# Accuser, Judge and Paraclete - On conscience in Philo of Alexandria<sup>1</sup>

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## ABSTRACT

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Of all known ancient authors writing in Greek, Philo of Alexandria is the one, who most often uses the word συνείδησοις and related terms and concepts (the apostle Paul comes next, more or less). Something similar may only be found in Latin authors speaking of conscientia, like Cicero. This needs an explanation. After discussing some relevant passages from Philo's writings, with special stress on the texts from scriptures exposed by him, analogies in wisdom literature and in Graeco-Roman rhetoric and mythology are indicated. The following solution is proposed: Philo combines the punishing Furies (cf Cicero) and the benevolent guardian spirit (c. Seneca) of Graeco-Roman mythology and philosophy with the personified reproof from Jewish Wisdom literature, and so he creates a concept that helps him to give a visual description of the strict but nevertheless kind guidance God practices on man.

## 1 WHY PHILO?

"A philosophical concept of conscience in Greek is to be found for the first time in Philo of Alexandria", the German classicist Peter W Schönlein writes in an article which tries to prove the originality and priority of conscientia in Latin against the Greek terms for conscience<sup>2</sup>. The earliest instance for the use of conscientia in Latin he discovers in a rhetorical handbook, the Rhetorica ad Herennium, to be dated between 88 and 85 BCE, and it's indeed a very telling passage (II 5,8): "We investigate the signs which usually attend guilt or innocence. The prosecutor (accusator) will, if possible, say that his adversary, when come upon, blushed, paled,

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faltered, spoke uncertainly, collapsed, or made some offer - signs of guilty conscience (quae signa conscientiae sint)... The defensor will say that his client was moved not by a guilty conscience (conscientia peccati), but by the magnitude of his peril". The trial in court, Schönlein concludes, was the occasion which led the Romans to define for the first time as precisely as possible psychosomatic phenomena not easy to describe, but very handy and suggestive in lawsuits for prosecution and defense. Conscientia mille testes, conscience is worth a thousand witnesses, Quintilian will say some time later (Inst Orat V 11,41). These rhetorical and forensic connotations of conscience have been widely overlooked, in my opinion, and that they come to the foreground now again, might be partly provoked by the renewed interest in Graeco-Roman rhetoric we are experiencing in New Testament exegesis for some years now, too.

That the experience of what we call conscience, by the way following the Latin coinage of the word, is older than the term itself, Schönlein does not deny: "What people always discovered in themselves and what they suffered, is pain, unrest, fear, unsteadiness, misery, distress, despair." But the early depiction of such mental states in tragedy and comedy is not exactly the same as their discursive reflection and analytical description. That only begins as far as we know with the first century BCE Philo, who lived between 20 BCE and 50 CE, therefore takes a key position, especially as there are no authors writing in Greek who speak as often of conscience as Philo does and, sometime later, the apostle Paul, with one notable difference: whereas the New Testament always uses ή συνείδησις. Philo with three exceptions prefers τὸ συνείδος, which simply seems to be the better, because more Attic Greek, formed from the neuter of the participle. Philo uses τὸ συνειδός in more than thirty instances, and he knows, as we will see, an even more interesting second term.

That may suffice as a first answer to the question: Why Philo? What makes him so important when we discuss conscience? We now turn to some relevant texts of Philo, taking up the warning of the Philo specialists David Winston and John Dillon: "The enormous diversity of Philo's learning and the intricate problems involved in the comprehension of his thought cannot properly be appreciated except by close work on at least a segment of his text"<sup>3</sup>. We will begin with *On the Decalogue* 82-91, a passage which will immediately reveal the basic constellation to us.

## 2 THE BASIC CONSTELLATION: DECAL 82-91

In § 82 Philo begins with his explanation of the third commandment from Exodus 20,7: "You shall not make wrongful use of the name of the Lord your God". The best thing to do would be, according to Philo, not to swear at all. But if an oath cannot be avoided, it should be true at least, for calling God as witness to a lie would be an extraordinary profanity. In a rhetorical apostrophe Philo addresses his readers and asks them (Decal. 86-87, in F H Colson's translation): "Take a look with the aid of your reason into the mind of the intending perjurer. You will see there a mind not at peace but full of uproar and confusion labouring under accusation. suffering all manner of insult and reviling. For every soul has for its birthfellow and house-mate ( $\sigma u \mu \pi \epsilon \phi u \kappa \dot{\omega} c$   $\kappa \alpha \dot{c}$   $\sigma u \nu o \iota \kappa \omega \nu$ ) a monitor ( $\ddot{\epsilon} \lambda \epsilon \gamma \chi \sigma c$ ) whose way is to admit nothing that calls for censure, whose nature is ever to hate evil and love virtue, who is its accuser (κατήγορος) and its judge  $(\delta \iota \kappa \alpha \sigma \tau \acute{\eta} c)$  in one. If he be roused once as accuser he censures, accuses and puts the soul to shame, and again as judge, he instructs, admonishes and exhorts it to change its ways. And if he has the strength to persuade it, he rejoices and makes peace. But if he cannot, he makes war to the bitter end, never leaving it alone by day or night, but plying it with stabs and deadly wounds until he breaks the thread of its miserable and ill-starred life."

After this vivid description of a dramatic conflict which takes place in the soul Philo directly attacks the perjurer and reproaches him (§ 91): "You say to God, if not with your mouth and tongue, at any rate with your conscience (συνειδότι): 'Witness to a falsehood for me... The one hope I have of maintaining my good name with men is that you should disguise the truth'".

Here  $\sigma \nu \nu \epsilon \iota \delta \delta \varsigma$ , conscience, is used by Philo at the end of the passage more casually, whereas the real outlines of the phenomenon are much more clearly to be seen in § 86-87 (just quoted), there combined with  $\epsilon \lambda \epsilon \gamma \chi o \varsigma$ , "monitor", "convictor" - so the English translation by F H Colson - or "conscience", as  $\epsilon \lambda \epsilon \gamma \chi o \varsigma$  is often translated in the German and French editions I have checked on.

The verb  $\dot{\epsilon}\lambda\dot{\epsilon}\gamma\chi\epsilon\iota\nu$  is, as we know, a forensic term, and it means among other things to cross-examine someone. Similarly  $\dot{\epsilon}\lambda\epsilon\gamma\chi\sigma\varsigma$  is basically an abstract noun for proof, test, scrutiny, refutation, reproach. Philo is very fond of the verb and the noun, but he mostly moves in the common range of meaning which is already rather broad. But sometimes, as we have seen, he brings closer together  $\dot{\epsilon}\lambda\epsilon\gamma\chi\sigma\varsigma$  as the very one who

proves and convicts, and συνειδός, conscience. He even combines them to syntagmas like  $\dot{o}$  τοῦ ουνειδότος έλεγχος (e g in Every Good Man is Free 149: "Slave owners however highly born may well become slaves themselves through the conscience which convicts them") or  $\dot{v}\pi\dot{o}$  τοῦ ουνειδότος έλεγχόμενος (e g in On Joseph 48: "Even if no other knows of it or reports the knowledge which he shares with me, all the same I shall turn informer against myself through my colour, my look, my voice, convicted by my conscience"), and he gives us also a definition in On the Posterity and Exile of Cain 59: "That conveys the deep truth that the mind  $(vo\hat{v}_{\zeta})$  is for each man the witness  $(\mu\acute{\alpha}\rho\tau v_{\zeta})$  of his secret purposes and the conscience  $(\sigma vveiδ\dot{o}_{\zeta})$  is an impartial scrutineer  $(\epsilon \lambda \epsilon \gamma \chi o_{\zeta})$  unequalled in veracity". There is, by the way, as far as I know nothing in Greek literature to be compared to this peculiar combination of the several terms.

By now we already know that this conscience, whatever it is called, functions as witness, accuser and judge. One element is still lacking, and there are some more unsolved questions regarding this basic constellation. We'll have to consult some more treatises and passages from Philo's vast writings before we are able to consider the problem of origins.

## 3 SOME MORE SPECIFIC POINTS

## 3.1 Immanence or transcendence?

How Philo grounds his expositions on conscience in the exegesis of Scripture - and that we should never forget that Philo is basically an exegete - how he derives his expositions from exegesis is clearly to be seen in *The Worse Attacks the Better* 22-24. In Genesis 37,15 Joseph looking for his brothers is wandering in the fields. He meets a man who asks him: "What are you seeking?" Some exegetes Philo consulted say that the proper name of this man has not been mentioned, but they are completely wrong (as one's colleagues often are). "Man" on the contrary is the most proper title for the mind endowed with reason: "This 'man', dwelling in the soul of each of us, is discovered at one time as king and governor, at another as *judge* and umpire of life's contests. Sometimes he assumes the part of witness or accuser, and all unseen, convicts us from within..., curbing the tongue with the reins of conscience. This challenger ( $\tilde{\epsilon}\lambda\epsilon\gamma\chi\sigma\varsigma$ ) inquired of the soul when he saw it wandering: 'What are you seeking?'".

In this passage the challenger or convictor uses conscience as his instrument. But that might change in other contexts. The lines are not sharply drawn, and the distinction from mind, reason, thinking power and so on sometimes creates problems, too. Of more importance is that near

the end of the treatise Philo tells us that convicted by our conscience as sinners we should beseech God to punish us rather than let us alone, for the punishing God in his goodness will kindly correct our faults, "...by sending forth into our minds the most wise convictor  $(\tilde{\epsilon}\lambda\epsilon\gamma\chi\sigma\varsigma)$ , his own word  $(\lambda\delta\gamma\sigma\varsigma)$ , by means of which he will upbraid it, and make it ashamed of its errors, and so will heal it" (Det 146).

It cannot be ignored that in one and the same treatise convicting conscience first dwells in the soul and then is sent by God into the soul. In On the Decalogue 87, we remember, conscience was a birth-fellow and a house-mate of the soul, the former seemed to be completely immanent within the latter. On the other hand, in On the Unchangeableness of God conscience is traced back again to a special intervention by God: "For so long as the divine reason ( $\lambda \delta \gamma o \varsigma$ ) has not come into our soul ... all its works are free from guilt ... but when the true priest, conviction (ἔλεγχος), enters us, like a pure ray of light, we see in their real value the unholy thoughts that were stored within our soul, and the guilty and blameworthy actions ..." (Deus 134-135). In § 138 conscience is compared to the prophet Elijah to whom the widow of Zarephath says in 1 Kings 17,18: "Man of God, you have come in to remind me of my sins". But in the final paragraphs of the same treatise we learn that conviction, this divine word, the angel who guides our feet, not only confronts us from the outside like the angel who confronted Bileam in Numbers 3.18, but also is our inward judge (τὸ ἔνδον δικαοτήν, cf Deus 182-183).

No doubt, there exists a certain tension between the two lines of thought, but it shouldn't be made into a contradiction, nor should the relation of immanence to transcendence be treated as the main problem regarding conscience in Philo, as is done in an often quoted paper by Richard T Wallis<sup>4</sup>. We needn't even resort to stoic philosophy, where language may freely change between immanent and transcendent notions, because divine mind and human mind participate in the same material substance, pneuma. For Philo, man as a creation of God, even though an imperfect creation compared to ideal man, and even after the fall, carries enough potencies within him. Now and then, they need new external impulses which are contributed by the grace of God. Natural ability and special inspiration through God work hand in hand. Quite often it is also the passage from Scripture to be explained which determines whether conscience is seen as residing in the soul or coming to it from outside.

## 3.2 Conscience as "God"?

We have already got to know quite a few attributes of convicting conscience, besides the main triad of witness, accuser and judge - for

example inner 'man', king, governor, umpire, high priest. We might add guardian, father, teacher. But On Flight and Finding will take us one step further. We have to start with Genesis 16,7-13. Hagar on her flight from Sarai meets an angel, who talks to her. He is for Philo (cf Fug 6) Hagar's convictor, which means in her case her friend and counsellor (that's an important point we'll have to return to). Philo not only calls him "undefiled high priest" (Fug 118), who reigns over "the entire court (δικαστήριον) of our understanding", or again "true man" (Fug 131). The soul even answers her conscience-angel with Hagar's words from the Genesis account (cf Gen 16,13): "You are God, who looks upon me" (Fug 211), which Philo immediately explains as equivalent to saying: "You are the Maker of my wishes and my offsprings" (ibid). The soul has somewhat daringly transferred the name of God to one of his heavenly agents, who are also called god but without an article (and Philo, who gave voice to the soul, has worked on a keen etymology of Hagar's "El-roi" in the Hebrew text of Genesis 16,13). We shouldn't overestimate exegetical show-pieces like this and certainly not be tempted by it to identify conscience with God.

# 3.3 "Bad" conscience and "good" conscience

Philo knows already a "bad" conscience and a "good" or rather a "pure" one. For the notion of the "bad" conscience he doesn't need an attribute, that meaning results from the context several times. For example: Isidorus in Alexandria, a devoted enemy of the Jews, escapes his arrest by fleeing "because of conscience (Ενεκα τοῦ συνειδότος)", i e because he had a bad conscience (Flacc 145). The wife of Macro, officer of the imperial guard, was Caligula's mistress. "Because of conscience", i e motivated by her bad conscience, she wheedled her husband more than ever, she played an act before him (cf The Embassy to Gaius 39). Metaphors drawn from the language of the theatre are more often used by Philo to describe the functions of conscience, here of a bad conscience, see i a On the Change of Names 198: "With a perpetual string of this or suchlike talk they deceive the law-courts, the theatres, the council-chambers and every gathering and group of men, like people who set handsome masks on the ugliest of faces to prevent the ugliness being detected  $(\dot{\epsilon}\lambda\dot{\epsilon}\gamma\chi\epsilon\sigma\theta\alpha\iota)$  by the eyes of others".

There is an attribute for the good conscience however, which is always indicated by Philo with the words  $\dot{\epsilon}\kappa$  or  $\dot{\alpha}\pi\delta$   $\kappa\alpha\theta\alpha\rho\hat{o}\hat{v}$   $\tau\hat{o}\hat{v}$   $\sigma\nu\nu\epsilon\hat{i}\delta\hat{o}\tau\hat{o}\varsigma$ , "from a pure conscience". God is not far from a people which calls upon him with a pure conscience (On Rewards and punishments 84). Whoever sacrifices in the temple, should be able to prove himself sinless by a pure conscience (On the Special Laws 1,203).

Here, obviously, the leading idea is the "pure heart" from Old Testament texts like Psalms 51,10: "Create in me a clean heart, O God, and put a new spirit within me", but Philo never speaks of the heart in this sense, although he uses the word  $\kappa\alpha\rho\delta i\alpha$  thirty-five times. We will have to come back to that very soon.

# 3.4 Conscience as paraclete

There are many more interesting items we could discuss, but time is short, and we have no choice. We have to concentrate on one final function of conscience in Philo which constitutes a necessary complement to its roles as witness for the prosecution and judge. A hint we have just had: conscience might also work as friend and counsellor or, to retain the forensic diction, as defensor and advocate. Among several relevant texts the most important is found in On the Special Laws 1, 235-237. Unfortunately the exegetical basis is a bit complicated. Philo discusses the sins from Lev 6.2-7, which should belong to the category of unintentional sins, the list of which begins in Lev 4,1, but that doesn't really match their content. This discrepancy is explained by Philo, but we can only single out the more salient features for our argument: If a man through a false oath in court "escaped conviction by his accusers (τῶν ἄπδ τῶν κατηγόρων  $\dot{\epsilon}$ λεγχθείς)", but afterwards becomes "his own accuser (κατήγορος)", because he is "convicted inwardly by his conscience (ἔνδον ὑπο τοῦ συνειδότος έλεγχθείς)", he may find forgiveness through confession, restitution and sin-offering. To the temple he will be taking with him then "as his irreproachable advocate  $(\pi\alpha\rho\tilde{\alpha}\kappa\lambda\eta\tau\sigma\nu)$  the soul-felt conviction  $(\tau\delta\nu)$ κατὰ ψυχὴν ἔλεγχον) which has saved him from a fatal disaster, allayed a deadly disease, and brought him round to complete health".

Here we have the occasion to follow the way the accuser took from the outside into the soul: Where the accusation before a wordly court fails, the accuser in the soul takes over and succeeds. Justice is done, the right order of society is no longer violated, also not by crimes no longer justifiable. Conscience then gains a new task, is cast into a new role so to say, as an advocate pleading for mercy. For that Philo chooses the term paraclete which we know best from the Johannine farewell discourses and from 1 John 2,1 ("But if we sin, we have a paraclete with the father, Jesus Christ the righteous"). Paraclete is borrowed from the forensic situation, but there doesn't mean exactly the advocate. There are paracletes who by their mere presence are able to influence the trial in favor of the accused: his wife and his children with miserable laments, angry hecklers or a patron of high standing.

Conscience, the "tormentor and punisher" (cf On Dreams 1,91:  $\kappa\sigma\lambda\alpha\sigma\tau\dot{\eta}\varsigma$ ), that is only one side of the coin. The reverse shows us conscience, the counsellor, the advocate, the friend, destined by God to bring help to human beings, as proof of His kindness and His  $\phi\iota\lambda\alpha\nu\theta\rho\omega\pi\dot{\iota}\alpha$ , His love of men.

That Philo chose the word paraclete reveals that he was well accustomed with judicial proceedings in his day, and this is why he found his graphic metaphorical language. We know that Philo's family belonged to the leading stratum of Alexandrian Judaism and that he himself, if reluctantly, took over social responsibilities, like leading the legation to Caligula. That gives more background, too, to the criticism implied in *On the Virtues* 206: Conscience is "the one and only court which is never misled by oratorical artifices" (Goodenough of course on the Politics of Philo Judaeus and on the Jurisprudence of the Jewish Courts in Egypt is to be compared here<sup>5</sup>).

After examining his writings we know perhaps a little more about Philo's concept of conscience, but what we still don't know is: where did he get it from? For the Old Testament doesn't have it, even if the heart or the entrails sometimes come nearest to functioning like conscience. That Philo speaks of a "pure conscience" four times is best explained as an adaptation of the "pure heart" in the Old Testament, but in all his writings he never uses heart in the sense of conscience a single time. He had found another term that suited him most, but, to quote Winston and Dillon again, "it is hard to believe that he invented" it<sup>6</sup>.

## 4 LOCATING PHILO'S CONCEPT

## 4.1 Latin authors

Compared to the Greek literature of his day Philo's insistence on conscience and his use of the term stand relatively isolated as indicated above. That changes rapidly as soon as we move to Latin authors. Already in the first century BCE, we have not only the *Rhetorica ad Herennium* but also Sallust and, still more specific, Cicero who uses *conscientia* in different shades of meaning more than seventy times. In the year 80 BCE, in his first public pleading at the age of 26, he points out in his speech: "For you must not think, as you often see in plays, that those who have committed any impious and criminal act are harassed and terrified by the blazing torches of the Furies. It is their own evil deed, their own terror that torments them more than anything else; each of them is harassed and driven to madness by his own crime; his own evil thoughts and the stings

of conscience terrify him. These are the Furies which never leave the wicked, which dwell in their hearts, which, night and day, exact expiation ..." (Pro Sex Roscio Amerino 67).

That Cicero here is psychologizing the mythical figure of the Furies, the Greek Erinys, needs no comment. He explains that to us himself. In a more forensic mood Seneca later calls conscience a witness (Ep 43,5) and, contextually, an accuser, a judge and an advocate (deprecator, cf Ep 28,10), which are exactly the roles Philo ascribes to it.

I certainly don't intend to postulate that Philo read Cicero or that Seneca read Philo (though that has already been maintained, too, and that by no less a scholar than Pierre Grimal<sup>7</sup>). But what we have, beginning with the first century BCE, is a more intensified discourse on conscience, which Philo not only participates in, but is even a major exponent of.

## 4.2 The Greek Bible

The reception of the developing new terminology already started sporadically in Hellenistic Judaism before Philo. Of the three entries for  $\sigma\nu\nu\epsilon i\delta\eta\sigma\iota\zeta$  in the concordance to the Septuagint, one is of major interest, only one, because it is clear and it is found in the Book of Wisdom, which in my opinion was written in Alexandria in the first century BCE and which Philo possibly knew. Wisdom 17 describes the proverbial Egyptian darkness as a projection of the consequences of a bad conscience. The Egyptians want to remain unobserved in their secret sins (V 3), but even their inner chambers do not protect them from fear (V 4). At the slightest sounds they were scared (V 9 etc). Verse 11 tells us the reason: "For wickedness is a cowardly thing, condemned by its own testimony ( $i\delta\iota\varphi$   $\mu\dot\alpha\rho\tau\nu\rho\iota$ ); distressed by conscience, it has always exaggerated the difficulties." Not only that we find beside  $\sigma\nu\nu\epsilon\iota\delta\eta\sigma\iota\varsigma$  also  $\mu\dot\alpha\rho\tau\nu\varsigma$ , witness, again, verse 7: "their boasted wisdom was scornfully rebuked" in Greek has  $\epsilon\lambda\epsilon\gamma\chi\varsigma\varsigma$ .

This monitor or convictor in the meantime we have lost from view a little. By now all of a sudden we have discovered one reason for Philo's predilection for this term: the noun and the verb abound in Wisdom literature in a forensic and in a pedagogical sense. Philo once even quotes, and that is quite unusual for him, from the Book of Proverbs, where we have the verb  $\dot{\epsilon}\lambda\dot{\epsilon}\gamma\chi\epsilon\iota\nu$  (it is Prov 3,11-12 in *On the Preliminary Studies* 177: "Therefore, I think, did one of Moses' disciples, who is named a man of peace, which is in our ancestral tongue Solomon, says as follows: 'My son, despise not the discipline  $[\pi\alpha\iota\delta\epsilon\iota\alpha]$  of God, nor faint when thou art rebuked by Him  $[\dot{\nu}\pi'\alpha\dot{\nu}\tau\circ\dot{\nu}\ \dot{\epsilon}\lambda\epsilon\gamma\chi\delta\mu\epsilon\nu\circ\varsigma]$ , for whom the Lord loveth He rebukes ... '").

## 4.3 Personification and mythology

What we don't have in the other sources, neither in the Latin authors nor in the Wisdom literature, is the independent acting of the convicting force. But that is nothing else than a personification. The personification of abstract nouns is a well known literary device in literature, used with great virtuosity for example by Aristophanes in his comedies. If Lucian is to be believed. Menander even gave a role to personified Έλεγχος: "We must call in one of Menander's prologues, Exposure (ἔλεγχος), a god devoted to truth and frankness..., who knows everything and tells in plain language all that he knows about you" (Lucian, The Mistaken Critic 4). Personification, as fictio personae, is also taught in ancient rhetoric. It "lends wonderful variety and animation to oratory", we are instructed by Ouintilian (IX 2,29-31), we display by its means "the inner thoughts of our adversaries as if they were talking with themselves", and we even "bring down the gods from heaven and raise the dead". In literary theory personification was considered a subspecies of allegory, which eventually led to the allegorical reading of non-allegorical texts - a point not without interest for Philo's hermeneutics.

Finally, for the personification of accusing, judging and defending conscience in Philo there exists also a mythological pattern. That is the Greek voûc, the Latin genius, the guardian spirit or guardian angel of human beings. To be distinguished from conscience first, it is nevertheless united with it in the Imperial age. According to Epictetus, the highest god "has stationed by each man's side as guardian  $(\dot{\epsilon}\pi i\tau \rho o\pi \alpha)$  his particular genius  $(\delta \alpha i \mu o \nu \alpha)$  ..., who never sleeps and is not to be beguiled" and even in a dark room behind closed doors doesn't stop watching over us, but is with us and in us (Dissertations I 14,12-13). Apuleius explicitly sees the famous genius of Socrates as equivalent to conscience (On the Genius of Socrates 156: vice conscientiae diversetur). Such a spirit dwells in us, Seneca says, "as observer and custodian of our good and bad deeds" (Ep 41,2). The mythical language is used to describe processes happening in the soul, completely similar to Philo's personification. It's Philo himself who proves us right on this point, because once he equates  $\delta\alpha i\mu\omega\nu$  not with conscience, to be precise, but at least with mind (in On Providence 2.8: τὸν γοῦν ἴδιον δαίμονα, λέγω δὲ τὸν ἐαυτοῦ νοῦν).

## 5 SUMMARY AND PERSPECTIVES

To sum up: Philo combines the punishing Furies (cf Cicero) and the benevolent guardian spirit (cf Seneca) of Graeco-Roman mythology and

philosophy with the personified reproof from Jewish Wisdom literature, and so he creates a concept that helps him to give a visual description of the strict but nevertheless kind guidance God practises on man. By projecting the instruments of God's actions into man's soul he stresses the responsibility of the individual for his or her moral conduct, and on top of this he obtains a sort of regulative mechanism which keeps up the right order of the world even in cases where human courts fail.

This is a very close weave of Graeco-Roman and Jewish-Hellenistic strands of tradition, and one might consider the question, which of Philo's backgrounds takes the lead, to be irrelevant. But the singular position Philo takes in the history of the Greek terms for conscience and of its concept needs some explanation. In all probability that is the result of his belonging to two cultures, Greek and Hebrew. No doubt he got the word, the mythical connotations and the literary devices from the Greeks, but as isolated elements, and we cannot avoid the impression, as Martin Kähler put it already in 1878 in a seminal study, "as if the term returned to native soil as soon as the Jewish philosopher started to use it"8. Some kind of catalyst was apparently needed, and for Philo the Law served as such a catalyst, the Jewish Thora, because it claims to be absolutely obeyed. Conscience, therefore, supervises the observance of the Jewish law. In this respect another background for the metaphors drawn from legal proceedings may be detected: the Old Testament concept of God as judge and the passages in Scripture speaking about God's judging activity.

With this constellation Philo goes some way beyond Paul. Paul occasionally shows knowledge of the strong forensic components of  $\sigma \nu \nu \epsilon i \delta \eta \sigma \iota \varphi$  and of the verb  $\sigma \dot{\nu} \nu \sigma \iota \delta \alpha$ , mainly in Romans 2,15 and 1 Corinthians 4,3-5. But he sees conscience more as a purely anthropological factor without bringing it next to God's own actions. There is no problem with immanence and transcendence in Paul. He also does not know an additional figure like the convictor and has no personification nor any mythological overtones. In some ways we may say, though prudently, that Paul in this case seems less hellenized than Philo. (In brackets: That pictures changes a little bit with the Pastoral letters and other post-pauline writings.)

Nevertheless Philo has been influential in Christian Tradition, too. We recognize his voice, when Fathers like Origen prefer  $\sigma \nu \nu \epsilon i \delta \sigma \zeta$  to  $\sigma \nu \nu \epsilon i \delta \eta \sigma \iota \zeta$ , against the testimony of the New Testament. The Graeco-Roman heritage concerning conscience could have been handed over to the Fathers at least partly by Philo. And, last point, Philo's picture of conscience looks strangely familiar to us, more familiar, to be honest, than

Paul's rather vague allusions. The critic might be right who asked if the churches didn't speak of conscience in a manner more reminiscent of Philo than of Paul<sup>9</sup>. If that is for better or for worse, I'm not too sure. That is, in any case, quite a new and not so easy question.

## NOTES:

- Guest lecture, held at the Department for Religious Studies at Yale University, New Haven, USA, on January 26, 1999; the text is an reworked and shortened English version of the more fully documented paper: "Ein Richter im eigenen Innern: Das Gewissen bei Philo von Alexandrien, in: H-J Klauck, Alte Welt und neuer Glaube. Beiträge zur Religionsgeschichte, Forschungsgeschichte und Theologie des Neuen Testaments (NTOA 29), Freiburg (Schweiz)/Göttingen 1994, 33-58.
- P W Schönlein, "Zur Entstehung eines Gewissensbegriffes bei Griechen und Römern", Rheinisches Museum für Philologie. Neue Folge 112 (1969), 289-305, 300, 302.
- D Winston/J Dillon, Two Treatises of Philo of Alexandria. A Commentary on De Gigantibus and Quod Deus Sit Immutabilis (BJSt 25), Chico (Ca). 1983, VII.
- 4 R T Wallis, "The Idea of Conscience in Philo of Alexandria", Studia Philonica 3 (1974/75), 27-40.
- E R Goodenough, The Politics of Philo Judaeus. Practice and Theory, New Haven 1938, Reprint Hildesheim 1967; E R Goodenough, The Jurisprudence of the Jewish Courts in Egypt. Legal Administration by the Jews under the Early Roman Empire as Described by Philo Judaeus, New Haven 1929, Reprint Amsterdam 1968.
- 6 Winston & Dillon, op cit, 328.
- 7 P Grimal, Seneca: Macht und Ohnmacht des Geistes (Impulse der Forschung 24), Darmstadt 1991, 47-52.
- M Kähler, Das Gewissen. Ethische Untersuchung. Erster, geschichtlicher Teil: Die Entwicklung seiner Namen und seines Begriffes. Geschichtliche Untersuchung zur Lehre von der Begründung der sittlichen Erkenntniß. Erste Hälfte: Alterthum und neues Testament, Halle 1878, Reprint Darmstadt (Wissenschaftliche Buchgesellschaft) 1967, 200: "als käme das Wort auf den heimischen Boden zurück, wenn der jüdische Philosoph es in Gebrauch nimmt".
- P Hilsberg, "Das Gewissen im Neuen Testament. Über die Anwendung und Nichtanwendung des Wortes Gewissen im Neuen Testament", *Theologia Viatorum* 9 (1977), 145.