

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

Post by "Don" of March 24, 2021 at 10:36 PM

FYI: I'm going to start using KD (Key Doctrines) instead of PD ([Principal Doctrines](#)) to maintain the same KD initials for English and Greek (Kyriai Doxai). Call me pedantic. I can take it. 😊

KD 34: Ἡ ἀδικία οὐ καθ' ἑαυτὴν κακόν, ἀλλ' ἐν τῷ κατὰ τὴν ὑποψίαν φόβῳ, εἰ μὴ λήσει τοὺς ὑπὲρ τῶν τοιούτων ἐφεστηκότας κολαστάς.

Saint-Andre translation: Injustice is not bad in itself, but only because of the fear caused by a suspicion that you will not avoid those who are appointed to punish wrongdoing.

So, there's really no such thing as an unjust act or injustice itself it seems, just like righteousness doesn't exist in and of itself. Okay, that's at least consistent. Wrong-doing (another translation of ἀδικία) isn't "bad in and of itself" ("οὐ καθ' ἑαυτὴν").

What I'm reading here is that breaking the law - transgressing that mutual contract - isn't bad in and of itself. It's only bad because of the fear you as the criminal experience from the anxiety that you might get caught.

Frankly, this is where Epicurus begins to lose me. This KD, along with the next one (KD 35) which we'll look at below, clearly seems to say that the only unjust act, according to Epicurus, is one that will make you fear you might get caught breaking a law. What if you have no conscience? What if you don't fear punishment? Granted, punishment was much harsher in ancient Greece and Rome than it is currently in modern culture. Consider [the prisons in ancient Rome](#). They were terrible places! Check out this article from the Center for Hellenic Studies on "[Punishment in Ancient Athens](#)". Some punishments listed include "imposed fines, imprisonment, a set time of public humiliation in the stocks, limited loss of political rights, total disfranchisement, exile from the city ..., and death...." It could also include torture and what the article calls "bloodless crucifixion" that sounds horrible and was for citizens. The article goes on to say even convicted murderers were expected to try and break out of prison and go into exile, ridding the polis of their poisonous influence and giving the criminal a new possible life elsewhere. So, even the justice system of Ancient Athens had loopholes! Epicurus's conscience deterrent seems woefully lacking and without real teeth. It *almost* seems - dare I say - idealistic, and expects humans all to be subject to the same fear.

In KD 34, Epicurus does decide to finally use ἀδικία "injustice" ἄ "not" + δίκη "just" [http://www.perseus.tufts.edu/hopper/text?do...:entry=a\)diki/a](http://www.perseus.tufts.edu/hopper/text?do...:entry=a)diki/a)

This KD is going to be better parsed by bringing along the next one, KD 35. As Cassius has pointed out, there are no numbers in the original manuscripts. This one also starts with another Οὐκ ἔστι "it is not" like 33 and 34:

KD 35: Οὐκ ἔστι τὸν λάθρα τι κινουῦντα ὧν συνέθεντο πρὸς ἀλλήλους εἰς τὸ μὴ βλάπτειν μηδὲ βλάπτεσθαι, πιστεύειν ὅτι λήσει, κἂν μυριάκις ἐπὶ τοῦ παρόντος λανθάνη. μέχρι γὰρ καταστροφῆς ἄδηλον εἰ καὶ λήσει.

Saint-Andre translation: It is impossible to be confident that you will escape detection when secretly doing something contrary to an agreement to not harm one another or be harmed, even if currently you do so countless times; for until your death you will be uncertain that you have escaped detection.

...ὧν συνέθεντο πρὸς ἀλλήλους εἰς τὸ μὴ βλάπτειν μηδὲ βλάπτεσθαι,...

...contrary to an agreement to not harm one another or be harmed,...

(Note our old friend βλάπτειν again!)

Here again, the emphasis is on the uncertainty of escaping detection. Was Epicurus relying on someone's fear of being tortured or of being removed or exiled from the city to maintain security and peace! It appears so. I find that a weak argument on several fronts. It also seems an odd way of defining injustice.

Thoughts?