

Dr. Frans de Waal, Primatologist

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One part of our conversation was particularly insightful on that point. Charles (to summarize) said that Epicurus' definition of justice as non-absolute and existing in mutual advantage by social convention was well above and beyond the operation of the anticipations. Steve replied that there was a considerable amount of cultural overlay, but that the prolepsis of justice might be operating underneath all that at a far more basic level. Steve's response seemed to me good, and the only way to reconcile the prolepsis of justice with what Epicurus says in the [Principal Doctrines](#): as for example in this one;

32. Those animals which are incapable of making covenants with one another, to the end that they may neither inflict nor suffer harm, are without either justice or injustice. And those tribes which either could not or would not form mutual covenants to the same end are in like case.

To speak of chimpanzees and capuchins as forming covenants to protect their idea of fairness is bordering on the absurd, but the operation of fairness and compassion do seem to be present at some level. So I would, like Steve, try to draw a distinction between the mutual rational justice of the [principal doctrines](#) and the canonic pre-rational anticipation of justice, which might be present also in lower orders of animals.

What do we think of this as a start?

The attributes of agreements of justice:

- Rational
- Cultural
- Social
- Leading to stated or implied contractual behavior
 - With the expectation of reciprocity, without which the compact breaks down; more like a treaty between sovereign nations

The attributes of the anticipation of justice:

- Pre-rational
- Evolutionary
- Individual
- Leading to voluntary behavior
 - With no expectation of reciprocity: More like giving a gift; maybe you'll get one in return someday