

Toward A Better Understanding of Epicurean Justice And Injustice (With Examples of "Just" and "Unjust")

Post by "Don" of March 23, 2021 at 11:57 PM

The more I think about this, the more I wonder if we can include slaves in the *ethnos* ἔθνος mentioned in the Principle Doctrine. Slaves, although powerless, are still bound by the laws put in place by the slaveholding state. However, such law is not for the mutual benefit or pleasure of both parties.

Now, I can see the ruling class of such a state using a rationalization that the enslaved need to be "civilized," that they can't take care of themselves "by their nature", etc. which is not based on observation but prejudices.

As such, it seems to me that such a law would have to be unjust. It does not meet the fundamental quality or *prolepsis* of justice in providing an agreement to neither harm nor be harmed. One party is obviously harming the other. As such, any law sanctioning slavery is unjust whether ancient or modern. Whether or not Philodemus encourages using slaves or treating them kindly.

Now, an enslaved person who rises up against the one who oppresses her is not necessarily engaged in a just act. That's still harming another. However, if it was in self-defense or in direct reaction to being harmed by the unjust law of slavery, maybe it could be determined to be just.

On the other hand, if two parties sign a contract of indentured service and the servant rises up against the other party, that is unjust. In that case, even though one party has more power than the other, each agreed to the contract.

The whole idea of agreements, mutual benefit, security from harm, seems the only way to determine if justice or injustice is present. Maybe in some situations, it simply doesn't exist. For example, there is no justice or injustice if a tiger kills and eats a human. There was never any agreement. If another human kills and eats a human, that is an injustice because there are laws against that. By living in a society with those laws, citizens "agree" to abide by those laws.

I'm still trying to work out the identity of the *ethnos* who do not have power or who decide to not enter into agreements. This gets much more complex when dealing with humans than the animal scenarios. How and when are agreements made? Is the international community one society under some laws?

Obviously, I'm still thinking out loud. Maybe spend some time in JSTOR or Long & Sedley's Hellenistic Philosophers.

I may pause this one and continue to delve into parsing the remaining PDs.