

Is Romans 7:7–13 about akrasia?

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It happens that a person who knows what is morally good and wants to do it nevertheless does what is bad. This phenomenon, dealt with by modern philosophers as “weakness of will,” was discussed in ancient philosophy under the title of “akrasia” (ἀκρασία). The various philosophical schools developed different models of explaining what was going on within an akratic person such that he or she behaved in this paradoxical way.¹

Early exegetes recognized that in Rom 7:14–24 such an akratic person speaks. They knew that Rom 7:15 and 7:19 resemble the famous saying of Medea *video meliora proboque, deteriora sequor* and discussed the similarities and differences.² In the wake of Rudolf Bultmann’s³ and Werner Georg Kümmel’s⁴ work on Rom 7, it became fashionable to deny any relation between Paul’s text and the ancient philosophical debates about akrasia. Rom 7, so most protestant German exegetes claimed, had nothing to do with “trivial psychological insights” but was rather a “theological” text dealing with “the sinner’s objective situation before God.”⁵ Current exegetical research has widely abandoned such superficial judgements and tries to work out in detail how Rom 7:14–24 relates to the various philosophical models of akrasia.⁶

¹ Cf. J. Müller, *Willensschwäche in Antike und Mittelalter: Eine Problemgeschichte von Sokrates bis Johannes Duns Scotus* (Ancient and Medieval Philosophy 40; Leuven: Leuven University Press, 2009).

² For the history of interpretation of Rom 7 cf. H. Lichtenberger, *Das Ich Adams und das Ich der Menschheit: Studien zum Menschenbild in Römer 7* (WUNT 164; Tübingen: Mohr Siebeck, 2004), 15–105; U. Wilckens, *Der Brief an die Römer, vol. 2: Röm 6–11* (EKK VI/2; Zürich: Benziger/Neukirchen-Vluyn: Neukirchener, 1980), 110–111; S. Krauter, “Römer 7 in der Auslegung des Pietismus,” *KuD* 52 (2006): 126–150.

³ R. Bultmann, “Das Problem der Ethik bei Paulus,” *ZNW* 23 (1924): 123–140 = idem, *Exegetica: Aufsätze zur Erforschung des Neuen Testaments* (ed. E. Dinkler; Tübingen: Mohr Siebeck, 1967), 36–54.

⁴ W. G. Kümmel, *Römer 7 und die Bekehrung des Paulus* (Leipzig: Hinrichs, 1929) = idem, *Römer 7 und das Bild des Menschen im Neuen Testament: Zwei Studien* (TB 53; München: Kaiser, 1974), IX–160.

⁵ Cf. O. Hofius, “Der Mensch im Schatten Adams,” in idem, *Paulusstudien II* (WUNT 143; Tübingen: Mohr Siebeck, 2002), 104–154, here: 147–149; W. Schmithals, *Der Römerbrief: Ein Kommentar* (Gütersloh: G. Mohn, 1988), 214.

⁶ Cf. R. von Bendemann, “Die kritische Diastase von Wissen, Wollen und Handeln: traditionsgeschichtliche Spurensuche eines hellenistischen Topos in Römer 7,” *ZNW* 95 (2004):

In the most recent monograph on Rom 7 *The Death of the Soul in Romans 7* Emma Wasserman⁷ shows – in my opinion: convincingly – that the nearest parallels to Rom 7:14–24 can be found in platonic texts about moral psychology from the Hellenistic era.

However, she goes much further. She claims that the *whole* passage (Rom 7:7–24) is about akrasia. This interpretation should be uncontroversial insofar as it means that in the whole passage an akratic person *speaks*.⁸ There is no hint that the “I” speaking in 7:14–24 about its present condition should not be the same as the “I” telling in 7:7–13 an event that happened to it in the past. Wasserman, however, claims that this interpretation holds also true for the “I” that *acts* in 7:7–13. The “I” had already been in the state of akrasia when the event told in 7:7–13 happened.

Following Stanley Stowers,⁹ Wasserman thinks that this “I” should be identified as a Gentile who tries to live according to the norms of the Torah. The Torah does not help him to overcome his weakness of will and do the good. Instead of being a remedy, which it is for Jews, it makes his moral illness even worse and leads him into total distress and frustration.

In contrast to and in conversation with Wasserman’s reading of Rom 7:7–24, I want to propose in the following that Rom 7:7–13 does not deal with the effects of law on a person who *is* already in the state of akrasia, but rather with the problem of how law contributes to the process that a person *becomes* akratic. I want to show this, first, by analyzing the structure of the argument in Rom 7:7–24 and, secondly, by discussing the relation of Rom 7:7–13 to Gen 3. Finally, I will argue that Rom 7:7–13, understood in this way, fits very well into another ancient philosophical debate, namely that about paradoxical effects of prohibitions.

35–63; T. Engberg-Pedersen, “The Reception of Graeco-Roman Culture in the New Testament: The Case of Romans 7.7–25,” in *The New Testament as Reception* (ed. M. Müller and H. Tronier; JSNTSup 230; Sheffield: Sheffield Academic Press, 2002), 32–57.

⁷ E. Wasserman, *The Death of the Soul in Romans 7: Sin, Death, and the Law in Light of Hellenistic Moral Psychology* (WUNT 2/256; Tübingen: Mohr Siebeck, 2008).

⁸ Some exegetes follow Bultmann and Kümmel and claim that the speaking “I” in Rom 7 should be identified as a person *after* conversion who looks back to his or her past. Only after conversion it is possible to understand one’s true condition under sin and law. Before conversion one is so immersed in sin that one does not even recognize that one is sinning. So, Rom 7 is about the sinner’s objective situation, not about his subjective feelings. The rhetorical structure of the text and its background in ancient debates about akrasia make this interpretation rather artificial and implausible. Cf. already A. Tholuck, *Auslegung des Briefes Pauli an die Römer nebst fortlaufenden Auszügen aus den exegetischen Schriften der Kirchenväter und Reformatoren* (Berlin: Dümmler, 1824), 230, who anticipates Bultmann’s and Kümmel’s position and criticizes it with decisive arguments.

⁹ S. Stowers, *A Rereading of Romans: Justice, Jews, and Gentiles* (New Haven and London: Yale University Press, 1994), 258–284.

1. The Structure of the Argument in Rom 7:7–24

In his lucid analysis of the structure of Rom 7:7–24 Heikki Räisänen¹⁰ has shown that there are basically two ways of understanding the relation between this passage's two subsections 7:7–13 and 7:14–24:¹¹ Either the incident narrated in 7:7–11 (and commented on in 7:12–13) is the reason for the state of mind described in 7:14–24 or, vice versa, the state of mind described in 7:14–24 is the reason why the incident narrated in 7:7–11 (and commented on in 7:12–13) happened. Either the "I" wants to say "sin used the law to deceive me and therefore I have become akratic," or the sense of the passage is "since I am akratic sin was able to use the law to deceive me and make my situation even worse."

Although the γάρ in 7:14 might seem to indicate the latter, the former is far more plausible: Verses 7–11 (together with 12–13) narrate an event that happened to the "I" in the past and comment on it, verses 14–23 relate to the present condition of the "I," and verse 24 looks out for the miserable future of the "I." This very clear temporal structure leads a reader's perception of the passage and gives the impression that the past event is the reason for the present state. He or she will do anything but give the γάρ such a weight as to link it over the comment in 7:12–13 directly to the narrative in 7:7–11, turn round the temporal order, and perceive the state described in 7:14–24 as the reason for the incident narrated in 7:7–11.¹²

Wasserman agrees with this interpretation of the passage and points out that the appeal to the past, present, and future of the speaking person complies with the expectations of ancient readers for the rhetorical structure of a "speech in character" (prosopoiia).¹³ She claims, nevertheless, that not only the speaking "I" but also the acting "I" is to be perceived as an akratic Gentile right from the beginning and that the incident narrated in 7:7–11, namely the encounter of the "I" with law, makes the situation of this "I" even worse by leading to "soul death."

This interpretation of the passage, however, faces serious difficulties. Romans 7:9–11 is structured around the central metaphor of life and death. Before the coming of the law "I" was alive and sin was dead. But when the law came sin sprang to life and "I" died. So, now "I" am dead and sin is alive. The "I" and sin change places and this exchange has something to do with the coming of the law.

Within this structure it is quite evident that ἐγὼ δὲ ἔζων χωρὶς νόμου ποτέ cannot just mean in a neutral sense "I lived (i. e., existed) once apart from the

¹⁰ H. Räisänen, *Paul and the Law* (2d ed.; WUNT 29; Tübingen, Mohr Siebeck, 1987), 142–43.

¹¹ Most exegetes divide the text into these two subsections. Strictly speaking, the story of the "I" comprises only 7:7–11. Romans 7:12–13 comment on this story and build a bridge to the following.

¹² A. Reichert, "Literarische Analyse von Römer 7,7–25a," in *The Letter to the Romans* (ed. U. Schnelle; BETL 226; Leuven: Peeters, 2009), 297–325, here: 300.

¹³ Wasserman, *The Death of the Soul*, 81.

law,” but is to be understood in an emphatically positive sense as “I was once alive apart from the law.” Wasserman recognizes this difficulty and attempts to overcome it by pointing to the figure of the so called “living dead,” known from numerous ancient texts about moral philosophy. This “living dead” *thinks* he is alive but then some event causes him to reevaluate his condition and he understands that in reality he is morally dead.¹⁴

Wasserman proposes that also Rom 7:9–11 should be interpreted in this way. That means the claim that “I was once alive apart from the law” is to be read as conveying the speaker’s erroneously positive conception of himself before his encounter with the law. The law causes him to understand his true, miserable condition but does not help to overcome it.¹⁵

However, this interpretation of the text is unconvincing. Wasserman herself concedes that “life and death metaphors function somewhat differently”¹⁶ in 7:9 and 7:10–11. In fact, they would not just “function somewhat differently,” but this interpretation would force one to think that “life” in one verse of the text meant something totally different from “life” in the next verse – and this without any textual marker that could point the reader to this shift in meaning. On the contrary, there is a clear textual marker that precludes this reading. 7:11 states explicitly that sin *deceived* me by the law. And how could causing one to know one’s true condition be a deceit?

So, the most plausible understanding of Rom 7:7–24 is that in 7:7–11 a past event is narrated when the “I” came from a positively valued condition into the present miserable state that is described in detail in 7:14–24.

2. *The Relation between Rom 7:7–13 and the Story of Eve in Gen 3*

This understanding of the basic structure of the argument in Rom 7:7–13 can be substantiated by drawing one’s attention to the relation between the story of the “I” and the story of Eve in Gen 3.

Wasserman dismisses the opinion – held by many exegetes – that Rom 7 relates to Gen 3.¹⁷ Drawing on the work of J. J. Collins¹⁸ and J. R. Levison,¹⁹ she argues that only a few texts stemming from Second Temple Judaism deal with Adam’s

¹⁴ Wasserman, *The Death of the Soul*, 97.

¹⁵ Wasserman, *The Death of the Soul*, 98.

¹⁶ Wasserman, *The Death of the Soul*, 98.

¹⁷ Wasserman, *The Death of the Soul*, 4–5 and 103–4. She does not even mention Lichtenberger, *Das Ich Adams*. Given that this is the second newest monograph on Rom 7 (published in the same series as Wasserman’s book!) this is rather odd.

¹⁸ J. J. Collins, “The Origins of Evil in Apocalyptic Literature and the Dead Sea Scrolls,” in *idem, Seers, Sibyls, and Sages in Hellenistic-Roman Judaism* (Leiden: Brill, 1997), 287–300.

¹⁹ J. R. Levison, *Portraits of Adam in Early Judaism: From Sirach to 2 Baruch* (JSPSup 1; Sheffield: JSOT Press, 1988).

disobedience as the origin of human evil.²⁰ This is certainly right. Compared to Gen 6:1–4 the story of Adam and Eve in Gen 3 is not very prominent in ancient Jewish reflection on sin and evil. There is no dogma of “Adam’s fall” – let alone “original sin” – in ancient Judaism. Neither is there one in Paul.

Nevertheless, one simply cannot deny that Paul does use motifs from Gen 3 in different contexts for various argumentative aims.²¹ Therefore, although we must neither construct out of these different passages from Paul’s epistles a unified picture of his beliefs about the origin of sin, nor read some supposed “ancient Jewish Adam speculation” into Paul’s texts, we should be aware of possible allusions to Gen 3 in Rom 7 and carefully analyze their meaning.

The most explicit reference to Gen 3 in Rom 7 can be found in 7:11: “The sin deceived me.” This is almost a citation of Gen 3:13: “The snake deceived me.” “The sin deceived me through the commandment” (7:11) and “through the commandment the sin worked every kind of covetousness in me” (7:8)²² may point to the motif in Gen 3:1 that the snake cites God’s commandment – slightly but decisively altered – in order to lure Eve into eating the fruit. “Covetousness” or “desire” (ἐπιθυμία) in Rom 7:7–8 may allude to the “desirable” fruit in Gen 3:6, and both the citation of the tenth commandment “Thou shalt not covet” in Rom 7:7 and the commandment given to Adam and Eve might be understood in some way as the Torah *in nuce*.²³

All these motifs point clearly to Gen 3, or more exactly, to the story of Eve in Gen 3 – and not the story of Adam. Adam’s role, as can be seen in Rom 5:12–21, is that of a transgressor who does not obey God’s commandment. But Eve’s role is that of a victim who is brought into a state of misery and distress by a deceit which has something to do with a prohibition – as is the “I” in Rom 7.²⁴

So, should the “I” in Rom 7:7–11 be *identified* with Eve? I do not think so. Looking back from Rom 8:2 where “you” refers to every potential reader of Paul’s letter, the “I” in 7:14–24 is most plausibly understood as an “everybody”-figure. Every reader should – in Paul’s opinion – somehow agree that the state described in 7:14–24 was his or hers before hearing the good news of salvation in Jesus

²⁰ Wasserman, *The Death of the Soul*, 4.

²¹ Rom 5:12–21; 1 Cor 15:22, 45–49; 2 Cor 11:3.

²² I think that the parallelism between “the sin deceived me through the law” and “the sin killed me through it [scil. the law]” in 7:11 shows that διὰ τῆς ἐντολῆς both in 7:8 and 7:11 should be taken with the finite verb and not with the *participium coniunctum* ἀφορμὴν λαβοῦσα. But, of course, both readings are possible, and the Peshitta on the one side and the Vulgate on the other side show that ancient readers could understand the text both ways.

²³ Lichtenberger, *Das Ich Adams*, 205–51; J. Dochhorn, “Röm 7,7 und das zehnte Gebot. Ein Beitrag zur Schriftauslegung und zur jüdischen Vorgeschichte des Paulus,” *ZNW* 100 (2009): 59–77.

²⁴ Cf. A. Busch, “The Figure of Eve in Romans 7:5–25,” *Biblical Interpretation* 12 (2004): 1–36; S. Krauter, “Eva in Röm 7,” *ZNW* 99 (2008): 1–17; idem, “Röm 7: Adam oder Eva?” *ZNW* 101 (2010): 145–147.

Christ. Now, if 7:7–11 were the individual story of Eve (and only Eve)²⁵ there would be a shift in meaning between the narrative in 7:7–11 and the description in 7:14–24 which is almost impossible to understand. Therefore, the most plausible interpretation of the story of the “I” in 7:7–11 is that it is also in some sense the story of everybody, i. e., every potential reader of Paul’s letter should identify himself or herself with this “I.”²⁶ Eve’s story in Gen 3 is the model of how, and also to some extent the reason why,²⁷ “I” came from a state of being alive to a state of moral death when “I” encountered the law.

Against the opinion that Rom 7:7–11 alludes in this way to Gen 3, many exegetes raise the objection that this does not agree with what is said about Adam in Rom 5:12–21. In Rom 5, Paul distinguishes between Adam’s transgression of a commandment that brought the sin into existence, the time when humans sinned, but not in the form of breaking a law, and the coming of the Mosaic law which made sin again a transgression. By contrast, in Rom 7 the sin is already there and uses the opportunity of the coming of the law to incite desire.²⁸

This argument overlooks that Rom 5 and Rom 7 have very different rhetorical contexts. In Rom 5 Paul deals with “salvation history.” He wants to show that the Mosaic law “came between” Adam and Christ. In Rom 7 Paul’s issue is the role of the law in respect to sin in “my” biography. So, we might expect some tension – the story of the “I” in Rom 7 does not exactly fit into the “salvation historical” scheme of Rom 5 – but certainly not radical inconsistency.

So, Rom 7:7–11 alludes to the story of Eve in Gen 3, which substantiates the interpretation that it tells the story of an “I” which comes from a positive state into a state of misery and distress – not so much by his own fault but as the result of a deceit. This deceit has something to do with “my” encounter with the/a law, or more exactly with a prohibition. “If the law had not said ‘Thou shalt not covet’ I would not know covetousness.”²⁹ When we take the debates of ancient moral

²⁵ Cf. E. Käsemann’s famous statement, “Es gibt nichts in unsern Versen, was nicht auf Adam paßt, und alles paßt nur auf Adam.” *An die Römer* (HNT 8a; 4th ed.; Tübingen: Mohr Siebeck, 1980), 188.

²⁶ This does, of course, not mean that everybody has actually had such experiences. On the “artificiality” of the “I” in Rom 7 cf. K. Kuula, *The Law, the Covenant and God’s Plan, vol. 2: Paul’s Treatment of the Law and Israel in Romans* (Publications of the Finnish Exegetical Society 85; Helsinki and Göttingen: Vandenhoeck & Ruprecht, 2003), 244–50.

²⁷ It is very difficult to decide whether Eve is primarily thought of as a model for sinning or as the origin of sin in this text; cf. on the one hand Lichtenberger, *Das Ich Adams*, 127–28; on the other hand Busch, “The Figure of Eve,” 16. Romans 5:12–21 is much clearer. There the stress is on Adam being the origin of sin although the aspect of Adam being a model for sinning is not totally absent; cf. M. Theobald, *Der Römerbrief* (EdF 294; Darmstadt: Wissenschaftliche Buchgesellschaft, 2000), 153–55.

²⁸ Engberg-Pedersen, “The Reception of Graeco-Roman Culture,” 42–43; L. A. Jervis, “The Commandment which is of Life’ (Romans 7.10): Sin’s Use of the Obedience of Faith,” *JSNT* 27 (2004): 193–216, here: 195–96.

²⁹ Commentaries disagree about whether Rom 7:7–8 should be understood as a conditional subjunctive (e.g., C. E. B. Cranfield, *A Critical and Exegetical Commentary on the Epistle to*

philosophy about paradoxical effects of prohibitions into consideration we can see more precisely what this “something” is.

3. *Rom 7:7–13 and the Ancient Debate about Paradoxical Effects of Prohibitions*

When discussing the ancient philosophical context of Rom 7:7–8, Wasserman adduces texts from the works of Plato,³⁰ Polybius³¹ und Josephus³² dealing with the fact that counsels, prohibitions, or punishments against bad people sometimes do not prevent them from doing immoral things but rather incite them to behave even worse.³³ Josephus, for example, claims that God’s punishment against Cain did not better him. Ancient authors often use medical metaphors to illustrate this phenomenon: When the surgeon cuts an ulcer it proliferates faster,³⁴ or with a picture taken from nature: a brook blocked with stones becomes a torrent.³⁵

I have however shown in the previous sections of this article that Rom 7:7–13 is not about the effect of prohibitions, let alone punishments, on persons who already are bad, i. e., suffer from *akrasia*. It is about the contribution of the law in the process of *becoming* akratic.

Many commentaries cite as parallels to Rom 7:7–8 passages from Greek or Roman authors that resemble the saying that “forbidden fruits taste sweet,” especially Ovid’s famous verse *nitimur in vetitum semper cupimusque negata*.³⁶ However, on a close look, these texts are rather different from Rom 7. Ovid tells us about a woman who is neither beautiful nor attractive – but her husband is jealous. It is his jealousy that makes the thought of seducing her thrilling.³⁷ Rom 7:7–8, however, does not say: I did something bad, because I knew it was forbidden and breaking the law seemed to me an exciting experience. The lure of forbidden fruits is not the point of Paul’s remarks.

In Greek and Roman texts we do find remarks about paradoxical effects of prohibitions – or one could also say: about overlegislation – that resemble, in my opinion, Paul’s argument in Rom 7:7–8 very closely.

the Romans [ICC; vol. 1; Edinburgh: T & T Clark, 1957], 348) or as past tense (e.g., R. Jewett, *Romans: A Commentary* [Hermeneia; Minneapolis: Fortress, 2007], 446). There is no way of deciding this question and the actual difference between both understandings is not so big at all.

³⁰ Plato, *Politeia* 8,563d–e; 9,571b–d.

³¹ Polybius 1.81.

³² Josephus, *Antiquitates* 1.60.

³³ Wasserman, *The Death of the Soul*, 103–14.

³⁴ E.g., Polybius 1.81.

³⁵ E.g., Ovid, *Metamorphoses* 3.562–71.

³⁶ Ovid, *Amores* 3.4.17.

³⁷ Ovid, *Amores*, 2.19.1–4; 3.4.25–32.

In Diogenes Laertius we read an anecdote about the Athenian legislator Solon: “When he was asked why he did not frame a law against parricide he said that he did not think this would ever happen.”³⁸ A very similar story is told about Romulus by Plutarch: “It is typical for him that he did not fix a punishment against one who killed his parent but called every murder a parricide because he considered the latter horrible, the former impossible.”³⁹ The point in both texts is that killing a parent is so inconceivable that it is unnecessary to frame a law against parricide. No one will ever commit this crime, so there is no need for a prohibition or a punishment.

In his speech in favour of Sextus Roscius, who was accused of having killed his father, Cicero takes up this argument but adds an important aspect: “When he [scil. Solon] was asked why he did not fix a punishment against the one who killed his parent he answered that he did not think that anyone would ever do this. They think he acted wisely when he did not legislate against a crime that had not been committed before because it could seem that he rather recommended it than prohibited it.”⁴⁰ Legislating against a crime which will never be committed is not only unnecessary it is harmful: The prohibition itself is a sign that one *can* do such a horrible thing. Therefore, it can have the paradoxical effect that it incites people to do what it prohibits.

In two other speeches, Cicero uses the same argument in almost the same words *ne non tam prohibere videretur quam admonere* (“lest it seem that he has not so much forbidden as called attention to it”).⁴¹ These lawsuits, however, had nothing to do with parricide. So, it seems, this figure of thought could be used in different contexts.

Whereas in these two passages, Cicero alludes with approval to the tradition about Solon’s wise avoidance of overlegislation he shows his dissent in his speech for Sextus Roscius: “Much more wisely [scil. than Solon] our ancestors! Since they understood that nothing is so holy that it will not some time be violated by human audaciousness, they invented an extraordinary punishment against parricides.”⁴²

³⁸ Diogenes Laertius 1.59: ἐρωτηθεὶς διὰ τί κατὰ πατροκτόνου νόμον οὐκ ἔθηκε, διὰ τὸ ἀπελπίσαι, εἶπεν. Translations here and in the following are by the author.

³⁹ Plutarch, *Romulus* 22.4: ἴδιον δὲ τὸ μηδεμίαν δίκην κατὰ πατροκτόνων ὀρίσαντα πᾶσαν ἀνδροφονίαν πατροκτονίαν προσειπεῖν, ὡς τούτου μὲν ὄντος ἐναγοῦς, ἐκείνου δὲ ἀδυνάτου.

⁴⁰ Cicero, *Pro Sexto Roscio Amerino* 69: Is cum interrogaretur cur nullum supplicium constituisset in eum qui parentem necasset, respondit se id neminem facturum putasse. Sapienter fecisse dicitur, cum de eo nihil sanxerit quod antea commissum non erat, ne non tam prohibere quam admonere videretur. Cf. G. Landgraf, *Kommentar zu Ciceros Rede Pro Sex. Roscio Amerino*, (2d ed.; Leipzig: Teubner, 1914), 146.

⁴¹ Cicero, *De domo sua* 127: neque enim id fieri fas erat, neque quisquam fecerat, neque erat causa cur prohibendo non tam deterrere videretur quam admonere. Cicero, *Pro M. Tullio* 4: quod enim usu non veniebat, de eo si quis legem aut iudicium constitueret, non tam prohibere videretur quam admonere.

⁴² Cicero, *Pro Sexto Roscio Amerino* 69: Quanto nostri maiores sapientius [scil. quam Solo]! Qui cum intellegerent nihil esse tam sanctum quod non aliquando violaret audacia, supplicium

Seneca, in his turn, disagrees with Cicero's critique against Solon and writes in his tractate *De clementia*: "Besides, you will see that what is often punished is often committed. Your father [scil. emperor Claudius] sewed more people in the sack within five years than are said to have been sewed in for centuries. Children dared much less to commit the most heinous deed when the crime was without law. For the best and most experienced men acted most prudently when they would rather pass over it as if it were an inconceivable crime and beyond audacity than show that it were possible by punishing it. So, parricides came up together with the law and the punishment showed them the crime."⁴³

Within the ancient debate about possible negative effects of prohibitions this passage comes perhaps closest to Paul's argument in Rom 7:7–8. A morally bad deed becomes conceivable by being prohibited and therefore possible – and from time to time it will become real. But Paul goes much further: It has already become real, not only in some people but in everyone without exception since the beginning of humanity.

If we want to assess Paul's position within the ancient discourse correctly we have to see that even Seneca is rather far from the *communis opinio*. This ancient common sense is perhaps best illustrated by a passage in Cicero's *De oratore*: "We see best that we shall strive for honour when true virtue and honourable work receive rewards and glory, but the vices and bad deeds of men are punished with fines, reprimands, chains, strokes, banishments, death. And we learn not through endless controversial debates but through the authority and the nod of the laws to keep our desires in check, to master our covetousness, to protect what is ours and to keep our minds eyes and hands from what belongs to others."⁴⁴ Human

in parricidas singulare excogitaverunt. This extraordinary punishment is sewing the parricide together with wild animals in a sack and drowning him in a river.

⁴³ Seneca, *De clementia* 1.23: Praeterea videbis ea saepe committi, quae saepe vindicantur. Pater tuus plures intra quinquennium culleo insuit, quam omnibus saeculis insutos accepimus. Multo minus audebant liberi nefas ultimum admittere, quamdiu sine lege crimen fuit. Summa enim prudentia altissimi viri et rerum naturae peritissimi maluerunt velut incredibile scelus et ultra audaciam positum praeterire quam, dum vindicant, ostendere posse fieri; itaque parricidae cum lege coeperunt, et illis facinus poena monstravit. Wasserman, *The Death of the Soul*, 112–113, does not note the relation to Cicero (on which cf. S. Braund, *Seneca, De Clementia, Edited with Translation and Commentary* [Oxford: Oxford University Press, 2009], 363–364; F.-R. Chaumartin, *Sénèque, De la clémence* [BAGB; Paris: Les Belles Lettres, 2005], 103; M. Ducos, "La reflexion sur le droit penal dans l'oeuvre de Sénèque," *Helmantica* 44 [1993]: 443–456, here: 451–455) and therefore misinterprets the text.

⁴⁴ Cicero, *De oratore* 194: ex his enim et dignitatem maxime expetendam videmus, cum vera virtus atque honestus labor honoribus, praemiis, splendore decoratur, vitia autem hominum atque fraudes damnis, ignominiiis, vinclis, verberibus, exsiliis, morte multantur; et docemur non infinitis concertationumque plenis disputationibus, sed auctoritate nutuque legum domitas habere libidines, coercere omnis cupiditates, nostra tueri, ab alienis mentis, oculos, manus abstinere.

desire needs a therapy.⁴⁵ The internal cure is moral philosophy, the external cure is law, and this one is more effective than that one.

As an example of an ancient Jewish text that even sharpens this opinion one can take 4 Maccabees, whose supposed original title is already programmatic: *περὶ ἀυτοκράτορος λογισμοῦ*. The author of this book thinks that the fact that the law prohibits desire is in itself a proof that human reason can exert total control about all passions and desires.⁴⁶

Paul, however, presupposes that salvation comes only through Jesus Christ. Therefore, the law simply *cannot* contribute to salvation. Although it is “holy and just and good” because it is given by God it *must* have a negative effect: It gives sin the opportunity to lead humans into the miserable state of *akrasia*. Certainly, from these premises Paul comes to a rather artificial story of an “I” in Rom 7:7–11. However, Paul does not just claim that the law has this effect, but he wants to argue for it. On the one hand, he refers to scripture. He alludes to the story of Eve in Gen 3 in which the snake uses God’s commandment to deceive Eve and to lure her into eating from the tree of knowledge. On the other hand, Paul takes up an argument from ancient moral philosophy:⁴⁷ Prohibitions can have paradoxical effects. They make people think about the prohibited crime and thereby they have the potential to make them commit the prohibited crime. Paul’s use of this argument may seem somewhat exaggerated but his opinion is certainly not more unrealistic than the opposite standpoint of e. g., 4 Maccabees.

⁴⁵ Cf. M. Nussbaum, *The Therapy of Desire: Theory and Practice in Hellenistic Ethics* (Princeton: Princeton University Press, 1994).

⁴⁶ 4 Macc 2.6; cf. P. von Gemünden, “Der Affekt der ἐπιθυμία und der νόμος: Affektkontrolle und soziale Identitätsbildung im 4. Makkabäerbuch mit einem Ausblick auf den Römerbrief,” in *Das Gesetz im frühen Judentum und im Neuen Testament*: (ed. C. Burchard, D. Sänger, M. Konradt; NTOA 57; Göttingen and Fribourg: Vandenhoeck & Ruprecht, 2006), 55–74.

⁴⁷ This argument, in its turn, has its basis in everyday experience. Even modern people – notwithstanding their cultural or even mental differences to ancient people – can comprehend it.