

LUCRETIUS AND THE CONSCIENCE OF AN EPICUREAN

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--Si refrenándolos con la idea del pecado y el castigo ya somos como somos, imagínate tú cómo seríamos si nos dejaran hacer a nuestro antojo.

--Normas han de existir, no lo niego, pero ¿el cumplimiento de estas normas sólo puede conseguir apelando al miedo?

--¿Conoces alguna otra forma de manipular a la gente?

--Me resisto a creer que no existe la ética sin el temor de la represalia. Es más, creo que es precisamente el temor lo que nos hace peores.²

Among the proofs that Lucretius offers for the mortality of the soul, in addition to those involving its physical constitution, is its vulnerability to various kinds of perturbation:

praeter enim quam quod morbis cum corporis aegret,
advenit id quod eam de rebus saepe futuris
macerat inque metu male habet curisque fatigat,

¹ It is my pleasure to dedicate this article to my dear friend and colleague, Phillip Mitsis, who has taught me so much about Epicurean ethics.

² Eduardo Mendoza, *El rey recibe* (Barcelona: Seix Barral, 2018), pp. 355-56. "If, though they keep people in check with the idea of sin and punishment, we are as we are now, imagine what we'd be like if they let us do as we please." "There have to be rules, I don't deny it, but is it only possible to achieve compliance with these rules by appealing to fear?" "Do you know any other way of controlling people?" "I refuse to believe that there is no ethics without the fear of reprisal. What's more, I believe that it is fear, precisely, that makes us worse."

praeteritisque male admissis peccata remordent.
 adde furorem animi proprium atque oblivia rerum,
 adde quod in nigras lethargi mergitur undas.

For not to mention that it sickens along with bodily disease, something often comes that torments it about the future, keeps it miserable in fear, wearies it with anxiety, and, when there has been evil done in the past, its sins bring remorse. Add madness which is peculiar to the mind, and forgetfulness of all things, add that it is drowned in the black waters of lethargy (3.824-29, trans. W.H.D. Rouse, revised by Martin F. Smith, Loeb edition).

The following verse sums up the argument: *Nil igitur mors est ad nos neque pertinet hilum* (3.830), drawn directly from Epicurus: ὁ θάνατος οὐδὲν πρὸς ἡμᾶς (*Vatican Sentences* 2). Although Epicurus counseled that, when in pain, one ought to recall past pleasures and anticipate future ones, here Lucretius summons up rather the effects of anticipatory anxiety and retrospective guilt. But it is the phrase, *praeteritisque male admissis peccata remordent*, that invites special attention. The Loeb translators render *peccata* as “sins,” a word more commonly reserved for Judeo-Christian ideas of an offense against God or a failure of faith, which is clearly inapplicable to Epicureanism, which maintained that the gods are entirely indifferent to human affairs.³ And yet, the word “sin,” which refers simply to “acts which were wrongly committed in the past,” with no implication of divine disapproval, does not seem entirely out of place in this context. The reason is the associated verb *remordent*, meaning “bite repeatedly” or “sting,” or in the definition given in the Oxford Latin Dictionary, “vex persistently, gnaw, nag.” That the recollection of wrongdoing should cause such pain or discomfort suggests the pangs of conscience, and of course *remordeo* is the source of the English word “remorse.”

Lucretius employs the verb a second time toward the end of Book 4, in the diatribe on the follies of erotic infatuation:

Adde quod absumunt viris pereuntque labore,
 adde quod alterius sub nutu degitur aetas.
 languent officia atque aegrotat fama vacillans.
 labitur interea res et Babylonia fiunt
 unguenta....
 eximia veste et victu convivium, ludi, 1131
 pocula crebra, unguenta, coronae, sarta parantur—
 nequiquam, quoniam medio de fonte leporum
 surgit amari aliquid quod in ipsis floribus angat,
 aut cum conscius ipse animus se forte remordet 1135
 desidiose agere aetatem lustrisque perire,
 aut quod in ambiguo verbum iaculata reliquit

³ Cf. Mathijs Lamberigts, “peccatum,” in Robert Dodaro, Cornelius Mayer, and Christof Müller, eds., *Augustinus Lexikon* 4 (Basel: Schwabe, 2014), 581-99.

quod cupido adfixum cordi vivescit ut ignis,
 aut nimium iactare oculos aliumve tueri
 quod putat, in voltuque videt vestigia risus. 1140

Add this also, that they consume their strength and kill themselves with the labour; add this, that one lives at the beck of another. Duties are neglected, good name totters and sickens. Meanwhile wealth vanishes, and turns into Babylonian perfumes.... Banquets are prepared with magnificent trappings and rich fare, entertainments, bumpers in abundance, ointment, garlands, festoons; but all is vanity, since from the very fountain of enchantment rises a drop of bitterness to torment even in the flowers; either when a guilty conscience chances to sting him with the thought that he is passing his life in sloth and perishing in debauches, or because she has shot and left a word of doubtful meaning, which, fixed in his yearning heart, keeps alive like fire, or because he thinks that she makes eyes too freely and gazes at another man, while he sees in her face the trace of a smile (1121-25, 1131-40).

Among the many damages that being in love brings in its wake – the wasted effort, the loss of one’s good name, ruined fortunes – there are also the psychological costs, in the form of “a guilty conscience,” as the translators render *consciūs animus*, as well as jealousy and insecurity. The bitter knowledge that one is leading an idle life and abandoned oneself to depravities stings (*remordet*) and chokes (*angit*) is not precisely the same as remorse for crimes, since the harm is self-inflicted, but the internalized sense of contrition, which is added to the public shame and material losses, has the quality of an attack of conscience.

Where did Lucretius acquire this concept of conscience – if it is correct to identify as “conscience” the pangs that he describes? Is there a precedent in Epicurus or in later Epicureans, or does it appear for the first time in *De rerum natura*, and if the latter, is it an invention of Lucretius’ own or does it have antecedents in Latin literature? I will suggest that the last is the most probable scenario, and that Lucretius adapted elements already present in Epicureanism to a Roman vocabulary of painful self-awareness of prior misconduct to create something very like the modern idea of conscience.

Epicurus was certainly aware that past offenses could be troubling in the present; it was the chief reason why he argued that one ought to obey prevailing laws, since anxiety over being detected would interfere with tranquility. Thus, *Vatican Saying 7* affirms: “It is hard for someone who commits an injustice to escape notice, and impossible to acquire confidence [*pistis*] about escaping notice” (cf. *Principal Doctrines* 34, 35). Seneca too ascribes the idea to Epicurus: “all men hide their sins [*peccata*], and, even though the issue be successful, enjoy the results while concealing the sins themselves. A good conscience [*bona conscientia*], however, wishes to come forth and be seen; wickedness fears the very shadows. Hence I hold Epicurus’s saying to be most apt: ‘That a guilty person may remain hidden is possible, but confidence [*fides*] in remaining hidden is not possible,’ or, if you think that the meaning can be made more

clear in this way: ‘The reason that it is no advantage to wrong-doers [*peccantibus*] to remain hidden is that even though they have the good fortune to be hidden they have not the assurance [*fiduciam*] of remaining so.’ This is what I mean: crimes [*scelera*] can be well guarded; free from anxiety [*secura*] they cannot be” (*Letters to Lucilius* 97.12-13, trans. Richard Mott Gummere [Loeb edition], modified). Plutarch makes the same point: “For they [the Epicureans] say that those who commit wickedness and incur the displeasure of the laws live in constant misery and fear, for, though they may perhaps attain to privacy, yet it is impossible they should ever be well assured of that privacy; whence the ever impending fear of the future will not permit them to have either complacency or assurance in their present circumstances” (*It is Impossible to Live Pleasantly according to Epicurus* 1090B-C); Plutarch replies that neither can one be assured of being healthy all one’s life, and so Epicureans, even if innocent, cannot be free of anticipatory anxiety (cf. Eusebius, *Praeparatio Evangelica* 15.5.5 = fr. 532 Usener).

A fragment of Plutarch cites a passage from Epicurus’ *Diaporiai* or *Puzzles* (*Against Colotes* 1127A = fr. 18 Usener = fr. 12 Arrighetti²), in which Epicurus asks “whether the wise man will do what the laws prohibit, if he knows that he will escape notice. And he answers: ‘A simple statement is not easy.’” Plutarch comments caustically: “What he means is: I will do it but I don’t want to admit it.” Clement of Alexandria (*Stromata* 4.22.143.6 = fr. 582 Usener) comments in a similar vein: “And Epicurus too, indeed, says that the sage (as he understands it) wishes to do wrong for the sake of some gain; for he cannot achieve confidence concerning escaping notice. Thus, if he should be persuaded that he can escape notice, he will do wrong, according to him [i.e., Epicurus].” Philippson (1910: 299) cites “*Principal Doctrine* 35, which, he affirms, “grounds the effectiveness of the threat of punishment in the fact that a criminal cannot hope to remain hidden, even if he remains so a thousand times over for the present. For it is uncertain whether he will also remain hidden until his death.”

It is true that Seneca, in the epistle cited above, goes on to propose that that Stoics (that is, “we”) can dissent from Epicurus’ view that there is no natural justice and that offenses (*crimina*) are to be avoided solely because otherwise fear cannot be, and yet agree with him that evil deeds are punished by conscience (*mala facinora conscientia flagellari*, *Letters to Lucilius* 97.15). But Seneca explains that the greatest torment is that an “unending worry [*perpetua illam sollicitudo*] drives and whips it on,” since and it cannot trust those who would assure its peace of mind [*securitas*]. If indeed it is true, as Epicurus claims, that no one can be free of the fear of punishment, it is precisely because we have an ingrained aversion to that which nature condemns [*infixa nobis eius rei aversatio est, quam natura damnavit*, 97.16]. The reason why there is no confidence in remaining hidden (*numquam fides latendi fit etiam latentibus*) is just that “their conscience convicts them and reveals them to themselves [*quia coarguit illos conscientia et ipsos sibi ostendit*].” This latter point is Seneca’s own addition to Epicurus’ argument, and not testimony to his own view.

Richard Sorabji, however, has found evidence of a conception of conscience in Lucretius’ contemporary, Philodemus, whose writings have been preserved in the buried

town of Herculaneum. Sorabji notes that “Philodemus’ *Rhetoric* describes people who because of a guilty conscience (*syneidêsis*) engage in lawsuits until they are convicted and ruined,” but the association between fear and irrational desire is well established in Epicurean theory, and this passage need not imply conscience in the modern acceptance.⁴ Sorabji cites as well Philodemus’ treatise *On Death*, which “uses a rarer Greek word for conscience when it speaks of a (good) conscience (*sungnôsis*) and irreproachable life, the word used in Sophocles’ *Antigone*, line 926, but not probably in the same sense.” Here, however, the term may more reasonably be rendered as “awareness” or “knowledge,” as Benjamin Henry does in his authoritative edition and translation of the text: “as for the manner of his death, he [i.e., the Epicurean sage] will not consider it blameworthy or wretched either by himself or because outsiders suppose (it to be), because neither all (of them) nor many think (it to be), and even if all regarded (it as such), he would have the knowledge [*κόγγῳσι*] that he would keep his life as a blameless and blessed one, paying no attention to dreadful insects” (34.29-38, trans. pp. 79-81).⁵ Sorabji goes on to state:

But most striking for our purposes is the treatise *On Frank Criticism* about the practices in the residential school in Athens two hundred years after Epicurus, which included confession by students and even teachers more than a hundred years before the birth of Christ. One fragment declares: “Even the servants share his (guilty) knowledge (*synoidasin*).” Another fragment, on the standard reading, says that if the professor quickly turns away from assisting the student who is slipping up, the student’s swelling (*synoidêsis*) will subside. Why should professorial neglect make a swelling subside? This makes no sense, and an emendation suggested a long time ago by C. J. Vooy should be accepted. *Syneidêsis* (conscience) differs from *synoidêsis* (swelling) by only the one letter “e,” which, in Greek as in English, looks very like an “o,” so that the words are easily confused. Moreover, four short lines later the related verb *syneidenai* appears. It makes perfect sense that the student’s conscience will become less intense, if the professor does not attend to criticism and help of the right sort.... Confession is concerned with the past, but the school is concerned with the future-looking functions of conscience and

⁴ *Rhetoric* 2, frg. 11, lines 1–9 (Sudhaus), 139–40. Contrast the translation by Harry M. Hubbell, *The Rhetorica of Philodemus* (*Transactions of the Connecticut Academy of Arts and Science* 23 (1920) 243–382, based on Sudhaus’ text: “If they spend all their time about the courts, and start many lawsuits because of their knowledge of that sort of life, when they are brought to trial themselves they are ruined.” *LSJ* cites the passage under the subheading, “consciousness, awareness.” Sudhaus’s text has been superseded by Francesca Longo Auricchio, *Philodê mou Peri rhêtorikês, Libros primum et secundum* (Naples: Giannini, 1977), who places this fragment in Book 5, fr. 11.4–6.

⁵ W. Benjamin Henry, ed. and trans., *Philodemus, On Death* (Atlanta: Society of Biblical Literature, 2009).

wants to develop the consciences of its students through a process of confession of misdemeanors and carefully tailored, but frank, criticism (pp. 21-22).⁶

Now, the fragment immediately preceding the one cited by Sorabji offers what I take to be a sound reason for retaining *synoidêsis*:

Then, he was afflicted with passions that puff one up or generally hinder one, but afterwards, when he has been relieved, he will pay heed. Then, he encountered {passions} that distort {one}, but now he will not encounter them. Earlier, he was on the look-out, and in wandering about he has not done this; later, when he has been detected, he will indeed [do it cheerfully] (fr. 66, trans. Konstan et al.)⁷

The passions are regarded as inflating a person; thus, the fragment that follows explains:

...when they have realized that at the same time the swelling will have been intensified to this extent, and that the {swelling} deriving from other {passions?} and by the persistence of the same ones will have been reduced, if he quickly turns away from assisting the one who is slipping up. Whether he will also speak frankly to those who do not endure frank criticism, and to one who is [irascible]... (fr. 67).

There is, then, no secure basis for attributing the idea of conscience to Philodemus. As Voula Tsouna summarizes the argument in her book on Philodemus' ethics: "The student's condition, both when he is at the mercy of the passions and after he has been relieved, is rendered in physicalistic terms borrowed from the realm of medicine. Philodemus tells us that the student undergoes a swelling (*συνοιδ[η]σι[v]*: 67. 1), but that the swelling gets reduced (67. 5-6) and eventually disappears at the completion of the therapy. At worst, the teacher will manage to hinder the swelling from spreading further, even if he does not eliminate it altogether (91N. 1-6)" (p. 101).⁸

There is one aspect of Philodemus' theory of emotion that does have a bearing

⁶ Richard Sorabji, *Moral Conscience through the Ages: Fifth Century BCE to the Present* (Chicago: University of Chicago Press, 2104).

⁷ See David Konstan, Diskin Clay, Clarence Glad, Johan Thom, and James Ware, trans., *Philodemus On Frank Criticism: Introduction, Translation and Notes* (Atlanta: Society of Biblical Literature, 1998).

⁸ Voula Tsouna, *The Ethics of Philodemus* (Oxford: Oxford University Press, 2007). Cf. Nalan Saraç, *A Study on Conscience: The Content and Function* (Phd. Diss. Duquesne University, 2016), p. 34: "Although Hellenistic writers understood *συνειδός* as one of the components of the soul, since it is an ambiguous entity, they tried to explain it by various metaphors and similes, most of them related to the law court, e.g. judge, witness, accuser, reprover and punisher."

on the passages in Lucretius, and that is his conception of “bites” or *dêgmata*, which exploits the same metaphor as the Latin *remordeo* or *morsus*. Voula Tsouna observes: “Philodemus is by no means the only Hellenistic philosopher to mention ‘bites,’ or the first. The concept is used by both early and later Stoics, and their views are the relevant background against which we should examine Philodemus’ own” (p. 44). Tsouna explains that, for the Stoics, “bites” refer to those movements of the soul that are “independent of judgements and, therefore, different from emotions”; they are more like the *ictus* or preliminary affects that Seneca describes in *De ira* (2.2-3). Philodemus, however, puts the concept to a different use: “Like the Stoics, Philodemus considers ‘bites’ natural and to some extent unavoidable even for the sage. But, I suggest, unlike Chrysippus and his followers, he interprets ‘bites’ in terms of evaluative reactions to events and treats them as genuine emotions” (p. 46). In his treatise *On Anger*, Philodemus “regularly associates ‘bites’ with *orgê*, natural anger” (*ibid.*). Thus, Tsouna writes: “The Epicurean sage feels the ‘bite’ of a real emotion (which is more or less severe), whereas the Stoic sage senses the ‘bite’ of some pre-emotional state” (p. 48). Philodemus also refers to an “entirely natural bite” (φυσικώτατον δηγμόν) in connection with the anticipation of death, particularly at the thought that he will no longer be in a position to protect his family (*On Death* XXV.2–10). So too, “The prospect of death in a foreign land brings naturally ‘pangs’ of grief (νύττειν: XXVI.3), especially if one has family back home” (Tsouna, p. 49); the compound form *katanuxis*, from the root of *nuttein* (literally “pierce”), comes to be the Christian term for compunction (e.g., John Chrysostom, *To Demetrius, On Compunction (Peri katanuxeôs)*, (47.394.1-9 Migne).⁹ Tsouna concludes: “The concept of ‘bites’ found in Philodemus is an important addition to Epicurean ethics and moral psychology” (p. 51).

Tsouna does not mention the two passages in which Lucretius employs the word *remordere*, and indeed, the meaning there is different from either the Stoic usage or that of Philodemus. It is not clear whether the pangs that result from a consciousness of having done wrong, whether to others or through neglect of one’s personal responsibilities, counts as a pre-emotion or a fully-fledged *pathos*. On the Stoic conception, it would more resemble the former, in that it is unlikely that a conscience-stricken person must necessarily have given assent to the feeling. But however it is classified, the remorseful anguish that Lucretius describes is not like the future-oriented anxiety for loved ones that arises at the prospect of one’s own death, nor the sting of legitimate anger or *orgê* (which Philodemus distinguishes from *thumos*, which he treats as irrational rage), any more than it is identical with Epicurus’ notion of the fear of detection. In Lucretius, it is rather a moral concern for wrongdoing or misbehavior, not willed (it is a disease of the mind) and hence natural or innate, liable to afflict even the sage, were the sage to commit an unjust act (and acknowledging here a possible gap between what is just and the law at any given time and place). If the idea of “bites” was

⁹ For discussion, see my article, “Reue,” in *Reallexikon für Antike und Christentum*, vol. 28 (Stuttgart: Anton Hiersemann, 2018) 1216-42.

in the air – and there is no reason why Lucretius would not have known at least some of the works of Philodemus and of Stoics like Chrysippus who spoke of such twinges, even if, as David Sedley has argued, he in the main followed Epicurus’ *Peri phuseôs* closely – Lucretius nevertheless adapted it to a new purpose. This is not to say that Lucretius developed a theory of conscience or moral remorse: two passing uses of the term *remordere* do not constitute an argument or even an hypothesis. I am claiming, however, that these two mentions, brief as they are, reflect an implicit conception of conscience in something like the modern sense, and that this is new to Epicurean doctrine. But if this is so, where did this notion come from, and why did Lucretius find it hospitable in the context of his poem?

To these questions, I propose a double answer. First, the relevant sense of conscience was already embedded in the Roman vocabulary in a way that, so far as I can judge, has no corresponding term or phrase in contemporary or earlier Greek texts, at least those with which Lucretius and his peers would have been familiar. Second, the idea of a guilty conscience fits well with what I take to be an especially Lucretian concern with the deleterious psychological consequences of law as such, amounting to a rejection of the value of fear of punishment even for those who have not achieved Epicurean ataraxy. An innate sense of guilt may operate without the fear inspired by a repressive legal regime and serve in itself to inhibit wrongdoing. I take the two branches of the argument in turn, beginning with the Greek and Latin vocabulary for conscience.

Greek employs the formula *sunoida* plus the reflexive dative (e.g., *sunoida moi*) to express self-awareness; the corresponding noun is *suneidêsis*, which is not found before the Hellenistic period. According to Richard Sorabji, the odd construction indicates the act of sharing something with oneself, presumably a secret or fault, of which one becomes conscious. It is difficult, however, to determine whether such self-awareness is accompanied by pangs of guilt in classical texts, as opposed to the retrospective recognition of a misdeed. To take one of the examples cited by Sorabji (p. 14), Medea reproaches Jason with disregard for his marriage vows, suggesting that he must believe that the old gods by whom he swore no longer rule or else that new laws exist among mortals, since “you know that you have not respected your oath in regard to me”:

ὄρκων δὲ φροῦδῃ πίστις, οὐδ’ ἔχω μαθεῖν
 εἰ θεοὺς νομίζεις τοὺς τότε οὐκ ἄρχειν ἔτι
 ἢ καινὰ κείσθαι θέσμι’ ἀνθρώποις τὰ νῦν,
 ἐπεὶ σύνοισθά γ’ εἰς ἔμ’ οὐκ εὖορκος ὦν (492-95).

Medea’s point is precisely that Jason is not conscience stricken, despite his necessary awareness of what he promised and how he is now behaving. Another candidate for “conscience” is the term *sunesis*, from the verb *sunhiêmi*; the show piece for this usage is Euripides’ *Orestes*; to cite Sorabji again, “*sunesis*, in Euripides’ *Orestes* 396 and

in Polybius 18.43.13 certainly refers to conscience, but might have the more general meaning of knowledge” (p. 195, chapter 1, n. 2). Martin West, in his edition of the *Orestes*, is inclined to agree; although he translates *sunesis* as “intellect,” he comments: “Greeks did not yet have a word for conscience (*syneidêsis* is Hellenistic), but the concept was beginning to be familiar.”¹⁰ I have argued elsewhere that Orestes’ professed self-awareness expresses not a guilty conscience but rather his knowledge of the grim consequences of his matricide, more specifically the madness inflicted on him by Furies; I concluded: “His thoughts have all along been less on what he did than what resulted from his act. Such an awareness scarcely counts as ‘conscience’ in the modern acceptance of the term.”¹¹ Carlo DaVia, in an unpublished paper, reviews the uses of *sunesis* along with the associated verb down to Aristotle, who “distinguishes prudence (*φρόνησις*) from the intellectual virtue of *σύνεσις*” (*Nicomachean Ethics* 6.11); DaVia concludes that “in the classical period *σύνεσις* is a hermeneutic virtue for understanding the deeper significance of not just *λόγοι* but also *πρακτά*,” and that “there little to no textual evidence that: *σύνεσις* ... denotes our moral conscience.”¹²

There is, however, a passage attributed by Stobaeus to Democritus that appears to associate awareness of guilt with anxiety over death, and so anticipate the passage in Lucretius:

ἔνιοι θνητῆς φύσεως διάλυσιν οὐκ εἰδότες ἄνθρωποι, συνειδήσει δὲ τῆς ἐν τῷ βίῳ κακοπραγμοσύνης, τὸν τῆς βιοτῆς χρόνον ἐν ταραχαῖς καὶ φόβοις τλαιπωρέουσι, ψεύδεα περὶ τοῦ μετὰ τὴν τελευταίην μυθοπλαστέοντες χρόνου (DK 68 B 297 = Stobaeus 4.52.40 (cf. 4.34.62)).

This passage is rendered by C.C.W. Taylor, in his translation of S.Y. Luria’s Russian edition, as follows:

Some people, ignorant of the dissolution of mortal nature, but conscious of their evil-doing in life, trouble their time of life with terrors and fears, inventing false tales about the time after death.¹³

¹⁰ Martin L. West, ed. and trans., *Euripides Orestes* (Warminster: Aris and Phillips, 1987), p. 210.

¹¹ David Konstan, “Did Orestes Have a Conscience? Another Look at *Sunesis* in Euripides’ *Orestes*,” in Poulheria Kyriakou and Antonios Rengakos, eds., *Wisdom and Folly in Euripides* (Berlin: De Gruyter, 2016) 229-40; quotation on p. 240. Plutarch, however, citing the verse in the *Orestes*, interprets the term as conscience: “It is *sunesis*, because I know that I have done dreadful things” and this knowledge “leaves regret [*metameleia*] in the soul like a wound in the flesh, which forever draws blood and stings [*nussousan*]” (*Peri euthumias* or *De tranquillitate animi*, 19); the verb *nussô* is equivalent to *daknô*. But this is a later exegesis.

¹² Carlo DaVia, “*Σύνεσις*: Insight into (its) Deeper Meaning”; cited with permission of the author.

¹³ S.Y. Luria, *Democritus* (Leningrad: Nauka, 1970), translated by C.C.W. Taylor, available at https://www.academia.edu/25014428/S.Y_Luria_Demokrit_English_translation_by_C.C.W_Taylor; accessed 26 January 2019. The text appears as fr. 583 in Luria’s edition. Taylor notes: “In translating the texts I have not re-translated Luria’s Russian, but have translated the texts

In their recent edition of the fragments of early Greek philosophy, however, André Laks and Glenn Most render the passage in the following way:

Some people, ignorant of the dissolution of mortal nature, but aware of the adversity that affects life, suffer during the time of their life in troubles and fears, fabricating false myths about the time after death.”¹⁴

Apart from questions about whether the attribution to Democritus is genuine, we may wonder why people who are conscious of former offenses would imagine punishment in the afterlife, save as a kind of neurosis. They might be projecting their fears of detection and hence chastisement in this world onto the next, but it is perhaps easier to suppose that, recognizing how much suffering exists in this life, they assume that it will continue in the afterlife which they see as a mere extension of their current condition.

The Latin terms that are most commonly rendered as “conscience” appear to be calques on the Greek. Thus, Richard Sorabji observes: “By strange good fortune, the special Greek idiom went over easily into Latin through the use of the adjective *consci-ous*, ‘sharing knowledge with.’ The Latin does not have an independent etymology of its own, but is a direct Latinization of the Greek participle *suneidōs*,” with the Greek *sun-* equivalent to *con-* and *scientia* (in the noun *conscientia*) “a translation of Greek *eidēsis* (knowledge)”. Sorabji adds: “Because a literal translation, not a paraphrase, of the Greek term was used, Latin avoided importing its own presuppositions into the very choice of word, although obviously Latin-speaking society did less directly influence the meaning” (p. 13). But the Latin formulas are very frequent as well as early, as in the following passage from Plautus’ *Mostellaria*:

ei, quam timeo miser!
nihil est miserius quam animus hominis conscius,
sicut me <male> habet. uerum utut res sese habet,
pergam turbare porro: ita haec res postulat (543-46).

Dear me, how scared I am, poor wretch that I am! Nothing’s more wretched than a man’s guilty conscience, just as mine’s torturing me. But no matter

directly, comparing my version as required with Luria’s Russian and with the Italian version.” For discussion, see the elaborate note 2 on this passage, where Luria rejects Diels’ rendering, “sich dagegen des menschlichen Elends wohl bewußt sind” (are on the other hand very conscious of human wretchedness); Luria argues: “If ‘evils’ meant the disasters of life, then one would necessarily expect people who led such a miserable life to hope for a better life in the world beyond the grave. These disasters would not strengthen the feeling of fear in the face of death, but would eliminate it. This fear is comprehensible if *kakopragmosunē* is used not in the sense of ‘misfortunes,’ but of ‘bad actions,’ and the reference is to people who are conscious of their evil deeds.” In the fifth edition of the fragments by Diels and Kranz, the relevant words are rendered: “aber im Bewusstsein ihrer schlechten Handlungsweise im Leben” (but conscious of their bad behavior during their lives).

¹⁴ André Laks and Glenn W. Most, *The Early Greek Philosophers*, vol. 7 (Cambridge: Harvard University Press, 2016); the fragment is numbered D289 in this edition, and the translation is on p. 293.

what's up, I'll carry on causing trouble: this situation demands it (trans. Loeb)

The slave Tranio is terrified that his plotting is about to be discovered by his master, Theopropides. The *Oxford Latin Dictionary* lists this passage s.v. *consciuis* under the sub-lemma, "Conscious of guilt, having a guilty conscience," but under the circumstances, Tranio may simply be worried that his past deeds are catching up with him, a fear of the consequences, to be sure, but not a moral sentiment per se. External signs of a bad conscience, such as blushing, growing pale, faltering in speech or outright collapsing (*Rhetorica ad Herennium* 2.8), may reveal that a defendant is anxious at the prospect of being exposed but do not necessarily testify to pangs for having acted unjustly as such. The verse in Lucretius, *praeteritisque male admissis peccata remordent*, does not suggest fear of reprisal; the remorse results solely from an awareness of past misdeeds. For all that it is a bare phrase, embedded in the context of the proof of the mortality of the soul, it seems to adumbrate a richer sense of conscience than is evident even in the abundant use of *conscientia* and *consciuis* in Latin texts of the time.

In concluding, I would like to suggest that there are some elements apparently specific to Lucretius' take on Epicurean doctrine, despite his earnest fidelity to the master, that might have disposed him to thinking that the mere awareness of immoral acts in the past carries with it a painful affliction of the mind, which he invoked to confirm the soul's debility and consequent mortality. We have seen that for Epicurus, fear of detection was a primary motive for avoiding wrongdoing; thus laws and the punishment ensuing on their violation are a necessary feature of society, at least if not everyone is a sage. But such a regime has its negative side, as Epicureans at least from the time of Lucretius perceive. Philodemus, for example, maintains that one should obey the laws and common customs of mankind, provided that they do not require that we do anything impious (1369-83 = Obbink 1996: 201). But he also speaks of philosophers who argued "that evil deeds were held in check by the tales [of punishment] because foreboding hung over the more foolish of mankind," and so they allowed such myths to circulate.¹⁵ The danger, as he perceives it, is that people "will suppose that the gods are terrifying tyrants, and most of all because of their own bad consciences they will expect great misfortunes from them" (2031 = Obbink 1996: 247). Obbink (n. 1) suggests that Philodemus is referring here to "people manipulated by philosophers or rulers by means of the poets' false tales about gods,"¹⁶ but he may have in mind the broader and less deliberate consequences of socially sanctioned repression. In a passage from the treatise *On Choices and Avoidances*, as it was likely called, probably composed by Philodemus, we read: "The many are rather led to right conduct by the laws which threaten with death, and with punishments coming from the gods, and

¹⁵ *On Piety* 1202-17, in Dirk Obbink, ed. and trans., *Philodemus On Piety* (Oxford: Oxford University Press, 1996), p. 189.

¹⁶ For connection between fear of detection and fear of punishment by the gods, see Philodemus *On Piety* 2219-42 = Obbink 1996: 259.

with pains which are considered intolerable, and with the privation of things which are supposedly hard to procure. This is the case ... partly because these things threaten men who are foolish and who cannot be persuaded by the true precepts; and the only thing that is achieved through them [*sc.* the laws] is deterrence for a short period of time.¹⁷ Indelli and Tsouna-McKirahan comment (pp. 30-31) that Philodemus (if he is in fact the author) is likely responding to an objector who maintains that popular theology and the law are useful to deter criminal behavior, and he replies that prevention by means of the threat of punishment is only temporary. Philodemus will have held rather that an understanding of Epicurean doctrine is the only effective means of deterring wrongdoing.

Lucretius sharpens the point, in a verse that follows immediately upon his account of the origin of laws: “thence does fear of punishment tarnish the rewards of life” (*inde metus maculat poenarum praemia vitae*, 5.1151). Laws may work to inhibit crime, but at a grave cost to the very tranquility that Epicureanism promotes as the goal of life. In addition, such fears, even if they inhibit illicit behavior in the short term, nevertheless contribute to producing the irrational desires which are the main cause of competitive, antisocial behavior, since people seek vainly to protect themselves against death by the limitless accumulation of wealth and power. It is from just such a vicious circle of anxieties and desires, I believe, that Epicureans wished to free mankind.¹⁸

If this is right, then Lucretius may have been hospitable to the idea that the awareness of having behaved wrongly in itself, irrespective of the threat of punishment, carries a sting, which is not that of anxiety, precisely, but rather something like moral distress. Such a conception would provide a moral alternative to the regime of law, with its dire menaces and counterproductive penalties. It is possible that the highly evolved system of Roman law, with its prominent trials and aristocratic advocates, contributed to a sense of anxiety in connection with legal procedures and the severe sentences to which they might lead, at least among the upper classes for whom Philodemus and Lucretius were writing. In the course of a century of civil wars, it was natural enough to imagine that more laws and violent punishments would not solve, but might rather exacerbate, the underlying psychological causes of criminality, which had become manifest on so grand a scale. Epicureanism offered a different remedy, and in the pro-

¹⁷ Col. XII, trans. in Giovanni Indelli and Voula Tsouna-McKirahan, eds. and trans., *On Choices and Avoidances* (Naples: Bibliopolis, 1995), p. 106. For Philodemus as the author, see pp. 66-70.

¹⁸ For further discussion, see David Konstan, “A Life Worthy of the Gods”: *The Materialist Psychology of Epicurus* (Las Vegas: Parmenides Publishing, 2008). Phillip Mitsis, *Epicurus’ Ethical Theory: The Pleasures of Invulnerability* (Ithaca NY: Cornell University Press, 1988), p. 64 notes that “Our being just benefits us by allowing us to achieve the highest state of inner calm, *ataraxia*,” and he adds (66-67): “Freeing us from the fear of death is a chief goal of Epicurean ethics.... Contractual theorists, however, have no program for delivering us from the fear of death. On the contrary, many of them would argue that it is an important, if not primary, motivation for not only forming but also maintaining contracts.... Epicurus would object that the fear of death does not incline men to inner peace.”

cess Lucretius, I suggest, reconceived the anxiety of detection in the form of the sting of moral conscience, adapting the notion of bites that, at least in Philodemus, was a recognized type of involuntary response to distressing thoughts.

A final word: I do not mean to say that in classical Greece, or even in the archaic period, people did not feel moral distress for wrongs they had committed. On the contrary, I am sure that they did. But when they gave expression to such a sentiment, they tended, at least upon reflection, to identify it as fear, and so sought an objective ill, such as shame or punishment, as its object. In the same way, the ancients were capable of feeling guilt, even if there was no specific term that distinguished it from shame. Anxiety too had no readily available vocabulary, and for this reason was not usually differentiated from ordinary fear, although the Latin *cura* could be appropriated to express the notion, especially among writers influenced by Epicureanism, including Lucretius (2.19, 46-48, etc.), to be sure, but also Horace (*Odes* 1.7.30, 1.14.18, 2.11.18, 2.16.11, 22, and especially 3.1.40). But the first clear articulation of the pangs of a guilty conscience may well be our two passages in Lucretius, who in this way adumbrated the modern notion of this particular moral faculty and have, in a subtle and almost casual way, added an original dimension to Epicurean ethical theory.