued vitality of the kingdom message beyond Paul's life. The journey of Paul thus ends with a kind of pregnant pause, as the kingdom message prepares to enter the halls of empire: "the proclamation and teaching . . . is projecting across the empire from within Paul's prison walls."⁶² As Simmons writes, "Luke ended *Acts* not with a verdict, but with a becoming[:] . . . not with a judgment, but with a germination."⁶³

⁶² Simmons, "Saint Paul's Trial Narrative in Acts," 364–365.

⁶³ Simmons, "Saint Paul's Trial Narrative in Acts," 366.

CHAPTER 4

NEGOTIATING EMPIRE

Negotiating Empire: Early Christian Responses to the Roman Empire

The parallel structures of Luke-Acts¹—both ending in trials that pit their innocent protagonists against imperial legal systems that can neither convict them nor let them go—suggest that Luke intended to convey a theological message through comparison. Ultimately, as will be explained further *infra*, that message is about how kingdom citizens must navigate through all kinds of exploitative human systems in the present age, if the kingdom message is to be spread in accordance with Christ’s commission. It is also about the limits of that navigation—that is, how Christians should conduct themselves when the systems of the world prove utterly incompatible with the kingdom message.²

The literary framework in which this messaging happens invites a comparison between Christ and Paul that focuses on their relative positions vis-à-vis the Roman system. Specifically, the key focus of the underlying narrative is on the differing nature of the protagonists: Christ’s essential alien-ness (what elsewhere in this thesis is called

¹ Luke is not, of course, the only gospel constructed with Roman ideological and theological claims in mind. Powerful work has been done to reconstruct the gospel of Mark as a polemic localized in Rome and responding to Flavian propaganda by demonstrating Jesus as both cosmically powerful and infinitely humbled. Adam Winn, *Reading Mark’s Christology under Caesar: Jesus the Messiah and Roman Imperial Ideology* (Downers Grove, IL: InterVarsity Press, 2018): 162–64

² Michael Gorman has argued forcefully that this is the real message of the Revelation: ultimately, Jesus, the Lamb of God, will overcome all incompatible world-systems, absorbing what is good into his own kingdom, and casting the rest into outer darkness. Gorman finds in this idea a caution about the limited extent to which Christians should participate in the kinds of civic worship currently embraced in modern evangelical culture, but also common to other ages and times when church and state were closely intertwined. See Michael J. Gorman, *Reading Revelation Responsibly: Uncivil Worship and Witness* (Eugene, OR: Cascade Books, 2011).

“externality”) means that he cannot interface in a transformative way with the Roman system, whereas Paul’s status as an agent internal to the system positions him to both use and ultimately transform the system by his actions. Ultimately, Luke uses the distinction created by these contrasting approaches to demonstrate the ways in which Christians must confront, negotiate, and sometimes surrender to hostile world-systems.

Negotiating like Christ: External to the System

As addressed previously, Christ’s trial is not described with the same forensic detail as Paul’s. This is due in large part to Christ’s responses to the questioning of his interlocutors: with a few terse exceptions, he gave no responses at all, and the responses which he did give are ambiguous in meaning.³

Misdirection

Silence is Christ’s major theme. Where he speaks at all, his responses focus on the ontological incompatibility of the system with his identity and mission as the Son of God and the Messiah. These short, sharply-punctuated responses can be summarized briefly.

Before the Sanhedrin, Christ responds to questions about his identity as Messiah by giving his longest narrative response: “If I tell you, ye will not believe: And if I also ask you, ye will not answer me, nor let me go” (Luke 23:66–69). In other words, “he would be willing to give an answer if his hearers were open to the possibility that he might be speaking the truth.”⁴ Moreover, he implies, no answer would satisfy them, for

³ This account of Jesus’s silence is in contrast to the account in the Gospel of John, which states that Jesus spoke and defended himself during his trial before Pilate. In the book of John, Jesus does not give a traditional defense during his trial. Instead, he speaks in a way that is meant to reveal his divine nature and purpose. He tells the leaders and officials who are questioning him that his works and teachings are a testimony to who he is, and that his Father in heaven is the one who bears witness to his identity as the Son of God. He also claims to have come from God and to be going back to God, and he tells them that their rejection of him is actually a rejection of God.

⁴ John Nolland, *Luke 18:35–24:53*, Word Biblical Commentary, vol. 35C (Dallas: Word, Inc., 1993), 1112–13.

their purpose is to ensnare him.

But he does not stop with this information, predicting that they will shortly see the “son of man” enthroned in a heavenly place (Luke 23:68: “Hereafter shall the Son of man sit on the right hand of the power of God”). This echo of Psalm 110:1 makes it clear that Christ is referring to the heavenly elevation of the person described. As readers, of course, Luke’s audience understands Christ is speaking of himself (Luke 9:51), but for the Sanhedrin this response is ambiguous in the extreme: who is Jesus speaking of? Sloyan finds in Christ’s enigmatic statement about the son of Man an attempt to reframe the Sanhedrin’s inquiry from the political realm to the religious one; though Luke certainly affirms Jesus as the Messiah, the bolder claim—and the one to which Jesus now shifts the Sanhedrin’s attention—is his identity as the supernatural Son of Man identified in Daniel 7:13.⁵

This ambiguity will also exist for *readers*, as well as for the Sanhedrin, though in a different way: “as we know from the overall thrust of the gospel, [Luke] is throwing an existential challenge to his readers. If they have faith in Jesus as Son of God, they will make the reality of heaven present on earth.”⁶ The narrative invites readers to think on a theological level, as well as a political one.

The Sanhedrin are incapable of the shift in frame from the political to the theological that Jesus’s claims require;⁷ they seize upon Christ’s words to ask him whether he is the person he describes. Christ’s answer is strongly ambiguous, almost playful, despite the dire circumstances: “Ye say that I am” (Luke 23:71). In other words, “What do you think?” They are not prepared, of course, to “recognize the work of God,” and this response highlights this unreadiness and the incompatibility of his claims with

⁵ Gerard S. Sloyan, *Jesus on Trial: A Study of the Gospels* (Minneapolis: Augsburg Fortress, 2006), 78–79.

⁶ Sloyan, *Jesus on Trial*, 80–81.

⁷ Sloyan, *Jesus on Trial*, 80.

their world view. He thus does not deny at all the charge of claiming to be the Messiah, but actually stokes their suspicion and anger with his ambiguous responses by claiming to be something even more.

This is echoed in the only response he gives to Pilate during his Roman trial(s). Asked by Pilate if he is “The King of the Jews,” he responds only, “Thou sayest it” (Luke 24:3). In other words, again, “The statement is yours” or “What do you think?” Fowler notes that both Pilate’s question and Christ’s answer (which are identical in Mark and Luke) is deliberately ambiguous: “It could mean ‘That’s what *you* say’ as a statement, or ‘Is that what *you* say?’ as a question.” From this perspective, the interaction becomes a question posed to the reader: “Pilate’s question to Jesus is simultaneously the narrator’s declaration to the reader and . . . Jesus’s declaration to Pilate is the narrator’s question addressed to the reader.” Luke is simultaneously declaring Christ to be the Messiah—“the King of the Jews,” in Pilate’s parlance—while asking the reader through Jesus’s voice: “What do you think he is?”⁸ These ambiguous responses hint at Christ’s destiny in ways that are confounding for the trial audience but are nonetheless clear to Luke’s readers.

Silence

Jesus’s overwhelming response in Luke, though, is only silence. How to explain this recalcitrance from a man whose ministry consisted of speaking and spreading the words of the kingdom to as many people as possible? And whatever Jesus’s motivation, why does Luke portray him in this way?

Khoury-Bisharet and Kitai-Sangero have offered up a number of reasons that Jesus might have refrained from speaking. He was not *obligated* to speak, under the terms of either Roman or Jewish law. Though the kinds of robust protection that exist in the

⁸ Robert Fowler, *Let the Reader Understand: Reader-Response Criticism and the Gospel of Mark* (Harrisburg, PA: Trinity Press International, 1996), 198

American system to prevent a defendant from being convicted for silence alone (the presumption of innocence, the explicit protections surrounding the right to refrain from self-incrimination⁹) were absent from the Jewish and Roman legal systems, there were rules surrounding conviction which allowed for silence.¹⁰ Under Jewish law, for instance, conviction could only proceed if two witnesses gave consistent testimony as to the relevant facts; Roman law was similar.¹¹ This is doubly so, when the charges are ambiguous or unclear, as they were in Luke; in such situations, it could not even be said that a case had been stated at all. As Pilate noted, Jesus did not appear to be making the claims of which the Jewish leadership accused him.

Christ may also have remained silent because he knew that the persons to whom he spoke would willfully misinterpret any response.¹² “[H]is steadfast silence,” in other words, “deprived the court of the possibility of exploiting, for its purpose, despite its lack of unanimity, the evidence given.”¹³

But such arguments miss the point of Luke’s portrayal of Jesus’s silence (and how they are contextualized by his later account of Paul’s trial experience), which marks him indelibly as an outsider to the systems of both Jewish and Roman justice. Luke casts Jesus as regarding the systems of the world—including the Roman system—as unfit to judge him at all; he represented in his own person a kingdom whose assumptions and origin were completely different in their conception of power and authority: in his silence, Jesus “distanced himself from Pilate and his authority, and made it clear that

⁹ US Constitution, amend. 5.

¹⁰ Hala Khoury-Bisharet and Rinat Kitai-Sangero, “The Silence of Jesus and Its Significance for the Accused,” *Tulsa Law Review* 55 (2020): 443–67, 455–56.

¹¹ Khoury-Bisharet and Kitai-Sangero, “Silence,” 456. Indeed, in John Jesus himself appears to refer to these rules regarding testimony. (Jn. 18:21: “Why askest thou me? ask them which heard me, what I have said unto them: behold, they know what I said.”)

¹² Khoury-Bisharet and Kitai-Sangero, “Silence,” 456–58.

¹³ Khoury-Bisharet and Kitai-Sangero, “Silence,” 456.

there was no point of connection between the nature of his kingdom and the earthly rule of Pilate.”¹⁴ Christ’s silence amounts to a refusal to cooperate with a system that was no longer legitimate, in light of the kingdom of which he was king.

Nor is this depiction a matter of Pilate’s personal character; that is, it is not simply a matter of *Pilate* being an insufficient audience for Jesus’s message. It is instead a measure of the feasibility of human justice to deliver results consistent with the kingdom ethic.¹⁵ Jesus’s teaching in Luke is skeptical of the ability of people to judge or condemn in conformity with the kingdom ethic (Luke 6:37). Luke’s depiction of Jesus’s silence is thus also a commentary on the proceedings themselves, which Luke has carefully constructed as illegal under both Jewish and Roman law: seized under cover of night on Passover eve, hastily condemned without a requisite waiting period, Christ was beaten and dragged before a provincial government which heard unfairly characterized charges against him, found him innocent, and *still could not release him*.¹⁶

In other words, Christ’s trial confirms what Christ himself taught—merely human systems are biased towards outcomes that are political and unjust in nature, and not towards the true administration of justice. Silence in the face of such systems is the only rationale response. By his silence, Christ demarked the borders between the kingdom of God and the empires of men, denying the jurisdiction of systems that perpetuated tyranny or which smacked of the vulgarity and abusive excess of human justice systems. Jesus, standing literally at the crossroads of divine and human affairs, the apotheosis of a message that was utterly incompatible with the view of the hearers, was not *positioned* to speak the words that would cause the kingdom to interface with the

¹⁴ Khoury-Bisharet and Kitai-Sangero, “Silence,” 460–63.

¹⁵ Khoury-Bisharet and Kitai-Sangero, “Silence,” 450.

¹⁶ Robert F. Cochran Jr. and Dallas Willard, “The Kingdom of God, Law, and the Human Heart: Jesus and the Civil Law,” in *Law and the Bible : Justice, Mercy, and Legal Institutions*, ed. Robert F. Cochran Jr. and David Vandrunen (Downers Grove, IL: IVP Academic, 2013), 160.

empire. Markers of externality in his origin, his ethnicity, and his cosmic claims as king of an eschatological kingdom would not permit him to co-opt the trappings of the imperial framework into which he was speaking.

This last point is particularly central: Jesus's silence marks him as an outsider because he is impelled towards a divine destiny that it would have been impossible for his interlocutors to understand: he had a rendezvous at Golgotha. Luke is clear that though Jesus's life and message had ushered in a new kind of kingdom with a new ethic (which this thesis has described as "the kingdom of now"), there was a future eschatological state of this kingdom which could not be reached without his death and resurrection (Luke 9:22):

Behold, we go up to Jerusalem, and all things that are written by the prophets concerning the Son of man shall be accomplished. For he shall be delivered unto the Gentiles, and shall be mocked, and spitefully entreated, and spitted on: And they shall scourge him, and put him to death: and the third day he shall rise again. (Luke 18:32–34)

Jesus understood this as the necessary conclusion of his mission and a requisite precondition for the inauguration of the kingdom. How to explain this to the men before him? How to tell them that the king of the universe must be made sacrifice in order to fulfill the law and the prophets? Accordingly, he spoke only to provoke reaction by intimating his identity as the Son of Man, and remained silent when silence would accelerate his coronation / crucifixion at Golgotha; as Sloyan notes, "Luke . . . looks upon the work of Christ as primarily one of obedience to his Father's will."¹⁷ Accordingly, "the moment of Jesus's abasement is . . . the turning point that marks the beginning of his sovereign rule."¹⁸

Finally, one of Luke's core themes, as described *supra*, is that the lives of believers will look like Christ's life; they can enact the kingdom, at least in part, as he

¹⁷ Sloyan, *Jesus on Trial*, 77.

¹⁸ Sloyan, *Jesus on Trial*, 79.

did. As will be explored anon, Christ's suffering and self-sacrifice—facilitated by his silence—allowed him to model completely the enemy-love that is so centrally a part of his upside-down kingdom. Indeed, though Jesus speaks only a few times during the last chapters of Luke, he addresses his Father in the midst of his crucifixion with a phrase that is the quintessence of enemy-love: “Father forgive them, for they know not what they do” (Luke 23:34). In his silent assent to his own martyrdom and his love of the *individuals* involved in the system that was murdering him, Christ provided the supernatural catalyst that initiated the kingdom and a practical example to his church of the kind of suffering that could change the world.¹⁹

“I Became All Things to All Men”: Paul's Navigation of Empire

In contrast to the silence, reframing, and avoidance that indelibly mark Christ as an outsider, Luke's account of Paul's various trials contain a multitude of markers of *internality*. It is difficult to read the account of Paul's various contacts with Roman officials without thinking of his description of his own strategies for evangelism before the people of Greece and Asia Minor:

For though I be free from all men, yet have I made myself servant unto all, that I might gain the more. And unto the Jews I became as a Jew, that I might gain the Jews; to them that are under the law, as under the law, that I might gain them that are under the law; To them that are without law, as without law, (being not without law to God, but under the law to Christ,) that I might gain them that are without law. To the weak became I as weak, that I might gain the weak: I am made all things to all men, that I might by all means save some. And this I do for the gospel's sake, that I might be partaker thereof with you. (1 Cor 9:19–23)

The imperative of testifying to Christ's death, resurrection, and present /coming kingdom so consumed him that his status within both the Jewish and Roman

¹⁹ Ari Bryen has done important work unpacking this very subject, tracking the ways in which the early church developed narratives regarding martyrdom in the face of arbitrary and terrifying imperial justice. See Ari Bryen, “Martyrdom, Rhetoric, and the Politics of Procedure,” *Classical Antiquity* 33, no. 2 (2014): 243–80. Bryen's core argument is that martyrdom narratives inevitably betrayed a provincial perspective on Roman legal procedure because of the provincial *loci* of Christianity as a movement.

communities became a lever with which he could move the world. Paul is everywhere proclaiming himself to be of a kind with the people to whom he is witnessing: to the Jews, he is “the Hebrew of Hebrews” (Phil 3:5); to every Roman and Greek with whom it will do some good (and to some with whom it will not) he proclaims his citizenship, vaunting his Roman-ness. In this vein, the exchange with Lysias is amusingly poignant:

And as they bound him with thongs, Paul said unto the centurion that stood by, Is it lawful for you to scourge a man that is a Roman, and uncondemned? When the centurion heard that, he went and told the chief captain, saying, Take heed what thou doest: for this man is a Roman. Then the chief captain came, and said unto him, Tell me, art thou a Roman? He said, Yea. And the chief captain answered, With a great sum obtained I this freedom.²⁰ And Paul said, But I was free born. (Acts 22:25–28)

In other words, Paul is not only a Roman like the tribune, he is *more* Roman, because he was *born* a citizen.

Ultimately, by birth and predilection, nature and schooling, Paul was positioned as the consummate inside man, uniquely suited to become an agent of the kingdom within the courts of the empire. That being the case, one would expect to find Paul acting in accordance with his stated strategy for evangelism—becoming all things to all men, leveraging his identity, and using the tools provided by the system—in pursuit of spreading word of the kingdom.

And, in fact, that is exactly what one *does* find in Acts. More: in depicting Paul as using adaptive strategies in responding to the Roman authorities, Luke provides a heroic example for the early church in its own quest to negotiate the dangerous environment created by human empire.

Before Sergius Paulus: Colonized and Colonizer

Paul’s encounter with Bar-Jesus and Sergius Paulus is a portrait in miniature of

²⁰ The KJV renders πολιτειαν as “freedom”; other translations accurately render the word “citizenship.” In other words, Lysias obtained his citizenship by purchasing it.

his climactic encounters with the world of Roman justice (though of course the meeting between Paul and Sergius Paulus was not judicial), insofar as Luke's depiction of Paul (to that point called "Saul," his Hebrew name) demonstrates a willingness to use the language and *mores* of the empire to testify to the kingdom. It is in this account that Luke first describes Paul with his Roman *cognomen* (that is, where he is actually described as "Paul").

Although there has been some disagreement about the reason for this change, Yamazaki-Ransom argues that the "use of two names for the individual" in this situation, "one in his native language and the other in the language of the colonizers" stands in as a representation of the way in which colonized cultures negotiate with local empires by assuming imperial identities. From Yamazaki-Ransom's perspective, this is a potentially negative development in Paul's journey, as it compresses his Jewish identity into a kind of dry ellipsis, never to recover in Acts; it removes the "Jewish-ness" that had characterized his earlier life and work and his connection to the founder of his new-won faith in the name of conciliation with an aggressive human empire.

But it is also suggestive of Paul's larger identity as a kind of cultural chameleon, and is indicative of Luke's strategy of placing Paul in the right time, in the right place, with the right skills to make a kingdom impact. Appearing before a Roman *procurator* whose cognomen is near-identical to his, Paul (through Luke) adopts a Roman identity in order to testify to the truth of the kingdom.²¹ Though the text is not explicit, it is pregnant with the idea that where "Saul" might have failed in his confrontation with Bar-Jesus, Paul—connecting with his fellow Roman citizen on the most basic of linguistic and national levels—can succeed. Although Barretto is right to note that Luke's portrait of early Christianity, in which "[h]ybrid identities pose a

²¹ Kazuhiko Yamazaki-Ransom, *The Roman Empire in Luke's Narrative* (New York: T&T Clark International, 2011), 119.

challenge to [. . .] homogenizing forces and embrace the complexities and ambiguities in which ethnic negotiations are struck and restructur[ed,]" it must be recognized that Paul's varied identities are also entry points into systems where Jesus, as a Jew, could not go.²²

What's more, it *works*. Though of course Paul's empowerment by the spirit and his blinding of Bar-Jesus are key, the central story of the narrative is that Paul—who-is-Saul draws his Roman co-citizen away from the false religion of a counterfeit, Elymas—who-is-Bar-Jesus and towards the true faith community, the kingdom of God founded by Jesus of Nazareth. This successful encounter represents a breaking point in the narrative: as Paul moves away from this encounter and towards engagement with the wider Gentile world, Luke discontinues completely his use of Paul's Jewish name, adopting entirely his Roman identity. Other apostles had carried the word to Gentiles, of course, but there is something different, now, about Paul within the narrative: his position as a colonized Hebrew who is also a *citizen within the Roman system* is distinct in important ways that are different from his apostolic predecessors. This marker of internality will serve him well in the trials to come.

“But I Was Born a Citizen”: The Power of Citizenship in the Roman World

Paul's declaration of his *civitas* (that is, his citizenship) is a powerful act within the narrative of Acts, one that reconfigures the way that characters within the narrative, as well as the reader, perceive him. It is also a key marker of systemic internality that delineates him as different—and, in this case, empowered in an ontologically different way and for a different purpose—than Jesus was in Luke. Of note: Paul is not only a citizen of Rome, but also of the Jewish nation and separately of his home city, Tarsus. As a result, he moves in three worlds—Jewish, Greek, Roman—

²² Eric D. Barretto, “Crafting Colonial Identities: Hybridity and the Roman Empire in Luke-Acts,” in *An Introduction to Empire in the New Testament*, ed. Mark Winn (Atlanta: SBL Press, 2016), 120.

though his Roman citizenship is the most critical for interfacing with the Roman provincial authorities and the most “high-status” of the three.

There is some disagreement regarding whether it is historically likely that Paul was a Roman citizen.²³ A complete examination of the authorities could form a study of its own. Whether he was or not, though, it is clear that Paul’s Roman *civitas* is a crucial part of Luke’s *narrative* strategy for portraying him as an insider to the Roman system.

Beginning in Acts 16—which we need not dwell on at great length—Paul encounters interference and scourging from Philippian provincial magistrates.²⁴ In the wake of his scourging and jailing (and the supernatural eruption of an earthquake in the city), Paul announces his Roman citizenship, causing the magistrates to fear him. Though the timing is strange (i.e. why did Paul not say he was a citizen in the first place?), the introduction of citizenship plays a climactic role from a thematic perspective: it marks Paul as a social equal of the magistrates, who thereafter treat him with the respect and dignity due a citizen.

The events of Acts 22—which were recounted *supra*—are the second time Paul invokes his Roman citizenship, this time to *avoid* scourging. Here, it functions as an immediate brake on the Romans’ treatment of Paul. His membership in the *πολιτεία* of Rome reveals to the Romans a moral status which compels a certain kind of treatment and invests Paul with certain kinds of rights not due to one of lesser social or civic standing.²⁵

This is consistent with what we know of about Roman *civitas* during the early years of the empire. Eligibility for citizenship was a moving target throughout much of Rome’s history. At the dawn of the Republican era, citizenship was reserved only for

²³ Tajra, *The Trial of Paul*, 86–89.

²⁴ Tajra, *Trial of Paul*, 3.

²⁵ Brelaz, “The Provincial Contexts,” 493–94.

members of the patrician class, though it was later also accorded to those who served in the military. Later, citizenship was expanded in many ways to include various persons by a variety of vehicles: through marriage, by payment of money; and, at the last extremity, just by living within the empire's borders. And though citizenship later came to be virtually meaningless as a marker of status, at the time of Paul's life it was at least relatively rare and valuable.²⁶

Of note: the most prominent rights of a citizen were judicial in nature. They included, first and foremost, the *provocatio*, which allowed the citizen to appeal to the emperor in any criminal case.²⁷ Other laws forbid any bodily harm in the pursuit of justice on a Roman citizen who had announced his intention to appeal the ruling of a magistrate; notably, one of the greatest accounts of Roman legal work still extant—Cicero's *In Verrem* ("Against Verres")—involves the prosecution of Gaius Verres, the proconsul / governor of Sicily, for crucifying one Roman citizen, Publius Gavius, and scourging another, Gaius Servilius.²⁸

Paul's *civitas* in Acts serves a twofold purpose. First, its presentation creates suspense within the narrative, serving as a climactic element in confrontations with Roman and Greek authorities—"Will he use his citizenship? Will he be believed?" Second, and more importantly for our purposes, it gains Paul a kind of key into the internal systems of the Roman world, investing him with the ability to invoke certain rights and to avoid certain methodologies of inquiry (i.e. being beaten with a whip until one confesses or is crucified without trial).

²⁶ Brelaz, "The Provincial Contexts," 493–94; Kerwin, *Judicial Adventures*, 12–14.

²⁷ Bruce, *Paul: Apostle of the Heart Set Free*, 363.

²⁸ Michael J. G. Gray-Fow, "Why Festus, Not Felix? Paul's *Caesarem Apello*," *Journal of Evangelical Theological Society* 59, no. 3 (2016): 473–85, 478–79. Gray-Fow is at pains to point out that Paul's invocation of *provocatio* was not without risk, precisely because such appeals were not always honored; he argues that this unreliability is the reason that Paul waited to assert his appeal instead of invoking it before Felix.

The impact of this internality works both ways. It marks Paul—and, potentially, Christianity—as “safe” for Romans and other high-status citizens of the empire; if a person of Paul’s status can be a citizen of the empire, the thinking goes, then this new “way” must be, at a minimum, compatible with the empire. But there is also a defensive aspect to this idea; a theoretical Paul without Roman *civitas* would not have survived to testify before Felix and Festus, much less Nero. In this vein, Paul’s *use* of his citizenship is an important marker of competence and familiarity with the civic life of the empire. It is apparent that Paul knows the boundaries of these rights, and is not reluctant to use them.

Before the Sanhedrin: A Hebrew of Hebrews

Paul is not merely a Roman citizen, though. Though Luke is clear that Paul is moving in a Roman world, where Roman power prevails and Roman authorities will determine his fate, in his depiction of the trial before the Sanhedrin, Luke once again takes care to mark the ways in which Paul is an insider to the system by which he is to be tried.

In particular, in his defense before the Sanhedrin, Paul shows an ability to inhabit the system in a way that contrasts strongly with Jesus’s misdirection. Though Luke omits the charges before the Sanhedrin, and there is no extensive statement by the prosecution revealing the specific charges against Paul, Paul takes the opportunity to frame them for himself: “Men and brethren, I am a Pharisee, the son of a Pharisee: of the hope and resurrection of the dead I am called in question.”

This rhetorical idea—framing the issue to be adjudicated by the tribunal as a question of Jewish religious doctrine—proves to be a stroke of genius, and one that is only possible because Paul is inside the Jewish system: he recognizes that bodily resurrection is the very issue that will set the judges, divided as they are between Sadducee and Pharisee, on each other instead of him.

This tactic works, spectacularly: the panel breaks into pandemonium, with the Pharisees declaring Paul innocent and the Sadducees clamoring for his execution. And he is aided, here, by his Roman citizenship, for Claudius Lysias, seeing the danger into which the din has placed his Roman charge, commands his men to seize Paul and bring him to safety. Paul's status as an insider of two worlds has allowed him to preserve his own life in the face of hostile questioning.

Though this episode is only a precursor to Paul's ultimate encounters with the Roman magistrates, it is also a prelude to something that will become apparent as Luke spins out his narrative: Paul has no reluctance at all to use the tools of the systems to which he is internal to his advantage. He survives, and even thrives, to spread the kingdom life because he is willing to give the systems validity as an engaged and informed insider. This becomes even more apparent in the Roman trials.

Paul's Knowledge of the Roman Criminal Justice System

Paul's work before the Sanhedrin was clever; his work before Festus, Felix, and Agrippa is masterful. In all of his trials, but most especially before Festus and Agrippa, he shows himself aware of the methods and manner of argumentation in Roman courts, and Luke depicts him as using them effectively. As recounted by Cicero, a proper forensic speech in the Roman style contained six parts: (1) an introduction (or *exordium*), in which the litigants tried to draw the attention of the triers of fact and law, either through flattery or the force of oratory; (2) a statement of the case (*narratio*), which provides a narrative exposition of the facts; (3) a division (*partitio*), articulating the point to be decided; (4) a confirmation (*confirmatio*) or argument in support of the party's request; (5) a refutation (*reprehensio*), in which the parties seek to rebut their opponent's arguments; and (6) a conclusion (*conclusio*) summarizing the litigant's perspective and

requesting relief.²⁹ Although the accounts of Paul’s Roman trials are dehydrated summaries, the extent to which they track with these classical rhetorical requirements of a forensic speech before a Roman court is striking.

Before Felix, Paul employs a typical strategy of the *oratorio*—he flatters Felix for his sense of justice and his abilities of administration during the period of his governorship. Similarly, he provides a narrative explanation of the facts and he frames the issue from a substantive legal perspective: the issue for Felix to decide, he argues, is “to adjudicate as to his teaching of the resurrection.”³⁰ Though the remaining parts of the rhetorical structure are not recounted (indeed, they seem to have been interrupted by Felix’s sudden realization that more than merely the present witnesses were required), it is nonetheless telling that Paul was comfortable enough within the realm of Roman rhetoric to both introduce his case in the correct manner and (more importantly) to frame the legal issue for Felix’s adjudication in a way that would advantage him during the case’s ultimate disposition.

Before Festus and Agrippa , Paul once again uses this formulation, this time making a full speech consisting of all six part of the standard forensic speech, but also in many ways assuming the posture of a Roman trial lawyer.³¹ Again, he invokes the *exordium*, flattering his audience (in this case, Agrippa) and summarizing the facts; again, he frames the legal issue for adjudication as his teaching of the resurrection of the dead.

Paul then actually delivers—and Luke records—the confirmation or argument: a narrative account of all that Paul has gone through, the evidence he has seen with his own eyes, and his testimony regarding the continuity of belief in Christ with the religion

²⁹ George S. Dekle, Sr., *The Case against Christ: A Critique of the Prosecution of Jesus* (Newcastle-upon-Tyne, UK: Cambridge Scholars Publishing, 2011), 92–93.

³⁰ Dekle, *The Case Against Christ*, 93.

³¹ Dekle, *The Case Against Christ*, 94.

of his ancestors. When Festus reacts, calling Paul mad, Paul delivers a *reprehensio*. He concludes his argument briefly, by asking Agrippa, based on his knowledge of the prophets and Paul's argument that Christ was the fulfillment of what they spoke, to find in his favor. Strikingly, Paul even begins this whole sequence with his hand upraised, in precisely the pose that is used of classical orators and jurists in the Greco-Roman world.³² Paul is thus depicted, again, as an agent with all the earmarks of internality; he knows the Roman system, he understands the way that it works, and he presents his kingdom arguments in precisely the format that his hearers would have expected.

More: his arguments are effective. This is in stark contrast to the silence employed by Christ in rejecting the world-system. That silence, as discussed *supra*, was due to the nature of his audience: the Sanhedrin was not in any position to hear Jesus's divine claims, and Pilate's worldview would not have encompassed Christ's announcement of an upside-down and supernatural kingdom. But Paul's arguments, in the moment of time described by Luke in Acts, using the methods of the system itself, had an obvious impact on his hearers, which led to an advancement (however slow) of the kingdom: Agrippa responded to Paul by saying, "Almost thou persuadest me to be a Christian" (Acts 26:28).

Speaking the Name to Kings and Rulers: The Second Trial, Herod Agrippa, and Nero Caesar

Paul's conclusion and response to Agrippa on the matter is striking, for it reveals his purpose: "I would to God, that not only thou, but also all that hear me this day, were both almost, and altogether such as I am, except these bonds" (Acts 26:29). His kingdom work has been facilitated by his placement within the empire and his knowledge of its methods, and his willingness to use both. Agrippa's short colloquy with Festus—

³² Dekle, *The Case Against Christ*, 93–94.

“This man might have been set at liberty, if he had not appealed unto Caesar” (Acts 26:32)—is rendered ironic by that destiny: Paul does not *want* to be released.

Christ had a rendezvous on Golgotha; Paul also had a destiny, this one provided by the Lord Jesus himself: to speak to kings and princes on his behalf.

Describing the conditions that his disciples would face, he said:

But before all these, they shall lay their hands on you, and persecute you, delivering you up to the synagogues, and into prisons, being brought before kings and rulers for my name's sake. And it shall turn to you for a testimony. Settle it therefore in your hearts, not to meditate before what ye shall answer: For I will give you a mouth and wisdom, which all your adversaries shall not be able to gainsay nor resist. (Luke 21:12–15)

Though the course of the proceedings before Festus—and most especially the threat of removal to Jerusalem, where the Sanhedrin could exert its influence over his destiny—surely forced Paul’s hand in some sense, it was always his destiny to speak with Nero, and to bring the gospel message of the true lord’s arrival to the lord of the empire. The opportunity to be questioned this way makes him triumphant, not defeated, and elevates him to the status of hero; he is carrying the kingdom message into the very heart of the empire, in a way that only he could have.³³

Paul as Illustration of Accommodation and Transformation

Obviously, readers are intended to notice the parallels between Paul and Christ and their respective trials. But to what end is this contrast between Christ’s silence in the face of oppression and Paul’s reaction as a scrappy insider positioned to carry the kingdom message presented? An enormous amount of ink has been spilled in examining Luke’s perspective on the Roman empire—in particular, the question of whether Luke is anti-Roman, pro-Roman, or something more nuanced.³⁴ Though a detailed examination

³³ Loveday Alexander, “Luke’s Political Vision,” *Interpretation* 66 no. 3 (2012): 283–94, 283.

³⁴ Steve Walton, “The State They Were in: Luke’s View of the Roman Empire,” in *Rome in the Bible and the Early Church*, ed. Peter Oakes (Grand Rapids: Baker, 2002), 2. Walton summarizes five

of this discourse is beyond the scope of this thesis, it is important to note that Luke is concerned, more than any of the other gospels, with showing the early church ways to negotiate the world in which it found itself. Though opinions have varied, the scholarly consensus is that Luke's frame of reference for the kingdom of God and its presence in the current age is an anticipation of a *delayed parousia*.³⁵ Other gospels were written in the expectation of an imminent second coming; Luke was writing in the expectation that existence in the shadow of empire must continue indefinitely.

In light of the expectation of an indefinite *parousia*, it was imperative that Luke's audience learn to live with empire in the here-and-now. Scholarly discussion regarding the question of *how* Jesus communities could survive in the early days of the movement in the midst of Roman persecution have focused (appropriately) less on strategy and more on bearing or attitude; in these examinations, actual practice is secondary to the closeness and community built through shared worship and suffering, resulting in unrivalled community loyalty and a kind of multiplied *esprit de corp* that allowed for survival in a hostile culture.³⁶

Warren Carter has suggested that the text of the New Testament codes the Roman empire in particular ways that imply (or explicate) varying strategies for the early Christian community in navigating the kingdom's relationship with earthly governments:³⁷

1. "The Empire is of the devil": the text often codes the Roman empire (and earthly

views in the scholarship: "(1) Luke-Acts is a political apology on behalf of the church addressed to Roman officials"; (2) "Luke-Acts is an apology on behalf of the Roman state addressed to the church"; (3) "Luke-Acts is providing legitimation for the church's identity"; (4) "Acts is equipping the church to live with the Roman empire"; and (5) "Luke-Acts is not interested in politics at all."

³⁵ Kylie Crabbe, *Luke / Acts and the End of History* (Boston, MA: Walter de Gruyter, 2019).

³⁶ Alan Kreider, *The Patient Ferment of the Early Church: The Improbably Rise of Christianity in the Roman Empire* (Grand Rapids: Baker Academic, 2016), 91–130.

³⁷ Warren Carter, *The Roman Empire and the New Testament: An Essential Guide* (Nashville, TN: Abingdon Press, 2006), 14–26.

governments in general) as a force standing in opposition to the kingdom.

2. “Rome’s world is under judgment”: occasionally, the text conveys the idea that Rome and its government are—in a sense—irrelevant to the broad sweep of eternal history, painting them as fading relics of a time before the arrival of Christ’s real, true, kingdom.
3. “Acts of transformation”: in other passages, it is suggested that the duty of Christians living in the midst of empire is to act with the aim of transforming it culturally, economically, and socially.
4. “Alternative communities”: further passages indicate that Christians are in competition with the empire in significant ways that implicate the whole believing community, and require the formation of alternative or rival communities dedicated to kingdom ethos and the spread of the gospel essentially outside the empire’s systems.
5. “Submitting to, and praying for, the Emperor”: finally, some passages prioritize the survival of the movement and accommodation with the solid historical reality of the empire, suggesting that Christians must live within the system and both submit to and pray for the imperial government, with the twin aims of surviving persecution by showing themselves to be harmless (or even beneficial) to temporal rulers, allowing Christ and his kingdom to spread through their witness in the world, without affirmative transformative action.

None of these solutions has a monopoly on the truth; early Christians used many strategies and engaged Rome (and Rome’s successors) in a variety of ways. Other scholars, for instance, have proposed solutions to the text that are not quite so systematic, and focus on the historic response of the early church. Paul Duff has noted the ways in which early Christian communities in many ways resembled Greek voluntary associations or guilds with cultic dimensions, promoting unity among believers despite their disparate backgrounds and tying the whole together through specific rituals of the association (the love feast, the singing of hymns, and the like).³⁸ Those resemblances, Duff writes, allowed early Christians to navigate the social and political *mores* of the empire, and allowed a multiplicity of views to arise regarding what it meant to accommodate the culture while remaining “unstained by the world.”³⁹

Others have noted that the text of Acts is a fundamentally political and

³⁸ Paul Duff, *Jesus Followers in the Roman Empire* (Grand Rapids: Eerdmans, 2017), 195–212.

³⁹ Duff, *Jesus Followers*, 237–38.

subversive document, not in the sense that it calls citizens of the kingdom of God to rebellion against or overthrow of earthly (specifically, Roman) authorities, but rather in the way that it aims at the articulation and construction of “an alternative way of life . . . that runs counter to the life-patterns of the Graeco-Roman world.”⁴⁰ Identity in this new order is no longer based on one’s social status or ethnic background, but rather on one’s relationship to Jesus and membership in the Jesus community. The community does not seek a coup; it seeks a new culture. Alan Kreider found in the early church the development of a *habitus* of patience—a way of engaging the world that allowed for slow fermentation of Christian communities in the shadow of empire—which guaranteed the survival of the new religion.⁴¹

These texts, and many others like them, provide a response to *why* Paul is constructed as an insider with a key for admittance into the corridors of empire. The early church had its founder and original hero in the form of the Lord Jesus Christ; Christians were to model his life and attitudes, and to execute his kingdom ethics in the present. But they could not both spread the kingdom, witnessing to the whole world, *and* follow him in death. In the shadow of pervasive empires who fill every channel of life, merely human actors cannot forever be external to the system.

The *parousia* would see him return. But in the absence of an imminent *parousia*, Luke was at pains to show his readers how they could live within the boundaries of existing human political systems. In order to do that, it was necessary to demonstrate an example of a life that bridged kingdom and empire in a meaningful way and slowly, subtly, transformed it from within.

Enter Paul, who was positioned as “all things to all men” by predilection, by

⁴⁰ C. Kavin Rowe, *World Upside Down: Reading Acts in the Graeco-Roman Age* (Oxford: Oxford University Press, 2009), 4.

⁴¹ Kreider, *Patient Ferment*, 13–36.

education, and by the incidents of his birth. Onto the stage Luke thrusts him, and in doing so makes him an example of what could happen when someone infected with the kingdom life and allegiant to the kingdom ethos was internal to the systems of the world. More: his actions are illustrative of attitudes and actions that would come to typify the ways in which the early church survived and even came to thrive in the years following Christ's death and resurrection.

More telling, Paul's work is transformative. Though Gentiles in the Lukan works are occasionally moved by Jesus's words and actions, it is Paul, with all the indicia of internality, whose actions are depicted as bringing Gentiles to conversion. In the conversion of Sergius Paulus and the heartbreaking "almost" in Agrippa's final words to Paul ("Almost you convince me to be a Christian") there are universes of meaning, and a vision of the future where agents of the empire, exposed to the message of the kingdom through the very systems they help curate, might change their allegiance, becoming members of the Jesus community. In his actions and his attitudes, Luke's Paul provides a template for survival and ultimate transformation from within: with Paul's work, "a transformation began. The kingdom entered the empire and germinated vigorously."⁴²

Those actions and attitudes start with an orientation towards empire which gives it its proper place as an authority. Everywhere, Luke is at pains to stress Paul's innocence vis-à-vis rebellion against the empire, an innocence that is both confirmed by the narrative and by Paul's own words. The patient ferment of the early church noted by Kreider cannot happen in an environment of open rebellion; rather, the church's methods must match the kingdom ethic that eschews violence, even against the present social order.

Second, Paul's innocence is matched by his civic engagement. He is not a

⁴² Thomas E. Simmons, "Saint Paul's Trial Narrative in Acts: Imperium Romanun vs. *Vasilea Tou Theou*," *South Dakota Law Review* 65 (2020): 318–69, 364.

passive participant in the proceedings which occur around him, but rather an active and informed citizen of many worlds, employing the talents with which God has gifted him to engage his circumstances and use them to the advantage of the kingdom.⁴³ Where theological argument will help him, as before the Sanhedrin, he uses it; where resort to rhetoric will help him, as before Festus and Agrippa, he uses it; where invoking citizenship will help him, as before Claudius Lysias, he uses it; where using the language and *mores* of the empire will help him, as before Sergius Paulus, he uses them; where only appealing to the most powerful man on earth will work, he does so. In every case, he patiently and attentively uses the tools of the system to advance the message of the kingdom ethos. He knows those rules, how they apply to him, and what he must do in every case to invoke them.

Finally, Paul demonstrates in his actions and attitudes an allegiance to the kingdom that makes it clear that while he is using the system, he is not invested in it. The passage from 1 Corinthians is telling: he became “all things to all men” *so that* “some might be saved.” And in Acts, the reader finds that this is true at every turn. Paul’s first and only concern is ensuring (as he tells Agrippa) that all men who hear him might “become like [him]”—allegiant to the new kind of kingdom that Jesus’s arrival has ushered in. In this way, Paul illustrates how to engage the systems of the world without making the systems of the world an end unto themselves. The new life of the Jesus community can exist in the shadow of empire, but its citizens are meant to engage with those systems as a means to an end, not an object worthy of worship themselves. As with the trial of Jesus, there is a sense in which Paul’s actions reveal the empire’s “lack of jurisdiction”: “the trial scenes are ways for Luke to show the reader that the gospel is

⁴³ Joel A. Nichols and James W. McCarty III, “Civil Law and Disobedience,” in *Law and the Bible: Justice, Mercy, and Legal Institutions*, ed. Robert F. Cochran Jr. and David Vandrunen (Downers Grove, IL: IVP Academic, 2013), 192–93.

more authoritative than the power exerted by earthly authority.”⁴⁴

By boldly proclaiming the kingdom ethos and remaining δίκαιος⁴⁵—innocent (in this case of crimes against the state)—Paul was (implicitly) able to stand before the lord of the Roman empire and speak the name of his lord, just as Jesus predicted. .

⁴⁴ Nichols and McCarty, “Civil Law and Disobedience,” 193.

⁴⁵ Rowe, *World Upside-Down*, 55–56.

CHAPTER 5
BELIEVERS IN THE PRESENT AGE

Τῷ Κρατίστῳ (5>4)

As he lay dying in conquered Babylon, Alexander the Great—ever a favorite historical figure of the Romans—was asked who would succeed him as head of his empire. This was a question of some moment: his assembled generals, the *diadochi*, were rivals with each other and with Alexander himself, and Alexander’s pronouncement would either crown a legitimate successor who would bind together what he had won or cause the whole of his kingdom to disintegrate into internecine warfare. Who, they were asking, should assume power within the new framework that he had forged: his as-yet-unborn son? His brother, Philip, a mental invalid? Or one of the *diadochi*?

No law of dynastic succession had yet been created, no formal way of choosing Alexander’s successor. The assembled princes and captains must have thought that the young king’s dying pronouncement would set a system of laws and regulations in place that would insure the transmission of empire into the future for a thousand years. After all, who else had done what he had? Who else had conquered the nations and tribes of the world from the hills of Macedon to the attar-choked palaces that lay on India’s dreaming shores? Who else had subjugated scruffy hill chieftains and perfumed kings, Egyptian pharaohs and Punjabi *rajahs*? Only Alexander.

What they received from Alexander was an instruction which lays bear the naked face of human empire. “Τῷ Κρατίστῳ,” he breathed out at the last. *To the strongest*. This is the way of the kingdoms of the earth since the dawn of time to the present age: though law may sometimes seem to prevail, the truth is that in human terms there is only strength. This is true whether we want it to be or not. The result of

Alexander's pronouncement was utterly predictable: the armies of the *diaodochi* devolved into rival factions, dividing up his kingdom and the four strongest claiming some portion as their own.¹

One might object that Alexander's empire was lawless (or, rather, that Alexander was a law unto himself), and therefore this anecdote says little about the concept of law itself. But one need not look too far past Alexander's fracturing empire to understand that the brittle strength of merely human law in the face of power is a phenomenon common to all experience. The shattering of Alexander's army made Europe and Asia a great furrowed field, into which the Romans dropped the seed of empire and tended it until it reached its fullest flower. Alexander ruled a roving military camp whose outposts covered the known world, forever conquering, forever expanding, until it collapsed in on itself like a dying star; Rome exceeded his territorial grasp and built upon the infrastructure he had started, constructing a complex and wide-ranging system of laws, complete with magistrates and judges and professional lawyers ready to represent their clients in ways that presage many aspects of the American system.

Among them was that Roman *nonpareil*, Julius Caesar. Cicero records that Caesar viewed the law itself—particularly the ancient laws that governed who ruled Rome, and how the oligarchs who held sway there were required to share and divide their power—as a malleable tool in service to greater ambitions, rather than a set of strictures which organized civilization. According to Cicero's *Offices*, Caesar frequently repeated a couplet from Euripides: "If ever we break the ties of right / 'Tis when a kingdom is the glorious prize / In other things be strictly just."² The law, in other words, must yield to ambition and strength.

¹ Arrian of Nicomedia, *Anabasis of Alexander*, trans. E. J. Chinook (London: Hodder and Stoughton, 1824), 420–25.

² Marcus Tullius Cicero, *Cicero's Offices: De Officiis, Laelius, Cato Maior, and Select Letters* (London: Dent, 1953), 148.

It is tempting to think that the modern American legal system has moved beyond the days of Alexander and Julius Caesar, and that the contours of the law now hew closer to mankind's "natural" sense of justice and fairness. Westerners (and especially Americans) generally think of their justice system as aimed at principles of natural law, delivered through and by the consent of the governed and providing a quantum of justice to a wider swath of people than has ever been possible in history.

This is true, as far as it goes. The systems deriving from the English common law and the French civil law—the twin origins of Western legal thought—lack the same heavily barred gates of wealth, familial lineage, and social prestige that characterized the Roman oligarchical system, and have safeguards that lend them a pleasing consistency not at all present in the personality- and politics-driven provincial courts of the Roman empire. But the same bones lie beneath—and not too far beneath—the surface.

An anecdote from my law school career may suffice. Like all first-year law students, I was required to take a year-long civil procedure course, designed to communicate the complicated jurisdictional and foundational rules that govern litigation in American courts. The teacher of this course at the time was Howard Fink, a professor on the brink of retirement who was feared far and wide for his blunt employment of the Socratic method and his irascible temperament.

On a chill Ohio morning in late fall, as the semester wound down towards winter break, discussion turned towards a Supreme Court case which I cannot now recall, but which (like most of the interesting cases) had been decided by the barest of margins: five Justices had ruled for the appellant, four for the appellee. Ever eager, I raised my hand and asked Professor Fink what he thought of certain arguments of the dissent, which (in my opinion) rendered the majority opinion unassailably incorrect. I suppose I anticipated that Professor Fink might be impressed by my thoughtful analysis of the case.

Whatever else he was in that moment, he was not impressed. He lumbered over to the blackboard which was set at the front and bottom of the lecture hall, below the

rows of seats, grubbing in the pocket of his rumpled sports coat to retrieve a piece of chalk. When he reached it, he turned to the board and wrote, carefully and deliberately: “5 > 4.” And below that: “Five is greater than four.” He allowed the silence to linger for a moment before saying, “There’s a reason the Constitution is in the back of the book, Mr. Sullivan. No one cares what it says. If you can get five justices to say something, that’s what the law is.”

He may as well have written: “Τῷ Κρατίστῳ.”

This principle—that the law is a cipher, to be decoded at the request and for the benefit of the powerful and the strong—shows itself in a thousand ways less dramatic than a five to four Supreme Court ruling. It is in the labyrinthine and twisting maze of rules and regulations that ensnare ordinary citizens, with potentially criminal consequences.³ It is in the no-less labyrinthine procedural gates that prevent those without representation from meaningfully accessing the system and seeking justice, privileging those wealthy enough, or connected enough, to secure competent representation.⁴ It is in the uneven and racially-motivated enforcement of the law in minority and underprivileged communities.⁵ And it is apparent in the sheltered halls of

³ Glenn Harland Reynolds, “Ham Sandwich Nation: Due Process When Everything is a Crime,” *Columbia Law Review* 113: 101–8. Reynolds argues that the general philosophy of constructive awareness that undergirds much of modern legal enforcement—that is, the idea that citizens have constructive (though not always actual) knowledge of what is legal and what is not—much be abrogated, in light of the ever-expanding and ever-more-obscure regulatory webwork of laws that make up the modern American regulatory state. In colloquial terms, if the system is structured so that every citizen is always in violation of several obscure laws, ignorance of the law *should* be an excuse; Reynolds argues that to hold otherwise empowers prosecutors to an unlawful and tyrannical extent.

⁴ Anton Olenik, “Access to Justice as a Form of Inequality,” *Journal of Economic Issues* 48, no. 2 (June 2014): 405–412; Colin Crawford and Daniel Bonilla Maldonado, “Access to Justice: Theory and Practice From a Comparative Perspective,” *Indiana Journal of Global Legal Studies* 27, no. 1 (2020): 1–14 (emphasizing the inadequacy of measures in modern Western democracies to ensure that underprivileged populations are able to secure competent and affordable legal counsel).

⁵ Frank W. Munger and Caroll Seron, “Law and the Persistence of Racial Inequality in America,” *New York Law School Law Review* 66, no. 2 (January 2022): 175–205. Munger and Seron recount the depressing but compelling evidence that the criminal law is often a multiplier of racial inequality, particularly in terms of functions that are strictly discretionary—both in enforcement (by police officers) and prosecution (by attorneys action as prosecutors). This extends even to the formation of policy by state and federal legislatures, who create laws that, though facially neutral, have a disparate impact on disadvantaged groups.

state and federal legislatures, where the embryonic law is incubated with the interests of the powerful in mind.⁶

The arc of the moral universe may indeed bend towards justice, but in the here and now, laden with the burden of human greed and corruption, that arc can seem very long, indeed. As a result, the world and its systems require that Christians today—like the early Christians for whom Luke’s letter was primarily written—formulate strategies for survival, accommodation, and transformation. And, at the last resort, they may require strategies for disengagement, resistance, and sacrifice.

Transformation from Within

This thesis has argued that Luke’s primary purpose in structuring the trial narratives of Luke-Acts as he does is to heroize both Jesus and Paul. In doing so, he presents Jesus as the initiator of a great reversal in his silent refusal to acknowledge the world-system’s hold on him. In Paul, he finds an example of the ways in which the Jesus community can live in (sometimes-uneasy) alignment with the world-system until the kingdom ethic to which it holds can transform these human systems from within.

Though both are useful, it seems clear that moderns should look to Paul, first, to understand the right methods for living in the shadow of empire. Though their allegiance is to the risen Christ, from an ontological perspective moderns are (typically) insiders like Paul, with all the markers of internality which accompany life in modern states.

The lessons to be drawn from Paul’s conduct are fairly clear. First, obedience to and recognition of the law are of paramount importance; we must be innocent. As the

⁶ Alexander C. Furnas, et al., “More than Mere Access: An Experiment on Moneyed Interests, Information Provision, and Legislative Action in Congress,” *Political Research Quarterly* 76, no. 1. (2023): 348–64. Furnas and his coauthors, in a study of congressional staffers, found them more likely to “use information and to make legislative action recommendations” when the information source came from an ideologically-aligned lobbyist organization.

Roman magistrates who dealt with Paul repeatedly determined, he did nothing worthy of any punishment. Moreover, throughout the process of adjudication Paul obeyed the regulations, procedures, and customs of the imperial judicial system, and even the whims of individual magistrates. He neither fled from justice—even the poor kind of justice he knew he must ultimately receive—nor ever acted as if the tribunal had no power or authority to exert its jurisdiction over him. This is utterly consistent with the worldview that Paul propounds in his letter to the church of Rome, wherein he notes (repeatedly) that the government—whatever its nature and however configured—was appointed by God, and derives its power from him.

Moreover, he *knew* the laws that governed him and the procedures that must be used in interfacing with the empire’s courts (and those of the Jewish Sanhedrin, as well). He remained informed and clever in his use of those laws to present the gospel to Roman officials. That cleverness allowed him to not only understand the niceties of presentation or the substantive standards under which he would be judged, but also the law’s aspirational nature; in making his arguments, he subtly called upon the system to be the best version of itself, upholding its own ideas of justice and peace.

Yet all of Paul’s cleverness and craft was centered in the kingdom ethic. As he told Agrippa, he earnestly desired for all people to be as he was: bound to the kingdom and one of its citizens. At every opportunity, the intertwining of Paul’s life and the imperial system became a tool through which the kingdom message could be proclaimed. More, Paul’s compulsion to bring that message to the highest tiers of Roman society was manifestly driven by a desire to convert the lost and transform the systems of the world from the inside-out.

Paul was, of course, both a Christian and a thinker *nonpareil*. But even more modestly equipped Christians in the modern age can follow his example as they wrestle with human systems and attempt to bring the kingdom of God *forward* in time. Luke, through Paul, showed them the way.

1. Honor the system and its participants. The most important—and overlooked—part of “honoring the system” is civic awareness: that is, Christians should be politically informed about how the system works, what it does substantively, who the participants that play a role in its operation are, and what their role must be. Paul employed the system wherever he could, in ways that were both erudite and skillful.
2. Call the system to its own values. “Respect for the system” includes the idea of obeying the law, of course, but also understanding its limitations and recognizing that it is flawed and occasionally (or often, depending on one’s viewpoint) unjust. When this latter condition prevails, “honoring the system” might mean working through legitimate channels to change it. This is perhaps the most direct means of transforming the system into an image that emulates the kingdom ethos.
3. Centering the kingdom ethos. Finally, and perhaps most importantly, whatever aspects of Paul’s temporal, national, ethnic, or vocational identity assisted him in witnessing to the kingdom message, the seat of his identity was always firmly rooted in Christ and his kingdom. The challenge for modern Christians, surrounded as they are by ever-more-complex tides of culture and politics, in an ever-more-contentious society, is to frame every encounter with the legal system as a means of testifying to Christ’s upside-down kingdom.

When All Else Fails: Another Kind of Kingdom

There is a kind of necessity for modern Christians in using Paul’s strategies of accommodation, conciliation, and transformation from within in confronting present injustice in the legal systems of human empires. The *habitus* of patience of which Kreider writes was not a spontaneous invention; it is the product of a slow revelation that only through the long business of *living* and *suffering* could the “good infection” of God’s kingdom endure under human empires that sought to destroy it.⁷ It is for that reason that Paul’s active and transformative responses to the Roman imperial legal system provide the best example for Christians in the modern age.

But Christ’s example must be taken into account, as well, and not only for the obvious reason that his sacrificial suffering and death on the cross made Paul’s work both possible and necessary. Not every system can accommodate the stress of transformation.⁸

⁷ C. S. Lewis, *Mere Christianity* (New York: HarperCollins, 2009), 172–77; Alan Kreider, *The Patient Ferment of the Early Church: The Improbably Rise of Christianity in the Roman Empire* (Grand Rapids: Baker Academic, 2016), 7–13.

⁸ Nichols and McCarty, “Civil Law,” 195–96.

There is a delicate balance to be struck, here; as Bonhoeffer observed, the demand of corrupted human government “for obedience is unconditional, qualitatively total, extending to conscience and bodily life”; accordingly, “if government oversteps . . . by making itself lord over the faith of the church-community—then at this point it is indeed to be disobeyed for the sake of conscience and for the sake of the Lord.”⁹

And for such occasions—when the system resists Paul-like transformative work and the law fails completely, necessitating Christ-like resistance—Jesus left his *ekklesia* with a series of strategies for kingdom resistance. The starting point for those strategies, as with all other parts of the kingdom ethic, is love of others, and particularly of the unloveable. They emphasize the importance of speaking truth, loving enemies, trusting in God, and pursuing non-violent resistance, particularly through the strategic deployment of silence. At the last, they may involve suffering and dying, as generations of Christians have before, facing martyrdom instead of submitting to systems that compromise one’s values. Sometimes, the system is so alien to the work of Christ and his kingdom that the only rationale response is silence and the acceptance of unjust punishment, to the shame of the system.

⁹ Dietrich Bonhoeffer, *Conspiracy and Imprisonment, 1940–1945*, trans. Lisa E. Dahill (Minneapolis: Fortress Press, 2006), 516–17.

CHAPTER 6

CONCLUSION

As has already been made apparent, Luke is deliberate in his presentation of the parallel legal methodologies of Christ and Paul, and in tracing out the kingdom implications of their differing strategies: Christ, through his silence and misdirection; Paul through his engagement, accommodation, and hoped-for transformation of the system into something resembling the eschatological end-state that Christ came to inaugurate.

Exploration of *how* to work within or interface with the legal system is a well-worn pathway in legal scholarship, though the discussion typically focuses on how the Bible's views can influence our own law: what does Jesus's treatment at the hands of the Sanhedrin and the Romans say about the death penalty?¹ What does it tell us about the rights of the accused?² More generally, how can we leverage the biblical account to understand the proper moral subjects of our legislation, and how the system should treat particular persons (how can gay marriage be weighed against freedom of conscience?³ What should the rights of refugees in our system be, if we are following biblical

¹ James B. Johnston, "The Bridge Connecting Pontius Pilate's Sentencing of Jesus to the New Jersey Death Penalty Study Commission's Concerns over Executing the Innocent: When Humans Beings with Inherently Human Flaws Determine Guilt or Innocence, and Life or Death," *Rutgers Journal of Law and Religion* 10, no. 15 (2009): 1–28.

² John R. Snively, "The Right of an Accused to the Assistance of Counsel," *Journal of the American Judicature Society* 32 (December 1948): 111–14, 111. Snively argues in favor of the right to the assistance of counsel based almost entirely on a history of injustice when such assistance is not present (most prominently, in the trial of Jesus).

³ David Pimentel, "The Impact of *Obergefell*: Traditional Marriage's New Lease on Life," *Brigham Young University Journal of Public Law* 30, no. 2 (2016): 251–75.

principles of governance?⁴)?

But the questions posed and answered implicitly in Luke are different. They are, as Jonathan Pennington writes in a much larger context, questions of philosophy (in the fullest sense), of extending analysis beyond granular consideration of separate issues and towards a whole-life philosophy.⁵ The question should not be whether some passage impacts our feelings about state-sponsored executions or privacy or counterterrorism efforts or any of the thousand issues that might comprise the legal and political systems as a whole, but how we are to live and be in relation to the system, agents of the kingdom bringing heaven to earth.

More: these strategies can help Christians in every age of history and every social and political situation to understand where they are positioned with respect to *all* the systems of the world. Human culture implies—indeed, *demand*s—the implementation of systems that (putatively) create rules of conduct and right acting. Though the subject of this thesis has been the legal systems of political entities, the human experience is rife with such systems, ranging from personal to social to professional to ecclesiastical. And because those systems are in the hands of people, they are susceptible to the kind of fallen-ness which characterizes the human experience. Accordingly, the responses of Christ and Paul—though narratively contextualized as responses to an imperial system of justice aimed as a weapon at their lives and testimonies—may be recontextualized into every corrupt human system. In every age and circumstance, the world can know Christ’s servants by *how* they respond to the injustices that invariably color the systems of the world (whatever their nature, and however conceived). This should be an idea of enormous comfort, and should fill those of us with allegiance to the kingdom with

⁴ Chad Thomas Beck, “Sanctuary for Immigrants and Refugees in Our Legal and Ethical Wilderness,” *Interpretation: A Journal of Bible and Theology* 72, no. 2 (April 2018): 132–45.

⁵ Jonathan T. Pennington, *Jesus The Great Philosopher: Rediscovering the Wisdom Needed For the Good Life* (Grand Rapids: Brazos Press, 2020), 8 (“Christianity is not just a set of doctrines but a divine whole-life philosophy . . .”).

enormous hope.

But there is in the responses of Christ and Paul something that resembles the *habitus* of patience that Kreider tracks so deeply in the culture of the early church, and with the projects of intertwined accommodation and resistance that have characterized the church for two thousand years. In *Mere Christianity*, C. S. Lewis described the church in metaphor as a kind of resistance movement, aiding and abetting the activity of a rightful king who has landed in secret to reclaim his own:

Christianity agrees . . . that this universe is at war. But it does not think this is a war between independent powers. It thinks it is a civil war, a rebellion, and that we are living in a part of the universe occupied by the rebel. Enemy-occupied territory—that is what this world is. Christianity is the story of how the rightful king has landed, you might say landed in disguise, and is calling us all to take part in a great campaign of sabotage.⁶

We may draw a similar metaphor about the respective legal strategies of Christ and Paul in response to the Roman authorities. Christ and Paul in Luke and Acts are more than hapless and persecuted defendants, summoned before powers they do not understand. Christ introduced the kingdom to the world, and confronted the empire with its arrival in both the now and the yet-to-come; Paul became the kingdom's foremost agent, bearing its message like a doomsday weapon into the heart of empire.

⁶ C. S. Lewis, *Mere Christianity* (New York: HarperCollins, 2009), 46.

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ABSTRACT

THE KINGDOM AGENTS OR, THE TWIN OPERATIONS OF KINGDOM AND EMPIRE IN THE TRIALS OF JESUS AND PAUL

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Both Luke and Acts end with a strikingly similar series of events: the protagonists of those books (Jesus and Paul, respectively) are called before Roman judicial tribunals who repeatedly find them innocent of any charges worthy of death, but nonetheless are forced for political reasons to condemn them. This parallel construction of events executes a core Lukan literary theme: demonstrating how the Jesus community can live and thrive in the shadow of repressive human empires unreceptive to the upside-down kingdom of God. It does so by painting Christ as an enigmatic and ontologically *external* agent of the kingdom whose life and work are undecipherable to the Roman authorities, and by casting Paul as an *internal* agent, capable by birth and background of navigating the empire's power structures in the name of the kingdom.

Chapter 1 provides a brief overview and introduction of the argument. Chapter 2 explains the twin and overarching thematic thrusts of Luke: (1) the vision of a kingdom of God that will exist at the end of time, in which justice and peace reign; and (2) the way in which the Jesus community, as citizens of that future kingdom, must enact the kingdom's values—and, specifically, its inversion of worldly power structures—in the here-and-now. Chapter 3 explains the Roman legal system to which the protagonists of Luke-Acts are subjected, and traces out in brief the Lukan accounts of their trials. Chapter 4 examines the strategies of Christ and Paul, and finds that Christ employs strategies (misdirection and silence) that signal his externality, while Paul weaves his

way through the system as one born to it. These strategies, this thesis argues in the same chapter, were a necessary part of demonstrating for the early Jesus community how to interact in a transformative way with the Roman world. Chapter 5 offers up the practical application suggested by these strategies. Finally, Chapter 6 concludes the analysis, arguing that the response of each protagonist was aimed at fulfilling his purpose: Christ, to supernaturally defeat evil at Golgotha and providing an example of silent suffering; and Paul, to bear the name of the kingdom into the heart of the empire.

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MDiv, Liberty Baptist Theological Seminary, 2017

PUBLICATIONS

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ORGANIZATIONS

The Evangelical Theological Society

Ohioana Library Association

Christian Legal Society, Central Ohio Chapter

She Dreams Again