Acts 5:17-42 Commentary

“But the high priest rose up, and all who were with him (that is, the party of the Sadducees), and filled with jealousy they arrested the apostles and put them in the public prison” (vv. 17-18).

At the instigation of the presiding member over the Sanhedrin, Annas the high priest (Acts 4:6), the party of the Sadducees arrested the apostles and placed them in prison overnight.

The reason for their jealousy is not explained in the text. Perhaps, the Sadducees did not like the way the people treated the apostles with greater respect, even to the point that the crowds were potentially willing to stone some of the Sadducees to rescue the apostles (Acts 5:26). Additionally, they may have been envious of the disciples’ perceived authority; the Sadducees may have feared that power was slipping from their grasp as the disciples led Jews and God-fearers toward Christ and away from the Temple. The Tabernacle, and later the Temple, of God were places of physical and spiritual healing for the Israelites. Peter in the immediately preceding passage (Acts 5:12-16) stood in the Temple precincts and offered both types of restoration apart from the Temple and her priests. This clear display of authority undermined the dominance of the priestly class and the Sadducean party to which many of the aristocratic priests belonged.

Neither of these suggestions are mutually exclusive. Either or neither may be correct. The reader simply has not been told the reason for the Sadducees envy; one is left merely to speculate a reason or reasons. However, the results are more important than the cause, and the results are relatively clear: the Jewish leaders who governed the Temple gathered the apostles together and threw them into “public prison” (demosia, translated in the ESV as “public,” may be an adverb: “put them in prison publicly”) to await a trial the next day.

“But during the night an angel of the Lord opened the prison doors and brought them out, and said, ‘Go and stand in the temple and speak to the people all the words of this Life.’ And when they heard this, they entered the temple at daybreak and began to teach” (vv. 19-21a).

The Sadducees’ public display of authority in locking the apostles away in jail is countered by God releasing the guarded disciples, a miracle that is publicly verified by the apostles’ presence once again in the Temple precincts the following morning. The rebellious leaders of the people—and, of course, Satan who lurks in the shadows behind them—have once again lost in their power-struggle against an Almighty God. This turn of events simply proves the words of Gamaliel the Pharisee to be true even before he delivers them to the Sanhedrin: “if this plan or this undertaking is of man, it will fail….if it is of God, you will not be able to overthrow them” (Acts 5:38b-39a).

As if there were not enough irony in this event, Luke records that the apostles were released from their holding cell by an angel. The Sadducees differed greatly from their more religiously conservative brothers, the Pharisees, in multiple ways. One of the most prominent is the oddity that the Sadducees did not believe in any otherworldly beings beside God. They neither believed in angels or demons. “I Am” was thought to reign alone in heaven without any celestial attendants. It is, therefore, an act of divine comedy for the Lord to employ an angel, in whose existence the Sadducees did not believe, to rescue his disciples. God indeed has a sense of humor.

The angel that frees the apostles then encourages them to go up to the Temple and preach “the words of this Life.” Such a title is an appropriate way to refer to the gospel of
Jesus. He is the “Author of Life” itself (Acts 3:15), both physical and spiritual (see Acts 5:12-16). Following this command was risky. To be found by the Temple guards once again preaching the gospel of the crucified and risen Christ meant further persecution. They risked being thrown in prison once more, being beaten, and possibly being executed for their act of defiance. There were no First Amendment rights to protect the apostles. But the disciples obeyed the command of the Lord regardless. Jesus had thoroughly prepared them to face the coming mistreatment for his Name’s sake (Mt 10:16-42; Mk 13:9-13; Lk 12:11-12; 21:12-19; Jn 15:18-25; 16:2-3).

“Now when the high priest came, and those who were with him, they called together the council, all the senate of the people of Israel, and sent to the prison to have them brought. But when the officers came, they did not find them in the prison, so they returned and reported, ‘We found the prison securely locked and the guards standing at the doors, but when we opened them we found no one inside.’ Now when the captain of the temple and the chief priests heard these words, they were greatly perplexed about them, wondering what this would come to. And someone came and told them, ‘Look! The men whom you put in prison are standing in the temple and teaching the people.’ Then the captain with the officers went and brought them, but not by force, for they were afraid of being stoned by the people” (vv. 22b-26).

When the events of the previous night are brought to the attention of the Temple leadership they are understandably perplexed. They do not understand what happened, how to proceed, or what will result from their struggle with the disciples (Acts 5:24). Their only recourse is to recapture the apostles, yet without force, so as not to disturb the peace. One can sense irony in Luke’s storytelling once again: the disciples are being arrested, yet the Temple guards are the only ones causing a disturbance.

“And when they had brought them, they set them before the council. And the high priest questioned them, saying, ‘We strictly charged you not to teach in this name, yet here you have filled Jerusalem with your teaching, and you intend to bring this man’s blood upon us.’ But Peter and the apostles answered, ‘We must obey God rather than men. The God of our fathers raised Jesus, whom you killed by hanging him on a tree. God exalted him at his right hand as Leader and Savior, to give repentance to Israel and forgiveness of sins. And we are witnesses to these things, and so is the Holy Spirit, whom God has given to those who obey him’” (vv. 27-32).

The tendency of many Jews to avoid pronouncing the name of Jesus—which is now the name above every name (Phil 2:5-11)—appears to have presented itself early. The high priest circumvented the use of the name “Jesus” by referring to it in an undignified manner as “this name.” But as the reader has seen, it is in “this name” that men are liberated from sin and death (Acts 2:21) and the ailed are healed (Acts 3:16). The disciples are not ashamed, therefore, to preach and heal in the great and powerful name of Jesus. Due to the boldness engendered by the Spirit (Acts 4:29-31), it is unimaginable that they could act or feel otherwise. Because Jesus had told the disciples before his Ascension to serve as witnesses to his resurrection in Jerusalem (Acts 1:8), the frequent warnings of the Sanhedrin to cease preaching
fell on deaf ears. Even the high priest recognized that the apostles had succeeded in the first stage of their mission: “you have filled Jerusalem with your teaching” (Acts 5:28). This success was only achieved through the inner-working of the Spirit and the out-working of obedience. The latter, obedience, is the central theme of Paul’s mini-sermon in 5:29-32, as is seen by the double use of “obey” at the beginning and end of the speech.

Peter begins his address with a direct statement of opposition to the Sanhedrin and of allegiance to the Lord: “We must obey God rather than men” (Acts 5:29). The “men,” of course, are the Jewish leaders Peter is standing before in Jerusalem. Only months prior they had handed God’s Messiah over to execution, and presently, they are active persecutors of his followers. This is reason enough for Peter and his companions to disobey the Sanhedrin. Conversely, God the Father deserves their allegiance because he raised Jesus from the dead, replacing the shame of the cross (Deut 21:22-23; Gal 3:13-14) with exaltation at his right hand (Ps 110:1). Jesus now sits as both the Leader of this world and its Savior, who offers an avenue toward repentance and forgiveness to those who turn to him in faith. The disciples are witness to this reality, and so is the Holy Spirit, who works among those that obey the Father (notice that all three members of the Trinity are mentioned in these few verses). If the Sanhedrin wanted to guarantee the apostles’ silence, it was going to require nothing less than the disciples’ deaths.

“When they heard this, they were enraged and wanted to kill them. But a Pharisee in the council named Gamaliel, a teacher of the law held in honor by all the people, stood up and gave orders to put the men outside for a little while. And he said to them, ‘Men of Israel, take care what you are about to do with these men. For before these days Theudas rose up, claiming to be somebody, and a number of men, about four hundred, joined him. He was killed, and all who followed him were dispersed and came to nothing. After him Judas the Galilean rose up in the days of the census and drew away some of the people after him. He too perished, and all who followed him were scattered. So in the present case I tell you, keep away from these men and let them alone, for if this plan or this undertaking is of man, it will fail; but if it is of God, you will not be able to overthrow them. You might even be found opposing God!’” (vv. 33-39a).

If God had indeed raised Jesus from the dead, the Sanhedrin had not only killed an innocent man, they killed the long awaited Messiah, Son of God. This blasphemy would cut them off from the people of God and make them unfit to hold positions as Israel’s leaders. Incensed at the implications of Peter’s presentation, the council considered executing the apostles, and likely would have were it not for the intervention of Rabbi Gamaliel.

Gamaliel was a Pharisee and the grandson of one of the greatest Rabbis in Jewish history, the liberal Pharisee Hillel. In Christian tradition Gamaliel is known best as the teacher of the Apostle Paul, who will become the major character in the Book of Acts after Chapter 10. In fact, Gamaliel’s pupil may be Luke’s source for his speech, which had been presented in a close door session of the council.

The central claim of Gamaliel’s defense of the disciples is detailed in 5:38-39. He proposes that the council adopt a wait-and-see attitude toward the early Christian movement. If God is not with Jesus and the Church, then the movement will fall apart. That which opposes God cannot ultimately succeed. Conversely, if God is behind the movement, the Sanhedrin may be found opposing God himself, a stance that would naturally lead to the councils downfall (Prov 21:30; Isa 8:9-10; Lam 3:37; Nah 1:9 [it is worth noting that the Sadducean
party, to which the majority of the Sanhedrin’s members belonged, ceased to exist after God’s destruction of Jerusalem in AD 70 (Mt 23:29-24:35)).

Gamaliel drew the council’s attention to a pair of incidents to support his position. Gamaliel first mentions one, Theudas, who led four hundred men against the Roman army and lost both the battle and his life. Many scholars, even those who are traditionally deemed “conservative,” have accused Luke of being anachronistic in his use of this example. Josephus, the late first century AD Jewish historian, records that a man named Theudas rose up during the procuratorship of Cuspius Fadus (AD 44-46) and claimed to be a prophet of God (Antiquities 20.97-98). He was quickly confronted by the Romans and beheaded. If this is indeed the Theudas to which Luke has Gamaliel refer, then—it is commonly thought—Luke was in error: Josephus dates Theudas’ rebellion to ten years after Gamaliel’s speech.

However, to hold fast to this conclusion is to ignore two other more plausible possibilities (particularly given the inspiration of Scripture). The first is that Josephus may have been incorrect with his dating. Josephus was far from a flawless historian; it is a distinct possibility that he is the one who is guilty of an anachronism. The second possibility is that neither Josephus or Luke are incorrect. Luke may record Gamaliel referring to the insurrection of a different Theudas altogether. The ambiguity of the text permits this conclusion, and “Theudas” was an exceedingly common name in first century Israel. Moreover, Josephus stated that there were innumerable conflicts after the death of Herod the Great in 4 BC: “there were ten thousand other disorders in Judea, which were like tumults” (Antiquities 17.269, 285). Theudas’ revolt easily could have been one of these.

Either of the above theories could be correct. But we need not choose. It is sufficient enough to conclude that there is no good reason to conclude hastily that Luke recorded Gamaliel wrongly. Not only was Luke a thoughtful scholar (Lk 1:1-4), his work is Scripture, which is without error as it is “breathed out,” co-authored, by God himself (2 Tim 3:16-17; Prov 30:5).

Gamaliel’s second example is less controversial. He alludes to the rebellion of Judas the Galilean who spoke out against the census taken by Quirinius in AD 4-6. Censuses are taken, in part, to determine the tax revenue the governor could expect from a province. Since the Israelites paid taxes straight to their Roman overlords, Judas convinced a large crowd of Jews not to pay, as “taxation was no better than an introduction to slavery” (Josephus, Antiquities 18.1.1, 6). This revolution was quickly put down by the Roman military.

Although there is no indication that Gamaliel sympathized with the early Christian movement, his words here spared the apostles from immediate martyrdom and allowed them to continue preaching the word.

“So they took his advice, and when they had called in the apostles, they beat them and charged them not to speak in the name of Jesus, and let them go. Then they left the presence of the council, rejoicing that they were counted worthy to suffer dishonor for the name. And every day, in the temple and from house to house, they did not cease teaching and preaching that the Christ is Jesus” (vv. 39b-42)

Yet again, the Sanhedrin ordered the disciples not to share the word of the risen and glorified Jesus with the people of Israel. However, this time they beat the apostles before releasing them. Likely, the disciples received the traditional “forty-less-one” flogging on both their chest and back with a three-strand leather whip. Deuteronomy 25:2 prescribed forty lashes as a punishment for high crimes, but the Jewish leaders of the first century AD often limited the strokes to thirty-nine in case the blows were miscounted. This was a very painful punishment that occasionally ended in the expiration of the victim. But the real toll was inflicted on the person’s dignity. As Josephus claimed, the punishment of flogging, which included
being stripped down to the waist and being beaten, was “a most ignominious one for a free man” (Antiquities 4.8.21).

Regardless, the disciples left the council chamber rejoicing that they were considered worthy to suffer dishonor on behalf of the name of Jesus. As they well knew from the example of Christ—who was cursed by being hung on a tree, yet was exalted to the right hand of the Father—those whom the world mocks and shames for obedience to the Holy Spirit, the Father exalts. If they were deemed worthy to experience Jesus’ shame, they, too, would be deemed worthy to experience Christ’s reward. Therefore, they continued to preach with boldness that Jesus was indeed the Messiah of God not only from house-to-house, but also in the Temple, where they had been forbidden to go. Nothing would stop them from obeying God, not even the futile threats of powerful men.