

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

Post by "Don" of March 30, 2021 at 12:27 AM

Onto KD 38...

Another long one and the last of the δίκαιος-related KDs, although 39 and 40 have relation to living in a community. We'll probably take a look at those as well before circling back around to thornier issues related to "justice" and "civilized behavior." I've tried to use some of the same translations that show up here as well as in the earlier KDs.

KD 38: Ἐνθα μὴ καινῶν γενομένων τῶν περιστώτων πραγμάτων ἀνεφάνη μὴ ἀρμόττοντα εἰς τὴν πρόληψιν τὰ νομισθέντα δίκαια ἐπ' αὐτῶν τῶν ἔργων, οὐκ ἦν ταῦτα δίκαια. ἔνθα δὲ καινῶν γενομένων τῶν πραγμάτων οὐκ ἔτι συνέφερε τὰ αὐτὰ δίκαια κείμενα, ἐνταῦθα δὲ τότε μὲν ἦν δίκαι', ὅτε συνέφερον εἰς τὴν πρὸς ἀλλήλους κοινωνίαν τῶν συμπολιτευομένων· ὕστερον δ' οὐκ ἦν ἔτι δίκαια, ὅτε μὴ συνέφερον.

Let's break this down...

38.1 Ἐνθα μὴ καινῶν γενομένων τῶν περιστώτων πραγμάτων ἀνεφάνη μὴ ἀρμόττοντα εἰς τὴν πρόληψιν τὰ νομισθέντα δίκαια ἐπ' αὐτῶν τῶν ἔργων, οὐκ ἦν ταῦτα δίκαια.

"When surrounding circumstances have not changed and what deeds had appeared 'civilized' do not appear to fit the preconception of civilized behavior, then those were not 'civilized.'"

The ἔργων here is sometimes translated as "things" but that strikes me as such a non-descriptive term as to be unhelpful. Things are also used to translate some of the nominalized words, so that's not helpful. Hicks translates it as laws but there is no νόμον here. Epicurus Wiki uses "practice. I've used "deeds". Here is the LSJ entry [http://www.perseus.tufts.edu/hopper/text?do...7:entry=e\)/rgon](http://www.perseus.tufts.edu/hopper/text?do...7:entry=e)/rgon)

I've also used "circumstances" again to translate πραγμάτων as in KD 37.

38.2 ἔνθα δὲ καινῶν γενομένων τῶν πραγμάτων οὐκ ἔτι συνέφερε τὰ αὐτὰ δίκαια κείμενα,

Note the parallel writing style again between this part and the previous one. We'll try and approximate this in our translation:

"But when the times do change and circumstances that were civilized no longer bring mutual benefit,

38.3 ἐνταῦθα δὲ τότε μὲν ἦν δίκαι', ὅτε συνέφερον εἰς τὴν πρὸς ἀλλήλους κοινωνίαν τῶν συμπολιτευομένων·

"... then, on the one hand, they were 'civilized' when they brought mutual advantage among companions living as fellow-citizens or members of one state;..."

38.4 ὕστερον δ' οὐκ ἦν ἔτι δίκαια, ὅτε μὴ συνέφερον. "...on the other hand, when later it no longer brought a mutual benefit, then it was no longer civilized behavior."

Let's bring it all back together...

"When surrounding circumstances have not changed and what deeds had appeared 'civilized' do not appear to fit the preconception of civilized behavior, then those were not 'civilized.' But when the times do change and circumstances that were civilized no longer bring mutual benefit, then, on the one hand, they were 'civilized' when they brought mutual advantage among companions living as fellow-citizens or members of one state; on the other hand, when later they no longer brought mutual benefit, then they were no longer civilized behavior."

This again emphasizes the contextual nature of civilized, orderly behavior, what we have called "justice" before. The primary criteria here seems to be whether laws or deeds bring mutual advantage or benefit to those living as members of a state. As long as that's the case, it's "just." Is that how we define justice now? Is that a recognizable definition of "justice"? "Civilized, orderly behavior that confers mutual benefit to parties"? What in the past could have conferred mutual benefit but no longer does? Remember, it's mutual benefit to not harm or to be harmed. But then we have to consider the earlier KD that talked about the power to or desire to enter into mutual agreements.

Thoughts?