

Paul's View of the Law in Romans 7: An Engagement with E. P. Sanders

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1. Introduction

I will critically engage with the interpretation of Romans 7 by E. P. Sanders,¹ who ushered in the so-called “*New Perspective*” on Paul.² Sanders’ reading of Romans 7, described as the “most difficult passage” in the New Testament,³ will first be summarised, followed by a critical interaction.⁴

Briefly, Sanders’ study falls under the rubric of the “historical-critical” approach, whereby the attempt is to venture behind the layers of interpretation and to ascertain, as best as possible, what likely occurred and what was originally meant by the texts in question. Sanders is attempting to deal with two wrongs in his *magnum opus*, *Paul and Palestinian Judaism*: first, the distorted view of Judaism in Christian scholarship; secondly, a distorted reading of Paul whereby the distorted understanding of Judaism is *read into* Paul. This task is accomplished by critically engaging with Jewish writings and the undisputedly authentic Pauline letters, letting them speak for themselves.

2. The Larger Background: From Plight to Solution or Vice Versa?

Romans 1-7 presents us with the “plight” of humanity, the “solution” being presented by Paul in the subsequent chapters. At least this is how most scholars read Romans prior to the publication of Sanders’ aforementioned book. Sanders turned this reading completely around. For Sanders, the thought runs from *solution* to

¹ The three principal studies employed are E. P. Sanders, *Paul And Palestinian Judaism: A Comparison of Patterns of Religion*, (Philadelphia: Fortress Press, London: SCM Press Ltd, 1977); *Paul, the Law, and the Jewish People*, (Philadelphia: Fortress Press, 1983); Sanders’ most recent study is used to summarise his interpretation of Romans 7, *Paul: The Apostle’s Life, Letters and Thought*, (Minneapolis: Fortress Press, 2015).

² “So-called” because the New Perspective is not a monolith and the “Lutheran” perspective still remains, albeit in a modified form. For an introductory level discussion, see John Ziesler, *Pauline Christianity*, (Revised Edition, Oxford, New York: Oxford University Press, 1990); David G. Horrell, *An Introduction to the Study of Paul*, (Third Edition, London, New York: Bloomsbury T&T Clark, 2015). For the revised “Lutheran perspective,” see Erik M. Heen, ‘A Lutheran Response to the New Perspective on Paul’, in *Lutheran Quarterly*, Volume XXIV, (2010), 263-291. Contrary to popular opinion, the term “New Perspective” was not “first” coined by Dunn. See Wright’s discussion who traces the earliest use of the phrase: N. T. Wright, *Paul And His Recent Interpreters: Some Contemporary Debates*, (London: SPCK, 2015), pp. 64-65, particularly footnote #4, p. 65. See also James D. G. Dunn, *Jesus, Paul, and the Law: Studies in Mark and Galatians*, (Louisville, KY: Westminster/John Knox Press, 1990).

³ T. E. van Spanje, *Inconsistency in Paul?: A Critique of the Work of Heikki Räisänen*, (Wissenschaftliche Untersuchung zum Neuen Testament: Reihe 2: 110, Mohr: Siebeck, 1999), p. 218.

⁴ It should be noted that I will restrict myself to the discussion pertaining to the law.

plight.⁵ Paul *begins* with the conviction that Jesus is the saviour and thus, “...all other possible ways of salvation are wrong.” Hence, Paul *begins* with the solution: faith in Jesus has saved him.⁶ But if faith in Jesus leads to salvation, then why was the law given in the first place? What was its purpose? In light of his new understanding about Jesus, Paul has constructed a problem: explaining the law and its purpose in relation to the only way to attain salvation - faith in Jesus. According to Sanders, Paul did not believe he required salvation *prior* to his acceptance of Jesus, secondly, that he was persecuting Jesus’ followers, who were seen not to be properly Jewish, and finally, that Paul’s attitude towards the law also helps demonstrate that his thought ran from *solution to plight*.⁷

Here Sanders is refuting scholars, most notably Bultmann, who read Romans in the traditional manner: seeing the starting point as plight, which leads to the solution. Bultmann’s analysis of the undisputed Pauline epistles led also him to conclude that the human, who perceives himself, is attracted towards the creation rather than the Creator. Despite having God’s law, his inherent condition leads him towards the direction of sin. Hence all human striving is futile. For Bultmann, there was a misguided zeal for the law in Judaism, which led to boasting and reliance upon one’s own efforts to win salvation.⁸ Thus, the plight of man leads Paul to his conclusion: salvation through faith in Jesus.⁹

3. Sanders’ Analysis of Romans 7

Paul is faced with explaining two divine dispensations: one is saved by placing faith in Jesus; the election of Israel and the giving of the law does not save people. Since God had also given the latter dispensation, Paul now had to explain its purpose. In Romans 7, Paul initially asserts that the Jewish law was ineffective to save and describes it as “... one of the enslaving evil powers that is opposed to Christ.”¹⁰ However, since God gave the law, Paul will now have to retract or modify his view.

⁵ According to Sanders, in the initial chapters, Paul is, more likely, describing the pre-Christian or non-Christian life from the perspective of faith.

⁶ Paul wants this for all, particularly the gentiles.

⁷ For the detailed discussion, see E. P. Sanders, *Paul And Palestinian Judaism: A Comparison of Patterns of Religion*, pp. 442-447 & 474. Quotation from p. 443.

⁸ “If pre-faith man is man fallen into the power of death, man under faith is man who receives life.” Rudolf Bultmann, Kendrick Grobel (trans.), *Theology Of The New Testament*, (Vol. 1, London: SCM Press, 1952), p. 270. See also the discussion in pp. 239-244; 270-353 & p. 249.

⁹ Though Sanders disagrees with Bultmann’s reading of Romans, he, nonetheless, acknowledges that Bultmann was closer to Paul’s own understanding of the law when compared to Schweitzer. See, E. P. Sanders, *Paul And Palestinian Judaism: A Comparison of Patterns of Religion*, p. 481.

¹⁰ E. P. Sanders, *Paul: The Apostle’s Life, Letters and Thought*, p. 641. See the discussion in pp. 640-641.

This leads Sanders to conclude that Paul's, "...statements about the law will not cohere perfectly with each other."¹¹

After making the law an ally of Sin, Paul will pull it in the other direction: the law is holy and good. Sanders insists that Paul was not "irrational,"¹² repeating his earlier observation, that Paul's statements on the law, when pulled together, fail to form a logical whole, or constitute a systematic theology of the law.¹³ Nonetheless, each response - a reaction to specific questions/problems - has its own logic and reasoning.¹⁴

Paul states that the law is binding only during one's lifetime. For example, a married woman is bound by law to her husband as long as *he* lives. But after *his* death, however, she can marry someone else (vv. 2-3). Thus, the death of one person (husband) has released another person from the law. This leads Paul to conclude, "*you* have died to the law through the body of Christ" (7:4).¹⁵

The law is an enslaving force; Paul offers an explanation (v. 5): while living in the Flesh, sinful passions, aroused by the law, were at work "in our members to bear fruit for death." According to Sanders, "Flesh" here is reminiscent of Sin personified - "...an inimical power that is escaped by dying with Christ."¹⁶ Paul's solution appears in his statement that one has died to the law through the body of Christ (v. 4), followed by the plight (v. 5): "living in the flesh." The solution is mentioned again in a different way: Christians are "released from the law," no longer enslaved "under the old living code" (v. 6).¹⁷

Paul asks (v. 7), "is the law Sin?" Sanders explains that the law is part of the problem, not the solution, being deeply implicated in human plight, so much so that it must be escaped. This is accomplished by participating in Jesus' death.¹⁸ Here Paul "recoils," giving a forceful negative response. He then asserts that he would not have known sin were it not for the law. Paul presents the example of "You shall not covet," reasoning that this command produced in him "all kinds of covetousness" (vv. 7-8).

For Sanders, Paul has failed to find a thorough explanation of how the law, which is supposed to be good, acts with Sin to produce bad results. In vv. 10-11, Paul

¹¹ Ibid, p. 641.

¹² Ibid, p. 641.

¹³ E. P. Sanders, *Paul, the Law, and the Jewish People*, p. 4; *Paul: The Apostle's Life, Letters and Thought*, p. 641.

¹⁴ E. P. Sanders, *Paul, the Law, and the Jewish People*, p. 4.

¹⁵ Cited by E. P. Sanders, *Paul: The Apostle's Life, Letters and Thought*, p. 645. Italics original.

¹⁶ Ibid., p. 645.

¹⁷ Ibid., p. 646.

¹⁸ Ibid., 646.

declares that the life promising commandment proved to be death to him.¹⁹ In v. 12, however, he reaches an unexpected conclusion, “the law is good, and the commandment is holy and just and good.” Paul further explains (v. 13), “It was sin, working death in me through what is good...” This suggests that the law was used as a tool by Sin. Drawing a comparison with Galatians, Sanders concludes that this, according to Paul, was precisely God’s intention; God used the law and Sin for his purposes – “locking up everyone until Christ came.”²⁰

Sin personified has its own power, enabling it to use the law “...to produce sinfulness *against* God’s will.”²¹ Paul presents a picture of helpless humans and of the laws being ineffectual. Even though the commandment is “holy and just and good” (v. 12), Sin remains in control of the outcome.²²

The “I” passages (vv. 9-25) are understood by Sanders to, firstly, refer to Adam (vv. 9-13) and, secondly, to those who have not died with Christ (vv. 14-25). The latter “I” sections are “horribly pessimistic,” depicting the hopelessness of human plight in a life without Jesus. Sanders strongly pushes forth the point that “...the total continuing depravity of humans and the depiction of them as helpless to do anything good is part of an *argument* and does not constitute Paul’s ordinary view of humans and sin. In numerous places he says diverse things that are not compatible with the idea of helplessness to do anything except evil.”²³

Concluding his discussion, Sanders reiterates the importance of focussing on Paul’s *conclusions*, instead of working out his “theology” from his *arguments*.

4. Critical Analysis of Sanders’ Reading of Romans 7

According to Sanders, in vv. 8-13, the law is used as a tool by Sin and made to produce evil results. However, in vv. 14-24, the law is good and is not employed by Sin. Instead, “... the “I” figure holds it in his mind, but is powerless to obey it, since the good law is being combated by “another law” in his members, which overwhelms the law of God.” However, nothing in the latter passage suggests an absence or even a negation to the notion of Sin using the law as a tool. Instead, the *end result* seems to be described in the latter; the *outcome* of Sin’s use of the law as a tool. Sin - residing in the “I” figure (v. 17) - uses the law as a tool, which renders the “I” figure

¹⁹ Ibid., p. 648.

²⁰ Ibid., 649.

²¹ Ibid., p. 649. Italics by Sanders.

²² Ibid., p. 649.

²³ Ibid., p. 654. Italics by Sanders.

powerless to obey it since the law is being combated by another law (the law of Sin) in his members.

Next, a few general observations are in order, which will lead me to a pointed discussion of Romans 7. First, for Sanders, Paul preached that one is saved by having faith in Jesus and not by works of the law (in Judaism the *covenant*, Sanders explains, has soteriological function). Sanders is insistent that Paul did not state that Judaism was a religion of legalism, where one attained salvation by doing works.²⁴ However, Räisänen argues that for Paul (or he implies), the *law has* soteriological function²⁵ and thus, Paul distorts Judaism.²⁶ Van Spanje, on the other hand, agrees with Räisänen about the law having soteriological function, but argues that Paul accurately represented Judaism. For Van Spanje, Judaism was indeed about legalism. Moreover, *even if* Sanders is correct, Van Spanje proceeds, we should view this as Paul describing Judaism from *his point of view*, irrespective of how Judaism *saw itself*.²⁷ Therefore, with Van Spanje, it becomes difficult, if not impossible, to demonstrate the distortion of a stance. Moreover, some of his arguments against Sanders are unconvincing. Van Spanje asserts that Jewish legalism may well have existed despite a lack of written documentation.²⁸ Now, just as lack of evidence is not evidence of *absence*, neither can it be evidence of *presence*. Van Spanje's approach is circular²⁹ and he utilises irrelevant arguments: Justin's statement about Judaism is coming too late and cannot be used as evidence about Judaism during Paul's time.³⁰ We are left with these options: 1. Paul was responding to a *straw man* argument (Räisänen)³¹; 2. Paul was accurately presenting Judaism as a legalistic religion (Van Spanje); 3. Judaism was not a legalistic religion lacking grace and neither did Paul suggest this (Sanders).

Yet based on texts such as Deuteronomy 4 and 30, for example, it seems more likely that *both* the law and the covenant had a soteriological function in Judaism. Whether we accept this or the proposals by Räisänen and Van Spanje, it seems clear that Paul was going against the traditional view of the law in his Romans 7 paradigm.

²⁴ See the discussion in E. P. Sanders, *Paul And Palestinian Judaism: A Comparison of Patterns of Religion*, pp. 549-550.

²⁵ Heikki Räisänen, *Paul and the Law*, p. 178.

²⁶ *Ibid.*, pp. 180-181. Also see the discussion in pp. 187-188.

²⁷ T. E. Van Spanje, *Inconsistency in Paul?: A Critique of the Work of Heikki Räisänen*, p. 238.

²⁸ *Ibid.*, p. 237.

²⁹ Van Spanje does not explain how his suggestion is more likely than Räisänen's position, namely, that Paul misrepresented Judaism.

³⁰ It could be a repetition of a popular belief, thereby not telling us anything about Judaism in Paul's time. *Ibid.*, full discussion in pp. 236-240.

³¹ That is, Paul incorrectly presented Judaism as a religion where you earn salvation by works – rather, he presented a distorted view of Judaism.

It was *not* the original purpose to *allow* Sin to use the law as a tool - such a conception goes against the presentation of the law in the Bible.³²

According to Sanders, God gave the law as a way of staying “in” the covenant, with atonement procedures in place; God initiates the covenant and by His grace selects Israel. Thus, grace *precedes* the giving of the law. But Paul asserts that Sin uses the law as a tool and, in fact, increases sins. The difficulty is exacerbated when Paul implies that this was God’s plan *all along* (v. 13). This appears to be hopelessly in tension with Sanders’ own argued position of the place of the law within Judaism. Paul says, “...the very commandment that was intended to bring life (ζωήν) actually brought death.” (v. 10) - ... εὐρέθη μοι ἡ ἐντολὴ ἡ εἰς ζωὴν αὕτη εἰς θάνατον. This suggests that God failed and, needless to say, does not accord well with biblical passages which speak about the law giving life.³³ Paul’s assertion is problematic even when the biblical evidence is excluded. If life was intended through the commandments, presumably, by God, then Sin sabotaged God’s plan by using His commandment as a tool. How could life be intended through the commandments if God’s plan *all along* was to allow Sin to use the law? Sanders offers no explanation.

In short, the function assigned to the law by Paul stands in tension with the presentation of the law argued by Sanders. Moreover, it seems to be *internally* inconsistent - acknowledging that the purpose of the law was life, but subsequently negating this by making the law a tool of Sin in the original divine scheme.

That Paul is unclear in his thinking process may be seen in other locations. For example, in vv. 7-11, Paul makes a general observation about the law, “... if it had not been for the law, I would not have known sin.” He immediately presents an example: the command not to covet, “But sin, finding opportunity in the commandment, wrought in me all kinds of covetousness.” The subsequent statements (vv. 9-11) continue to refer to the law in a generalised manner. Paul’s argument can only be supported by citing the example of the tenth commandment. No other commandment validates his argument. Thus, Paul has used a non-representative example to make a sweeping claim about the law *as a whole*.³⁴ Ziesler proposes that no other commandment could make the case for the powerlessness of the law as much as this one, thereby rendering apt Paul’s paradigm.³⁵ Yet the paradigm can only

³² See the references in footnote #33.

³³ Besides Deuteronomy 4, 30 (where obedience to the law is equated with life), see also Numbers 15:40; 26:18; Psalm 103:17-18, 119:93.

³⁴ For a detailed discussion, see J. A. Ziesler, ‘The Role Of The Tenth Commandment In Romans 6’, in *JSNT*, 33, (1988), 41-56. See particularly p. 49.

³⁵ *Ibid.*, p. 52.

be “apt” when restricted to one component of the law; it fails when considering the law as a whole – Paul’s original point.³⁶ Thus, in the “heat of the moment,” Paul asserts that he would not have known sin had it not been for the law.³⁷ But now “recoil” and “modification” becomes difficult. Either he can proceed onto another theme or substantiate his point. He opts for the latter and has no choice but to supply the only available example, but one which fails to support his original claim about the law as a whole. Thus, in contrast to Sanders, I see less coherence in Paul.³⁸

In conclusion, while Sanders strives to show that Paul did not misrepresent Judaism, he overlooks the tension between Paul’s paradigm of the law and the one recreated by Sanders as the Jewish self-understanding. Paul has a clear and consistent answer – that faith in Jesus saves. But he creates an unnecessary “problem” by pitting this against law observance. As he dictates his letters, Paul does not have the luxury of going back and correcting a mistake or refining a weak/vague argument. He cannot take back a statement made in haste; *damage control* is difficult and not always successful. Therefore, his occasional letters may only provide us with a glimpse of Paul’s mind at a difficult moment in his career. The Paul in the flesh, in a relaxed setting, where he had time to think and reflect, may have framed his arguments differently.

Bibliography

1. Bultmann, Rudolf, Kendrick Grobel (trans.), *Theology Of The New Testament*, (Vol. 1, London: SCM Press, 1952).
2. Dunn, James D. G., *Jesus, Paul, and the Law: Studies in Mark and Galatians*, (Louisville, KY: Westminster/John Knox Press, 1990).
3. Heen, Erik M., 'A Lutheran Response to the New Perspective on Paul', in *Lutheran Quarterly*, Volume XXIV, (2010), 263-291.
4. Horrell, David G., *An Introduction to the Study of Paul*, (Third Edition, London, New York: Bloomsbury T&T Clark, 2015).
5. Räisänen, Heikki, 'Paul's Theological Difficulties with the Law', in *Studia Biblica*, (1978), Vol. 3, Sheffield: JSOT Press, 301-320.

³⁶ Ziesler acknowledges that Paul is talking about the law as a whole. See Ibid.

³⁷ To reiterate, he is talking about the law as a whole.

³⁸ But neither do I subscribe to the level of inconsistency attributed to Paul by Räisänen.

6. _____ Orton, David E. (trans), *Jesus, Paul And Torah: Collected Essays*, (Journal for the Study of the New Testament Supplement Series 43, Sheffield: JSOT Press, 1992).
7. _____ *Paul and the Law*, (2nd Edition, revised and enlarged, Wissenschaftliche Untersuchungen zum Neuen Testament; 29, J. C. B. Mohr (Paul Siebeck) Tübingen, 1987).
8. Rosner, Brian S., *Paul and the law: Keeping The Commandments Of God*, (New Studies In Biblical Theology 31, Illinois: Inter-Varsity Press, 2013).
9. Sanders, E. P., *Paul, the Law, and the Jewish People*, (Philadelphia: Fortress Press, 1983).
10. _____ *Paul: The Apostle's Life, Letters and Thought*, (Minneapolis: Fortress Press, 2015).
11. _____ *Paul And Palestinian Judaism: A Comparison of Patterns of Religion*, (Philadelphia: Fortress Press, London: SCM Press Ltd, 1977).
12. Van Spanje, T. E., *Inconsistency in Paul?: A Critique of the Work of Heikki Räisänen*, (Wissenschaftliche Untersuchungen zum Neuen Testament: Reihe 2: 110, Mohr: Siebeck, 1999).
13. Wright, N. T., *Paul And His Recent Interpreters: Some Contemporary Debates*, (London: SPCK, 2015).
14. Ziesler, John. A., 'The Role Of The Tenth Commandment In Romans 6', in *JSNT*, 33, (1988), 41-56.
15. _____ *Pauline Christianity*, (Revised Edition, Oxford, New York: Oxford University Press, 1990).