

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

Post by "Don" of March 21, 2021 at 9:34 PM

[ADMIN NOTE: This new thread was started so as to contain the responses to the following post, which is itself a response by Don to a post by Elayne. Please check [Elayne's post in the original thread](#) for past context. As per the title I gave the new thread, it would be good to produce some hypothetical examples of "just" and "unjust" so we can begin to see the common themes.]

[Quote from Elayne](#)

There are people who take great pleasure in actions which their current majority culture labels repugnant but who cause no actual harm to anyone-- and this is definitely a common human social situation, especially in association with religions, not a rare or hypothetical event. For instance, in some cultures, anything other than heteroromantic love and sex is treated with disgust and in some cases still today with the death penalty. Would you say that a consenting adult same-sex couple in such a culture was not Epicurean to have a relationship even at risk of death? I certainly would not.

Okay, this is helpful for me to flesh out my thinking if y'all will bear with me...

I would say this specific scenario is the exact opposite of what I had in mind when I wrote my post, but that's valuable. I do find the scenario you outline repugnant (i.e., that someone holds those beliefs, to be clear), but I want to try and analyse this from an Epicurean perspective and not my personal preference.

First, I believe your scenario can be analysed to spring from an "empty" opinion or belief on the part of the one feeling "disgust" and, as such, they are not acting morally, justly, or prudently, and so their action can be said to be not choice-worthy.

1. Nature [appears to provide abundant examples of same sex activities](#), so the "disgust" does not arise from nature.
2. If not from nature, it must arise from culture and/or law.

3. As such, is the law/custom just? Does it conform with the basic measure of justice: to neither harm nor be harmed.

4. The same sex couple are harmed explicitly. The empty belief also harms the one holding it by producing unnecessary pain. So, it does not align with the basic measure of acting justly.

5. The belief could also arise from religious (god-given) or cultural indoctrination. We know the gods do not hand down dictates from on-high. If it is cultural indoctrination, Epicurus encouraged us to free ourselves from that.

6. Therefore, I would say the person holding this opinion and getting pleasure from it is not acting justly, wisely, or morally. If they experience momentary pleasure from holding this belief, it is not choice-worthy for the reasons outlined here. The opinion will not lead to a maximally pleasurable life. A person holding that belief cannot consider themselves as following an Epicurean path.

Now, to turn to the couple.

1. The pleasure of the relationship is not an empty opinion. It arises naturally. I see no reason that specific pleasure is not choice-worthy, but...

2. In deciding to continue the relationship, the couple has to weigh multiple options in deciding choices or rejections: Is the pain at the anxiety of getting "caught" more than the pain of being apart from their partner? How long can their relationship be kept secret? Do they have alternatives? Can they migrate somewhere else? In this case, only they can decide if the resulting pleasure is worth the pain. I wouldn't have any issues with saying these two people were following an Epicurean path regardless of their ultimate choice.

Post by "Cassius" of March 21, 2021 at 9:45 PM

[Quote from Don](#)

First, I believe your scenario can be analysed to spring from an "empty" opinion or belief on the part of the one feeling "disgust" and, as such, they are not acting morally, justly, or prudently, and so their action can be said to be not choice-worthy.

oh no - no - no --- I would not take that route at all! (this is why i SO dislike the "empty" word). Let me read the rest.....

But this is VERY good to explore.....

Here are my first thoughts:

[Quote from Don](#)

6. Therefore, I would say the person holding this opinion and getting pleasure from it is not acting justly, wisely, or morally. If they experience momentary pleasure from holding this belief, it is not choice-worthy for the reasons outlined here. The opinion will not lead to a maximally pleasurable life. A person holding that belief cannot consider themselves as following an Epicurean path.

Yes that is "your" view of the situation, but the person holding the other viewpoint is in fact getting pleasure from it (under your scenario) so their pleasure is a canonical "fact" for them which they must analyze along with the fact that you disapprove of their viewpoint and may come down on them with disapproval of all kinds, including force. You may in fact choose to do that, and to force them to back off from their pleasure at pain of punishment, and that would be an example of "how the world works" which Epicurus tells us to take into account. But you would need to realize that it is only your ability to use force to enforce your opinion that "justifies" your substituting your view for theirs. From that point of view you are pursuing your own pleasure, and as Epicurus says that is the way the world works, but I don't think Epicurus would tell you that your particular position takes philosophical precedence over theirs -- it is just a matter that your view of pleasure is in conflict with theirs, and that is where in the PDs as to justice Epicurus points out that there is no natural "justice" -- if you don't agree, then you don't agree, and you can resort to force or persuasion or whatever, but if there is no agreement, then there is no "justice" to appeal to, and in the end the appeal ends up being to "might makes right."

With perhaps the major point being here that this is what makes "feeling" a part of the canon of truth.... that our FEELINGS of pain and pleasure are true to us, regardless of where they come from. We can choose to follow them or not .. and suffer the good or bad results of so doing ... but they are in fact the guide that nature gave to us, so in terms of "justification" our feelings need no justification from gods or from ideal forms -- or from majority or minority or even "Epicurean" viewpoints.

OK I am going to stop editing this post, wait for others to post, and then reply as needed below.

Post by “Cassius” of March 21, 2021 at 10:14 PM

i would like to comment on this:

[Quote from Elayne](#)

Would you say that a consenting adult same-sex couple in such a culture was not Epicurean to have a relationship even at risk of death? I certainly would not.

[Quote from Don](#)

I would say this specific scenario is the exact opposite of what I had in mind when I wrote my post,

Just so someone can correct me if I read this wrong, Elayne is asking about a society which condemns homosexuality, in which a couple chooses to pursue the relationship at risk of death. Elayne is pointing out that even though the couple may risk death, it might well be Epicurean of them to pursue their own pleasure, even though society disapproves and might put them to death. I say "might well be Epicurean" because it would be up to them to weigh the pluses and minuses and make their own decision -- there is no way for anyone else - Epicurean or not - to decide for them whether to pursue their relationship or not, because the ramifications are unpredictable and no one can decide for them how to navigate those choices. (I see that Elayne says that "I certainly would not" but I think she implicitly is saying that the choice could be analyzed in Epicurean terms either way, due to the contextual uncertainties involved in putting yourself in the position of any other particular person.)

I think this is a very good scenario to illustrate the issue, so I am not sure Don why you see this as "the exact opposite of what you had in mind"(?) Maybe there is something in your comment there, as to why you find the scenario the opposite of what you were thinking, that would help if you explained(?)

Post by "Don" of March 21, 2021 at 10:20 PM

I think I see where you're coming from, but I'm trying to apply [PD31](#) to the scenario:

Quote

31 Natural justice is a covenant for mutual benefit, to not harm one another or be harmed. [St-Andre note to PD 31: The word σύμβολον refers to a covenant, contract, or other mutual agreement, especially (in a legal sense) a treaty between two city-states to safeguard trading between them. The verb βλάπτω means to hurt or damage someone or something, but not in a way that reflects willful injustice or wrongdoing (for

which the verb ἀδικέω is used)]

That scenario did not seem to agree with that doctrine. But I'm re-reading your post... Maybe a couple times before replying in-depth. Thanks for engaging in this!!

Post by “Cassius” of March 21, 2021 at 10:24 PM

No problem at all because this helps us all to articulate better.

As to PD 31, that consideration is certainly true, but it is immediately modified and controlled by

32. For all living things which have not been able to make compacts not to harm one another, or be harmed, nothing ever is either just or unjust; and likewise, too, for all tribes of men which have been unable, OR UNWILLING, to make compacts not to harm or be harmed.

We might be experiencing here the harm that comes from segmenting the PDs into numbered separations, which to my understanding were not present in the original. I think it is important to read the entire section on justice altogether, and when one does one sees that justice is entirely contextual and really means nothing at all UNLESS there is a positive agreement. Absent an agreement (which even then can be broken when circumstances change) there is really no such thing as "justice" at all. This is a great illustration of how virtue has no meaning unless it bring pleasure.

Post by “Cassius” of March 21, 2021 at 10:25 PM

Perhaps one lesson we might end up drawing from this discussion when it is over is that we need to spend more time sooner discussing the PDs on justice -- which people tend to avoid, probably for EXACTLY the reason that we are now discussing them! 😊 (and that reason is that the PDs on justice are a stark reminder that virtue is contextual and has no absolute basis.)

Post by “Don” of March 21, 2021 at 10:27 PM

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

[Quote from Cassius](#)

I think this is a very good scenario to illustrate the issue, so I am not sure Don why you see this as "the exact opposite of what you had in mind"(?) Maybe there is something in your comment there, as to why you find the scenario the opposite of what you were thinking, that would help if you explained(?)

Oh, I originally approached the thought experiment as something I (or someone like me) would find repugnant (e.g., killing ones children, torturing people, etc.) that someone else would find laudable. I didn't consider the scenario of somebody being repelled by something I feel positive toward. So I found the turned-tables an interesting but unexpected opportunity to explore this topic.

I hope that helps explain my verbage.

Post by "Cassius" of March 21, 2021 at 10:27 PM

33. Justice never is anything in itself, but in the dealings of men with one another, in any place whatever, and at any time, it is a kind of compact not to harm or be harmed.

I think I see this translated at times as "there is no such thing as absolute justice" and that might be preferable to drill home the point.

Post by "Cassius" of March 21, 2021 at 10:30 PM

[Quote from Don](#)

So I found the turned-tables an interesting but unexpected opportunity to explore this topic.

Probably as we develop improved techniques for explaining Epicurean philosophy quickly and clearly, we ought to look for examples that do exactly that.

Today when we did the last podcast for book 4, I made a similar observation, that romantic love probably provides a particularly good example for us to talk about precisely because it evokes such strong emotions and positions.

Post by “Don” of March 21, 2021 at 10:35 PM

[Quote from Cassius](#)

in the dealings of men with one another, in any place whatever, and at any time,

In the modern world, how do we define "place". Are we dealing with only national or smaller places... Or do we consider the international arena to take precedence? Or the human community,? Or something else entirely?

Post by “Don” of March 21, 2021 at 10:46 PM

I also would say that the pleasure of the homophobe is no more choice-worthy than the pleasure of the profligate from our old friend PD 10. You may get pleasure from it for awhile, but it's eventually going to bite you... Or has the potential to. In the former case, depending where they go in the world, there is social sanction, political ostracism, becoming a victim of violence if you state your beliefs to the wrong person, etc.

I realize this veers from the justice argument, but I feel it's also a consideration in determining the choice-worthiness of the pleasure.

Post by “Don” of March 21, 2021 at 10:52 PM

In light of there being no absolute justice (or ideal virtue of justice), how do we determine if an act (or law) is just? How do we act justly?

Can you provide a specific scenario that would illustrate someone acting justly? Or the opposite?

That's not a challenge btw ☐ just a clarifying question.

Post by “Cassius” of March 21, 2021 at 10:53 PM

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

[Quote from Don](#)

I also would say that the pleasure of the homophobe is no more choice-worthy than the pleasure of the profligate from our old friend PD 10.

Yes absolutely, that is the point. Simply feeling a pleasure does not tell us it is choiceworthy under our personal circumstances. The larger point, however, is that philosophically if we are looking to nature or something outside ourselves for justification for that choice, we aren't going to find it. All we can note is that our feeling of pleasure is our natural canonical experience -- just like seeing a tree or bird. What we do about what we see or hear is no different than when we do about something we feel. All our actions in life have consequences, but not consequences resulting from the gods, or from idealistic visions of absolute truth.

In many ways i think discussions like this remind us what a "high-level" we are dealing with here. Like Cicero said somewhere, Epicurean philosophy is not really very difficult to understand. The big picture comes down to denial of the allegations of the major competitors - There IS no god, there IS no life after death, there IS no otherworldly realm of absolute truth. There is for us only our natural world, during our lifetimes, and nothing from nature giving us any "stop" or "go" feedback other than pain and pleasure.

Much of what Epicurus is doing is simply exploding the opposition, and then pointing to the basic aspects of nature and saying: "This is what you have to work with - go to it with these basics as best you can."

Post by "Cassius" of March 21, 2021 at 11:04 PM

[Quote from Don](#)

In light of there being no absolute justice (or ideal virtue of justice), how do we determine if an act (or law) is just? How do we act justly?

Can you provide a specific scenario that would illustrate someone acting justly? Or the opposite?

That's not a challenge btw ☐ just a clarifying question.

You're wrestling on but you almost have the opposition pinned, and the referee is counting down to the end of the match!

I think the obvious answer to your question and the obvious implications of the final ten [PD10](#)'s all point back in the same direction as saying "the goal is pleasure" or "pleasure is the alpha and omega of the blessed life."

Just like you can't truly know the difference between courage and foolhardiness, or wisdom vs stupidity, or any other virtue vs its opposite, you can't judge "justice" or "injustice" without looking to the results of the particular set of facts.

And worse than that from an absolutists' point of view, when you do look at it from that relativistic point of view, you're drawn to the conclusion that these words like "justice" and "virtue" were nothing more than "words" from the very beginning -- which recalls the "last words of Brutus" supposedly recorded after the battle of Philippi (see my note):

The Wikipedia entry for the Battle of Philippi includes this (as of 09/01/17):

Plutarch also reports the last words of Brutus, quoted by a Greek tragedy "O wretched Virtue, thou wert but a name, and yet I worshipped thee as real indeed; but now, it seems, thou were but fortune's slave."

<https://newepicurean.com/note-on-the-la...o-not-plutarch/>

But to answer your question more directly, it sounds to me like Epicurus is allowing for a proper use of the word justice to refer to an agreement between consenting people for something that is in their mutual benefit - which means it brings them both pleasure. So it sounds like he thinks that in such a relationship it is proper to call that "justice." But he is also saying that as soon as it ceases to be for the benefit of both it at that moment ceases to be "just." So in the end does the word "justice" really have any beneficial use other than in describing an agreement which is mutually beneficial to the people involved? I can't really see that it does, but then that's pretty much the same status as the other "virtues." I suppose that just like "wisdom" means "smart analysis that brings pleasure," Epicurus might say that "justice" means "an agreement (contract?) that brings pleasure to all parties to the contract." If so, then injustice might refer to "an agreement (contract? social relationship?) that does NOT bring pleasure to all parties in that relationship.

Maybe "justice" is a good general term for a specific type of "social relationship," or "agreement," but the terms "just" and "unjust" are going to be rigorously contextual.

I will be curious what Elayne has to say on this.

Post by "Cassius" of March 21, 2021 at 11:50 PM

I'm thinking also about what other general comments need to be said about the overall context of these observations.

One generality that comes to mind is this: That although Epicurean philosophy causes us to lose our illusions about the universe having a grand scheme of justice that makes everything come out in the end "fairly" for everyone involved, maybe at least we have in compensation that we have a clear view of the "truth."

We aren't able anymore to live under the false illusions (primarily of religion, but also of general "humanism") that we used to find so comforting, but in exchange there's something comforting about reconciling oneself to "the way things are," and knowing that whatever time we have had, we have lived it in touch with reality and did the best we could with it.

I know in my own case that I think all my life I've been prepared to accept "truth" that I didn't like, if need be. But most of all I didn't want to waste my entire life being manipulated and living under some "noble lie" as a pawn of false forces that sounded good but were - in fact - a lie! To me there is some pleasure in thinking that I did what I could even if circumstances were adverse. But to wind up at the end of life thinking that I had spent my time being a helpless pawn at the whim of liars whom I should have seen through? That would be the worst possible result.

Now I know this viewpoint has to be tempered by the "But was it in fact a pleasurable life?" analysis, referencing how Epicurus said that it is better to live under a false religion than to accept hard determinism that it is not within your power to be happy. I suppose I can imagine a scenario in which there are some truly benevolent people who do in fact keep some hypothetical other person "in the dark" throughout their lives for the sake of that other person living pleasurably.

But while I can imagine such a scenario being possible, I see no evidence that any existing human system has such a result as its goal or as its practical result. Therefore my acknowledgement of the hypothetical has not given me any reason to be worried that I was in such a situation myself or unfairly rejecting such a system anywhere else. And for the same reason I don't expect that Epicurus himself found that he had to worry about adopting a religion so as to avoid the clutches of the hard determinists.

There's a pleasure in using one's mind and doing what one can to find out the truth and then apply the lessons learned, and at least from my point of view that pleasure is worth an awful lot.

(Ha -- and of all the ways I could describe it, would I ever think of referring to that pleasure primarily as "absence of pain" or "katastematic"? Not in a million years.)

Post by “Don” of March 22, 2021 at 6:35 AM

[Quote from Cassius](#)

Epicurus might say that "justice" means "an agreement (contract?) that brings pleasure to all parties to the contract." If so, then injustice might refer to "an agreement (contract? social relationship?) that does NOT bring pleasure to all parties in that relationship.

I see where you're going I think.

But if that's the case, then I also think I stand by my initial assertion that the law/custom/contract to execute homosexuals is not just because it certainly doesn't benefit both parties.

Post by “Don” of March 22, 2021 at 7:00 AM

[Quote from Cassius](#)

...There's a pleasure in using one's mind and doing what one can to find out the truth and then apply the lessons learned, and at least from my point of view that pleasure is worth an awful lot.

That entire post is an eloquent statement of your beliefs and obviously heartfelt and sincere. I deeply appreciate your sharing it.

Post by “Cassius” of March 22, 2021 at 7:44 AM

[Quote from Don](#)

..... law/custom/contract to execute homosexuals is not just because it certainly doesn't benefit both parties.

You may be right to disagree with my first suggestion. Maybe the issue is that to be unjust, the agreement has to start out beneficial and satisfactory to both, but then circumstances changed, and it is the attempt to enforce the old arrangement is injustice. But then it seems to me that it is hard to distinguish that situation from "unwilling to agree" which is a situation of "neither just nor unjust."

It is possible that it would be a good idea to start a new discussion under one of the "justice" subforums. As I recall over the years very infrequently have any of us engaged in long discussions over the last ten PDs, but it would be HIGHLY beneficial to do so.

Regardless, it seems to me that we have to compare 32 to 37 and 38 to triangulate on this issue:

Quote

32. For all living things which have not been able to make compacts not to harm one another, or be harmed, **nothing ever is either just or unjust**; and likewise, too, for all tribes of men which have been unable, or unwilling, to make compacts not to harm or be harmed.

37. Among actions which are sanctioned as just by law, that which is proved, on examination, to be of advantage, in the requirements of men's dealings with one another, has the guarantee of justice, whether it is the same for all or not. But if a man makes a law, and it does not turn out to lead to advantage in men's dealings with each other, **then it no longer has the essential nature of justice**. And even if the advantage in the matter of justice shifts from one side to the other, but for a while accords with the general concept, it is nonetheless just for that period, in the eyes of those who do not confound themselves with empty sounds, but look to the actual facts.

38. Where, provided the circumstances have not been altered, actions which were considered just have been shown not to accord with the general concept, in actual practice, then they are not just. But where, when circumstances have changed, the same actions which were sanctioned as just no longer lead to advantage, they were just at the time, when they were of advantage for the dealings of fellow-citizens with one another, **but subsequently they are no longer just, when no longer of advantage**.

PERHAPS my suggestion should be reworded as:

*Epicurus might say that "justice" means "an agreement (contract?) that brings pleasure to all parties to the contract." If so, then injustice might refer **to the attempt to enforce an old** "agreement (contract? social relationship?) that does NOT bring pleasure to all parties in that relationship.*

But that is only an interim thought - we need to continue to discuss.

Post by “Don” of March 22, 2021 at 8:29 AM

[Quote from Cassius](#)

It is possible that it would be a good idea to start a new discussion under one of the "justice" subforums.



Good idea. We've gone far astray off the initial topic of this thread.

Post by “Cassius” of March 22, 2021 at 9:07 AM

i will set something up and move some of the recent posts to the new location

Post by “Don” of March 22, 2021 at 11:27 AM

Just thinking, we need to be careful to distinguish among behaviors or laws that are just, that are moral, or that are ethical. The latter two bleed into the area of absolutists. But we *should* be able to decide if an act or law is just or not. We're supposed to have prolepseis of that after all.

Post by “Elayne” of March 22, 2021 at 11:29 AM

[Don](#) I think you are running into the same issue here, and I have the same objections. Justice is no more absolute than virtue is.

But I want to get back to your original statement to see if/how you have modified it before I respond further.

You said: "People who take pleasure in what the average human would find morally or ethically repugnant aren't living according to Epicurean principles and so we would have reason to intervene and attempt to get them to change. Just because they are feeling pleasure doesn't make their life choice-worthy. I wrestle with this, but the more I think about it, the more I'm coming to these conclusions."

When I gave an example of a known issue where "average humans" find certain harmless acts repugnant and questioned if that would make you declare the action automatically not Epicurean, you couldn't go there, so you started talking about justice.

Is your new assertion "People who take pleasure in what a just human would find unjust aren't living according to Epicurean principles and so we would have reason to intervene and attempt to get them to change. Just because they are feeling pleasure doesn't make their life choice-worthy. I wrestle with this, but the more I think about it, the more I'm coming to these conclusions."

Have you substituted "just" for "average", and "unjust" for "repugnant"?

If so, as Cassius has explained, there is the same issue. People have some commonalities in what they consider just, but there are also significant differences. Lol, contract negotiations would be so much easier otherwise! There are no absolutes.

I would also say it's not correct to label someone taking pleasure in anything as not Epicurean. Remember that for me, taking pleasure means including all the consequences including future effects. However, if their pleasure impedes mine, I'll certainly make an effort to stop them!

Btw, it's 100% natural for humans to establish taboos, unjust or not. These happen even without religion. It's not supernatural-- it's a real phenomenon we have evolved to enact. I notice that people tend to label things they don't like as unnatural, but there's no grounds for that here. Also, Epicurus doesn't appear to use the word "natural" to mean innate.

I can see it makes you very uncomfortable to confront the lack of definite moral standards apart from individual pleasure. I think that's what makes this discussion relevant to where it started, because that's exactly why people cling to the fixed virtues in Stoicism rather than to pleasure.

They do not want to say they endorse a philosophy that could conceivably lead to a person making choices for their own pleasure which harm others-- but this is in fact inescapable in a reality-based philosophy. The moment they start putting their preferential behavioral constraints on others as if there is something magical about their own morality that will make their choices work for everyone, they have left the material realm for wishful thinking.

Post by “Don” of March 22, 2021 at 3:17 PM

[Quote from Elayne](#)

Is your new assertion "People who take pleasure in what a just human would find unjust aren't living according to Epicurean principles and so we would have reason to intervene and attempt to get them to change. Just because they are feeling pleasure doesn't make their life choice-worthy. I wrestle with this, but the more I think about it, the more I'm coming to these conclusions."

Have you substituted "just" for "average", and "unjust" for "repugnant"?

There's revision from there, too. It may be tweaking around the corners but I'll submit this:

Quote

PD10A: If the objects which are productive of pleasures to persons engaged in unjust acts really freed them from fears of the mind — the fears, I mean, inspired by celestial and atmospheric phenomena, the fear of death, the fear of pain — if, further, they taught them to limit their desires, [then] we should not have any reason to censure such persons, for they would then be filled with pleasure to overflowing on all sides and would be exempt from all pain, whether of body or mind, that is, from all evil.

Sorry. I couldn't resist. But that's my basic argument... "What is just and unjust from an Epicurean perspective, and what is choice-worthy?"

[Quote from Elayne](#)

I would also say it's not correct to label someone taking pleasure in anything as not Epicurean.

You're right. Experiencing pleasure or not doesn't make one an Epicurean. Every living thing does that. To be an Epicurean, we need to make decisions based on the Canon, etc.

[Quote from Elayne](#)

Btw, it's 100% natural for humans to establish taboos, unjust or not.

In the current discussion, I don't believe homophobia can be termed a taboo although you may be able to define taboo broadly enough to include anything culturally prohibited. But even with that, I would assert it ultimately springs from a religious prejudice even if it eventually becomes "cultural."

[Quote from Elayne](#)

I can see it makes you very uncomfortable to confront the lack of definite moral standards apart from individual pleasure. I think that's what makes this discussion relevant to where it started, because that's exactly why people cling to the fixed virtues in Stoicism rather than to pleasure.

Is it that obvious? 😊 Frankly, that's one thing that bothers me. Maybe I'm not cut out for Epicureanism after all. Maybe I am a Stoic or a Buddhist after all. This discussion is very interesting from that perspective too in making me confront prejudices and proclivities of my own.

Post by “Cassius” of March 22, 2021 at 4:13 PM

[Quote from Don](#)

Is it that obvious? 😊 Frankly, that's one thing that bothers me. Maybe I'm not cut out for Epicureanism after all. Maybe I am a Stoic or a Buddhist after all. This discussion is very interesting from that perspective too in making me confront prejudices and proclivities of my own.

Yes it's THAT obvious ;'-)

But that just makes you in the camp of about 99% of the world that hasn't been exposed, or hasn't confronted and come to terms with, the logical conclusions of Epicurean philosophy.

And that's why it is so helpful to talk to you about this.

If you, who are so well disposed to Epicurus otherwise, are not willing to cross what is probably the ultimate threshold, then we certainly can't have much expectation of being successful with people who haven't even been exposed to Epicurus.

Talking it over in this context helps a lot to move forward in articulating the argument in the strongest way possible.

It may in fact be that Epicurean philosophy will always be a small minority of people, but I am convinced it could be a LOT more than currently exists. Cicero complained that it was "taking Italy by storm" - but maybe the Romans were much more practical-minded than we are, and of course they were not infected with Judeo-Christian "poison" that Nietzsche denounced so strongly. Today's mixture of Judeo-Christian monotheism and humanism (monotheist religion without the god) is apparently much stronger than the old Greco-Roman religion, but I am convinced that we can hope to make strong inroads into it.

Post by "Don" of March 22, 2021 at 5:42 PM

I can't shake the idea that it has to be possible to determine if an action or law is just or not. Why else would Epicurus devote so many of the [Principal Doctrines](#) to justice?

I intellectually understand no divine or absolute source for morality, and life is contextual. But Epicurus's prolepsis of justice has to have some practical application.

What is it but to help us choose how to act justly which goes hand in hand with living pleurably?

Post by "Cassius" of March 22, 2021 at 6:58 PM

[Quote from Don](#)

I can't shake the idea that it has to be possible to determine if an action or law is just or not. Why else would Epicurus devote so many of the [Principal Doctrines](#) to justice?

Maybe we need to be very precise as to what it is that justice relates to. For example what does "courage" relate to? Will power? What does "temperance" relate to? Self-control? What does "wisdom" relate to? Practical application of knowledge?

In all of those areas, I think Epicurus is saying that the only test *in that area of human life* is whether it is the positive virtue, or the "un-" reverse of that virtue, is whether the particular display of that virtue in fact leads to pleasure, or in fact leads to something else, under the circumstances then and there existing. As a result it would never be possible to judge beforehand whether the action is wise, or just, or prudent, or whatever, until we know the result.

Perhaps the area of human life that "justice" relates to is simply "our relationship with other people" and the question involved is "does this or that relationship in fact lead to pleasure for each person concerned, or does it lead to pain for one of more of the people concerned?"

Is it possible that the question of just or unjust is as simple as that?

I don't think the question of whether a thing is wise, or courageous, or prudent/temperate has any other meaning --- citing Torquatus:

Quote

XVI. It remains to speak of Justice, to complete the list of the virtues; but this admits of practically the same treatment as the others. Wisdom, Temperance, and Courage I have shown to be so closely linked with Pleasure that they cannot possibly be severed or sundered from it. The same must be deemed to be the case with Justice. Not only does Justice never cause anyone harm, but on the contrary it always adds some benefit, partly owing to its essentially tranquilizing influence upon the mind, partly because of the hope that it warrants of a never-failing supply of the things that uncorrupted nature really needs. And just as Rashness, License, and Cowardice ever torment the mind, ever awakening trouble and discord, so Unrighteousness, when firmly rooted in the heart, causes restlessness by the mere fact of its presence; and if once it has found expression in some deed of wickedness, however secret the act, yet it can never feel assured that it will always remain undetected.

The usual consequences of crime are, first suspicion, next gossip and rumor, then comes the accuser, then the judge; many wrongdoers have even turned evidence against themselves, as happened in your consulship. And even if any think themselves well fenced and fortified against detection by their fellow men, they still dread the eye of heaven, and fancy that the pangs of anxiety night and day gnawing at their hearts are sent by Providence to punish them. But what can wickedness contribute towards lessening the annoyances of life, commensurate with its effect in increasing them, owing to the burden of a guilty conscience, the penalties of the law and the hatred of one's fellows?

Yet nevertheless some men indulge without limit their avarice, ambition and love of power, lust, gluttony and those other desires, which ill-gotten gains can never diminish but rather must inflame the more; inasmuch that they appear proper subjects for restraint rather than for reformation. Men of sound natures, therefore, are summoned by the voice of true reason to justice, equity, and honesty. For one without eloquence or resources dishonesty is not good policy, since it is difficult for such a man to succeed in his designs, or to make good his success when once achieved.

On the other hand, for the rich and clever generous conduct seems more in keeping, and liberality wins them affection and good will, the surest means to a life of peace; especially as there really is no motive for transgressing since the desires that spring from nature are easily gratified without doing any man wrong, while those that are imaginary ought to be resisted, for they set their affections upon nothing that is really wanted; while there is more loss inherent in Injustice itself than there is profit in the gains it brings.

Hence Justice also cannot correctly be said to be desirable in and for itself; it is so because it is so highly productive of gratification. For esteem and affection are gratifying, because they render life safer and fuller of pleasure. Hence we hold that Unrighteousness is to be avoided not simply on account of the disadvantages that result from being unrighteous, but even far more because when it dwells in a man's heart it never suffers him to breathe freely or know a moment's rest.

If then even the glory of the Virtues, on which all the other philosophers love to expatiate so eloquently, has in the last resort no meaning unless it be based on pleasure, whereas pleasure is the only thing that is intrinsically attractive and alluring, it cannot be doubted that pleasure is the one supreme and final Good and that a life of happiness is nothing else than a life of pleasure.

Display More

And of course all that is in context of how the subject was introduced:

Quote

Those who place the Chief Good in virtue alone are beguiled by the glamour of a name, and do not understand the true demands of nature. If they will consent to listen to Epicurus, they will be delivered from the grossest error. Your school dilates on the transcendent beauty of the virtues; but were they not productive of pleasure, who would deem them either praiseworthy or desirable? We esteem the art of medicine not for its interest as a science, but for its conduciveness to health; the art of navigation is commended for its practical and not its scientific value, because it conveys the rules for sailing a ship with success. So also Wisdom, which must be considered as the art of living, if it effected no result would not be desired; but as it is, it is desired, because it is the artificer that procures and produces pleasure.

Now maybe there is a limit to the point that the action can only be judged in retrospect, in that given our experience in human nature, we can guesstimate based on past percentages that certain courses of action are more likely to lead to pleasure than others. But the point which proves the rule is still that the only reason we desire the quality is that it brings pleasure. We

may not be able to apply the talent or quality perfectly, because we cannot predict the future and we cannot take all circumstances into account. But in fact in order to even come close to applying these qualities as one would want to apply them, one needs to take into account as much experience and as much information as one can possibly apply toward the subject. And all of those experiences and pieces of information were the result of their prior contexts and circumstances, so there was never any art of seeing through to the will or god or to anything absolute, but simply doing the best job we can possibly do to evaluate all the circumstances and calculate our actions based on them to lead to pleasure. And surely if we thought that there was any other goal (such as pursuing the virtue in and for itself) we would miss our ultimate goal because we took our eyes off of pleasure as the final goal.

Quote

22. We must consider both the real purpose, and all the evidence of direct perception, to which we always refer the conclusions of opinion; otherwise, all will be full of doubt and confusion.

The apparent point of 22 being that we are considering the real purpose (pleasure) and all the evidence available to us (which does NOT include any objective definition of the virtues) if we are to avoid doubt and confusion and do our best under the circumstances with which we are faced.

Post by “Don” of March 22, 2021 at 10:40 PM

[Quote from Cassius](#)

Maybe we need to be very precise as to what it is that justice relates to. For example what does "courage" relate to? Will power? What does "temperance" relate to? Self-control? What does "wisdom" relate to? Practical application of knowledge?

Cicero gives the spectrums as a starting point:

- Wisdom < > Rashness
- Temperance < > License
- Courage < > Cowardice
- Justice < > Unrighteousness

Of course, you know I want to see the original Latin and various translations. For now, I won't digress. It seems to me that these each relate to a different decision-making process, i.e., to which end of the spectrum do we gravitate:

- How do we decide on courses of action?
- How do we decide on which desires to pursue?
- How do we respond to danger?
- How do we treat other people?

Cicero - and possibly Epicurus - seems to imply that a more pleasurable life will be lived by the person who gravitates to the left than to the right.

[Quote from Cassius](#)

Perhaps the area of human life that "justice" relates to is simply "our relationship with other people" and the question involved is "does this or that relationship in fact lead to pleasure for each person concerned, or does it lead to pain for one of more of the people concerned?"

Is it possible that the question of just or unjust is as simple as that?

I think it is. Look at the experiments with children and monkeys and fairness (i.e., justice). They know when the puppet or they themselves are being cheated. I believe that's the concept of fairness (Lisa Feldman Barrett maybe) or prolepsis (Epicurus) that forms the basis of our idea of justice.

I think it's important to look at PD 31 and the exact words used:

Quote

31: Natural justice is a covenant for mutual benefit [σύμβολον τοῦ συμφέροντος, lit. "an agreement of interests"], to not harm one another or be harmed.

Τὸ τῆς φύσεως δίκαιόν ἐστι σύμβολον τοῦ συμφέροντος εἰς τὸ μὴ βλάπτειν ἀλλήλους μηδὲ βλάπτεσθαι.

[St-Andre note to PD 31] The word σύμβολον refers to a covenant, contract, or other mutual agreement, especially (in a legal sense) a treaty between two city-states to safeguard trading between them. The verb βλάπτω means to hurt or damage someone or something, but not in a way that reflects willful injustice or wrongdoing (for which the verb ἀδικέω is used)

Τὸ τῆς φύσεως δίκαιόν is a little more complex than "natural justice" would imply. To dikaion (Τὸ ... δίκαιόν) has to do with behaving in an orderly manner, adhering to mutual obligations in

contracts, observant of duties to gods and men, etc. The modifying phrase (...τῆς φύσεως ...) tēs physeōs is literally "of nature" or to paraphrase natural, but also the natural form or constitution of something. "The most fundamental form of the mutual obligations of two parties" is a long-winded way of getting at the nuance of the topic of PD 31.

And what is this "natural form"? To not harm or be harmed refers "to not hurt or damage someone or something in a way that reflects willful injustice or wrongdoing." Therefore, willful injustice or wrongdoing are not "just" ways of acting. You have to consider intention in deciding if one's actions are just or not.

Injustice ἀδικία rears its head then in PD 34:

Quote

34: Ἡ ἀδικία οὐ καθ' ἑαυτὴν κακόν...

Injustice (ἀδικία) or "hurting or damaging someone or something in a way that reflects willful injustice or wrongdoing" is not purely 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, do we act justly or righteously to simply avoid this disturbance and anxiety? Is Epicurus just saying you will lead a pleasurable life if you act justly because you won't be looking over your shoulder your whole life? I think this is part of it, but there also seems to be a societal component as well. But that can wait until tomorrow!

Post by “Don” of March 23, 2021 at 11:09 AM

If we're taking a deep dive into the meaning of justice and injustice in Epicurus's Philosophy, I'm going all in. Mostly for myself, but y'all are welcome to ride along. Let's hold our breath!

In trying to get a handle on what the last few [Principal Doctrines](#) mean, I'm looking next at 32:

Quote

Saint-Andre translation: With regard to those animals that do not have the power of making a covenant to not harm one another or be harmed, there is neither justice nor injustice; similarly for those peoples who have neither the power nor the desire of making a covenant to not harm one another or be harmed.

I'm using Saint-Andre's translation because I find it more literal than some of the others. Even so, it's helpful to parse the original text along with it.

Quote

32 Ὅσα τῶν ζῶων μὴ ἐδύνατο συνθήκας ποιεῖσθαι τὰς ὑπὲρ τοῦ μὴ βλάπτειν ἄλλα μὴδὲ βλάπτεσθαι, πρὸς ταῦτα οὐθὲν ἦν δίκαιον οὐδὲ ἄδικον· ὡσαύτως δὲ καὶ τῶν ἐθνῶν ὅσα μὴ ἐδύνατο ἢ μὴ ἐβούλετο τὰς συνθήκας ποιεῖσθαι τὰς ὑπὲρ τοῦ μὴ βλάπτειν μὴδὲ βλάπτεσθαι.

Here we find βλάπτειν and its forms again, so we're dealing with intention it seems. But who are these people (εθνῶν) referred to as

μὴ ἐδύνατο ἢ μὴ ἐβούλετο whose situation is similar to animals? They're not (μη) ἐδύνατο nor (μη) ἐβούλετο...

[ἐδύνατο](#) had to do with having power or the ability to do something.

[ἐβούλετο](#) had to do with making choices or preferences.

So these people (εθνῶν ethnōn, related to English ethnography, ethnicity) had no power and no ability to make choices. It sounds like Epicurus is referring to conquered peoples or those unwilling to choose to make agreements (enemies?).

My unease here stems from the fact that he seems to be equating the situation with these peoples with the situation with animals. We can't make agreements with animals, we can't make agreements with these peoples, and so there's no justice nor injustice with relation to them.

Is he saying "don't worry about how you treat animals and people with whom you have no covenant"? There is no justice or injustice in these situations is what he's saying. Is this giving credence to "might makes right"? If so, I have some issues. Isn't part of the humanist - humanist not Epicureanism - philosophy that those weaker or less fortunate should be protected by and from those with more power?

Reactions?

Post by “Cassius” of March 23, 2021 at 1:21 PM

Right I see your last comment as accurate about humanism, and I think you are correct it conflicts with Epicurus.

Now as to "don't worry...." I don't think he would go that far. Epicurus would have been very familiar with Persians and other enemies of Greece with whom no treaties had been possible (arguably) so yes I think that he is saying that with enemies with whom war is possible, "justice" is not going to be a relevant concept. On the other hand of course you would have to "worry" about them because the Persians were very capable of doing great harm to the Greeks, so it was necessary to deal with them with knowledge of that fact.

I think you're on the right track that he is separating (1) the practical (yes you do have to worry about your enemies lest they kill or harm you, so you better be prepared to respond and/or protect yourself), from (2) the philosophical (in such a relationship where no agreements have been deemed possible, "justice" is not a relevant concept, any more than it is a relevant concept in how you treat the hungry cobra or the lion or the bear. Certainly they deserve lots of respect, and we even get pleasure from seeing them in the wild, but we don't analyze our relationship to them in terms of "justice."

Post by “Don” of March 23, 2021 at 2:36 PM

Let me talk this out:

So, humanists deal in ideals. "The powerful *should* protect the weak." There's no natural source for this. It simply derives from the humanist idealist perspective of the "intrinsic" value of human life. It's an article of faith if you will. Epicurus rejects ideals and absolutes. So...

Question 1: What, if any, intrinsic value does Epicurus place on human life? I'm seeing the answer as "none" with the caveat that he also places great value on the life of the individual since this is the **ONLY** life you get... And we should strive to make it as pleasurable as possible.

So, maybe the idea that Epicurus doesn't place an absolute value on human life needn't bother me? But...

Question 2: Is Epicurus equating animals with the people who don't have the power to - or who chose not to - enter into social agreements? On one level, that's true. From a naturalist perspective, we're all animals. On the other hand, this idea has been used to rationalize some heinous atrocities throughout history. Does Epicureanism recognize such events as atrocities (e.g., Holocaust, Trans-Atlantic Slave Trade, Cambodian Killing Fields, etc etc)? Or, if the people involved had no power, is there any injustice? What is an Epicurean response to these kinds of events - historically and contemporary? If there one kind of response or just individual responses? What is the practical response? What is the philosophical response?

Post by "Cassius" of March 23, 2021 at 3:03 PM

[Quote from Don](#)

The powerful *should* protect the weak." There's no natural source for this. It simply derives from the humanist idealist perspective of the "intrinsic" value of human life.

The "intrinsic value of human life" has a very religious sound to it, doesn't it?

[Quote from Don](#)

I'm seeing the answer as "none" with the caveat that he also places great value on the life of the individual since this is the ONLY life you get... And we should strive to make it as pleasurable as possible.

That would be my conclusion too, with the emphasis being on the "intrinsic" part because nothing has "intrinsic" value except in relation to its use by a particular living being. As DeWitt says somewhere, only the living have need of morality or ethics (I need to find the particular quote so I don't mess it up, but it is part of DeWitt's conclusion that Epicurus held one's life to be one's greatest good, rather than pleasure, again with the issue being on the precise definition of the words involved, with pleasure being the goal but one's life being more like one's greatest "asset."

[Quote from Don](#)

On the other hand, this idea has been used to rationalize some heinous atrocities throughout history.

I think that this of course is what is said about "hedonism" in general, or the need for some kind of absolute morality in general, that if indeed no supernatural gods exist or no absolute morality exists, civil society is impossible. You recall what Diogenes of Oinoanda had to say about this, right?

Quote

[Fr. 20](#)

[So it is obvious that wrong-doers, given that they do not fear the penalties imposed by the laws, are not] afraid of [the gods.] This [has to be] conceded. For if they were [afraid, they] would not [do wrong]. As for [all] the others, [it is my opinion] that the [wise] are not [(reasoning indicates) righteous] on account of the gods, but on account

of [thinking] correctly and the [opinions] they hold [regarding] certain things [and especially] pains and death (for indeed invariably and without exception human beings do wrong either on account of fear or on account of pleasures), and that ordinary people on the other hand are righteous, in so far as they are righteous, on account of the laws and the penalties, imposed by the laws, hanging over them. But even if some of their number are conscientious on account of the laws, they are few: only just two or three individuals are to be found among great segments of multitudes, and not even these are steadfast in acting righteously; for they are not soundly persuaded about providence. A clear indication of the complete inability of the gods to prevent wrongdoings is provided by the nations of the Jews and Egyptians, who, as well as being the most superstitious of all peoples, are the vilest of all peoples.

On account of what kind of gods, then, will human beings be righteous? For they are not righteous on account of the real ones or on account of Plato's and Socrates' Judges in Hades. We are left with this conclusion; otherwise, why should not those who disregard the laws scorn fables much more?

So, with regard to righteousness, neither does our doctrine do harm [not does] the opposite [doctrine help], while, with regard to the other condition, the opposite doctrine not only does not help, but on the contrary also does harm, whereas our doctrine not only does not harm, but also helps. For the one removes disturbances, while the other adds them, as has already been made clear to you before.

That not only [is our doctrine] helpful, [but also the opposite doctrine harmful, is clearly shown by] the [Stoics as they go astray. For they say in opposition to us] that the god both is maker of [the] world and takes providential care of it, providing for all things, including human beings. Well, in the first place, we come to this question: was it, may I ask, for his own sake that the god created the world [or for the sake of human beings? For it is obvious that it was from a wish to benefit either himself or human beings that he embarked on this] undertaking. For how could it have been otherwise, if nothing is produced without a cause and these things are produced by a god? Let us then examine this view and what Stoics mean. It was, they say, from a wish to have a city and fellow-citizens, just as if [he were an exile from a city, that] the god [created the world and human beings. However, this supposition, a concoction of empty talking, is] self-evidently a fable, composed to gain the attention of an audience, not a natural philosopher's argument searching for the truth and inferring from probabilities things not palpable to sense. Yet even if, in the belief that he was doing some good [to himself, the god] really [made the world and human beings],

Further ---

[Quote from Don](#)

What is an Epicurean response to these kinds of events - historically and contemporary?

Although one could easily argue that what Cassius Longinus was reacting to wasn't in the category of your examples, I don't think there is any philosophical difference between them, and we know what Cassius Longinus, Panza, and other Roman Epicureans did when they thought Caesar had stepped over the line. And of course in that context don't forget the very high-ranking-on-the list PD 6. "Whatever you can provide yourself with to secure protection from men is a natural good."

... as well as Torqatus examples of justifying all sorts of fighting in Epicurean terms, plus his: "Yet nevertheless some men indulge without limit their avarice, ambition and love of power, lust, gluttony and those other desires, which ill-gotten gains can never diminish but rather must inflame the more; inasmuch that they appear proper subjects for restraint rather than for reformation." ... in which "restraint" probably has a very extensive application, at least in my view.

So in summary I don't think an Epicurean has to yield to anyone else in terms of the ferocity of their willingness to defend, with force if necessary, their view of what they think is "right" (meaning in terms of pleasure, of course). An Epicurean would just be clear-sighted and not try to justify his or her actions on nonexistent supernatural gods or absolute moralities.

Post by "Cassius" of March 23, 2021 at 3:17 PM

Don also relevant to this discussion is the example of Frances Wright, which I think we discussed elsewhere. Although I have some concerns with some of her interpretations, I think her "A Few Days In Athens" was probably one of the greatest contributions to Epicurean literature since the ancient world. To me, that means that she had a very good assessment of the importance of Epicurus, and his general direction at least as to supernatural gods, and issues like virtue (and I think as to life after death too, but as I write this I can't remember that part as clearly). The important thing for this conversation is that despite her great interest and knowledge in Epicurus, she essentially put the philosophy on the shelf and devoted the rest of her life to "politics" in ways that were only so-so successful.

Now I am not questioning her decision to do so if she personally thought at the end of her life that she made the right choice, but when I look back at her writing talent and communication

skills I often wonder how much could have been accomplished at a more fundamental level if she had kept her sites trained on religion, and devoted her efforts to restoring an effective Epicurean philosophy school, rather than devote her time to politics.

Like I said everyone has to make these decisions for themselves, but I see the bad results of religion and absolutist philosophy to be so far-reaching that it is worth it to me (again, not saying this about everyone) to put aside at least most of day-to-day politics so as to focus on the "real" enemy that is largely behind most of the day-to-day problems anyway.

So that's part of my answer to your question -- if you REALLY want to crusade for social justice, consider the possibility that the ultimate purveyor of the worst social injustice is supernatural religion and absolutist / idealist philosophy, and that little will ever be accomplished against them unless some segment of people are willing to pick up the foundational philosophical work that Epicurus started.

Post by "Don" of March 23, 2021 at 3:49 PM

Okay, I'm working through whether I concur with all your assertions and citations. Leaning towards some, others... Jury remains out.

Let me propose an alternative history scenario (and I know I'm going against my "no hypotheticals" policy):

- The Confederacy and the United States sign a treaty in the 1860s recognizing the Confederacy as a separate country.
- The institution of slavery continues in the South.
- Does this represent no injustice since enslaved people have no power to enter into a social agreement?
- What would an Epicurean - either northern or southern - have to say about this after the treaty between the two countries was signed?

Post by "Don" of March 23, 2021 at 5:09 PM

btw... I believe this all hinges on the definition of "injustice" and what it means in an Epicurean context to be "unjust."

Post by "Cassius" of March 23, 2021 at 5:34 PM

As to the hypothetical you posed (I know you love hypotheticals!) first, you know that Frances Wright was a big anti-slavery agitator, correct? But that at least through her books she was looking for resolution short of war....

Anyway:

[Quote from Don](#)

Does this represent no injustice since enslaved people have no power to enter into a social agreement?

This kind of question takes us toward the logical conclusions, yes.....

You are focusing on the "no power to enter in the agreement..." but it's probably the same thing to focus on the "unwilling" part, in that masters in slave societies throughout history are generally "unwilling" to enter into agreement to change that.

So when a slave murders a slaveholder, would justice be involved? I would say no, because there was no prior agreement by the slave that is violated, and even if somehow the slave had originally agreed (indentured servitude an example?) then Epicurus is still saying that the justice changes when the circumstances cease to be of benefit to the involved parties.

Another example might be the Greek slaves.... do I not recall they they where largely a conquered people? So presumably they too did not agree to become slaves, so there to a Helot (is that the name) killing his/her master would not be "unjust" or "just."

I want to reserve the right to revise these answers because I am answering them off the cuff, and no doubt there are tricky implications as with all hypotheticals, but I think the GENERAL point is that its very difficult to generalize about "an Epicurean" either northern or southern or modern or ancient. I think surely most people who admire Epicurus would agree that a state of freedom is far superior than a state of slavery, and therefore as to our family and friends we would certainly want freedom for them. As to ever-widening circles outward from that, no doubt the same generalization holds, but also I would think no doubt it weakens the further removed you are from the situation. Today you might pull out your guns and go attack anyone in your city who claimed the right to hold slaves, but we don't do the same think in those parts of the world today where the right to hold people in what is essentially slavery is also claimed even today.

I think a lot of this comes down to my prior comment that an Epicurean does not feel his emotions less than any other type of person - he feels them MORE deeply, and he's going to be willing to take action against what we detest MORE QUICKLY than a true Stoic would (thus the

commentary in Sedley's "Ethics of Brutus and Cassius" that Brutus and Cassius did not bother trying to recruit Stoics into the conspiracy (or, at least, there were few Stoics involved was Sedley's point). So I think someone concerned about social unjust need look no further than Cassius Longinus and Francis Wright as role models -- they can go hyper-Frances Wright and devote their entire lives to social reform, on the grounds of the pleasure that it gives them to do so - if they so choose. It's just that an Epicurean can't look to Plato's realm of ideas or to supernatural gods for "justification" for that decision.

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.

Post by “Cassius” of March 24, 2021 at 6:18 AM

[Quote from Don](#)

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.

You might want to consider the situation with children as well, or those who we would agree in fact have some kind of mental issue / disease that impairs their mental abilities.

[Quote from Don](#)

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.

Probably a good idea. Our discussion is taking on an almost "brain-twister" aspect and probably suffers from some of the same issues we've discussed in regard to hypotheticals in general. I think some of the basics are pretty clear (justice not being absolute and being contextual) but the discussion of in what situations the term even applies seems less clear -- but it does seem to be something worth exploring, since it appears Epicurus himself considered it to be important. I suspect the answer lies at least partly in that we currently have such an ingrained disposition to think that justice is absolute and applies everywhere that we have difficulty thinking outside that paradigm.

Post by “Don” of March 24, 2021 at 7:25 AM

Okay, moving on to PD 33, it appears pretty straightforward:

33 Οὐκ ἦν τι καθ' ἑαυτὸ δικαιοσύνη, ἀλλ' ἐν ταῖς μετ' ἀλλήλων συστροφαῖς καθ' ὀπηλίκοις δὴ ποτε ἀεὶ τόπους συνθήκη τις ὑπὲρ τοῦ μὴ βλάπτειν ἢ βλάπτεσθαι.

Saint-Andre translation: 33 Justice does not exist in itself; instead, it is always a compact to not harm one another or be harmed, which is agreed upon by those who gather together at some time and place. [St-Andre note: The word συνθήκη, translated here as "compact", means essentially the same as the word σύμβολον from Principal Doctrine 31.*]

Here, it's important to note that there's not a word meaning absolute although the intent is the same. Epicurus specifically says:

Οὐκ ἦν τι καθ' ἑαυτὸ δικαιοσύνη...

"Righteousness does not exist in and of itself"

δικαιοσύνη is an abstract noun formed from δίκαιος (díkaios, "just") + -σύνη (-súnē, "forms abstract nouns from adjectives or nouns"). So, δικαιοσύνη = righteousness, justice (as an abstract concept); fulfillment of the law.
<http://www.perseus.tufts.edu/hopper/text?do...try=dikaiousu/nh>

Epicurus states unequivocally that there is no such entity as δικαιοσύνη that exists independent of context. There is no Platonic Form of righteousness in the Cosmos.

... but/instead... ἀλλ'...

it is always a compact

...ἀεὶ ... συνθήκη...

...ἐν ταῖς μετ' ἀλλήλων συστροφαῖς καθ' ὀπηλίκοις δὴ ποτε ... τόπους ... τις...

agreed upon by those who gather together at some time and place.

ὑπὲρ τοῦ μὴ βλάπτειν ἢ βλάπτεσθαι.

to not harm one another or be harmed

(Note our old friend βλάπτειν from the previous PDs)

Some important words:

ἀλλήλων expresses an action done in two directions: of one another, to one another, one another, each other, mutually, reciprocally. So, the compact/agreement has to be reciprocal and mutually agreed upon.

συστροφᾶς is a mass or gathering of people. This is the dative plural form of συστροφή. The -στοφῆ -strophē is akin to strophe in English as in a poem's twisting lines or the word apostrophe. I imagine a coming together of people, swirling in from disparate locations, to form a bustling community.

ὀπηλίκοις refers to the idea of no matter how big or how small. The size of the gathering doesn't matter when it comes to making an agreement. This is potentially important for our discussions.

I'm also putting βλάπτειν back in here <http://www.perseus.tufts.edu/hopper/text?do...7:entry=bla/ptw> and its opposite ἀδικέω which notably Epicurus chooses NOT to use: <http://www.perseus.tufts.edu/hopper/morph?l...=captus#lexicon> That may also continue to be important as this discussion moves along.

Let the games continue...

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 ὑπόψιν 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?

Post by "Cassius" of March 24, 2021 at 11:11 PM

[Quote from Don](#)

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.

I think his response would be that the options are (1) human feelings (the conscience you refer to) or (2) supernatural gods or (3) platonic ideals being somehow self-enforcing. Since 2 and 3 don't exist, (1) wins by a landslide!

[Quote from Don](#)

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.

No I don't think Epicurus was relying on feelings to be self-enforcing at all! He was relying on human feelings as motivators to human action, including armies, and police forces, and law courts, etc! This is another illustration of why it is absurd to think that Epicurus suggested everyone live in a cave -- these functions are vital to our safety as Epicureans (and to everyone else) so someone has to perform them, including Epicureans like Cassius, who took ultimate civil authority into his own hands in helping lead the revolution against Caesar.

So in the it is one of those dangerous aspects of life that some people have no conscience and are killers, just like wolves and lions. We in civil society will organize force to deal with them and if done rationally can hope to be successful most of the time.

Post by “Don” of March 24, 2021 at 11:38 PM

[Quote from Cassius](#)

So in the it is one of those dangerous aspects of life that some people have no conscience and are killers, just like wolves and lions. We in civil society will organize force to deal with them and if done rationally can hope to be successful most of the time

Okay, I can get behind this part. We agree to contracts among members of a society to neither harm nor be harmed. Some people decide to not abide by that contract - like wild animals with

whom we have no contract. There are people in the society to enforce the contract for the security of those who have agreed to abide by it. That all hangs together, and it's part of the next two KDs, too, if I remember.

But KD 34 & 35 rely on someone being afraid of consequences of their actions to not go against the contract?

Wait...

Actually, the way I just stated that right there makes more sense to me, especially from an Epicurean perspective. If I commit an unjust act - defined as an act in opposition to the social contract - my life will be more unpleasant if I'm caught. Therefore, I do my best to not commit unjust acts. I act prudently and justly with regard to my fellow citizens. This leads to a more pleasant life.

Is this what Epicurus is implying here in 34 & 35????

Post by "Cassius" of March 24, 2021 at 11:41 PM

[Quote from Don](#)

Is this what Epicurus is implying here in 34 & 35????

Well, you could call it "implying" or maybe even "stating clearly" 😊

34. Injustice is not an evil in itself, but only in consequence of the fear which attaches to the apprehension of being unable to escape **those appointed to punish such actions.**

35. It is not possible for one who acts in secret contravention of the terms of the compact not to harm or be harmed to be confident that he will escape detection, even if, at present, he escapes a thousand times. For up to the time of death it cannot be certain that he will indeed escape.

Post by "Don" of March 24, 2021 at 11:41 PM

[Quote from Cassius](#)

Well, you could call it "implying" or maybe even "stating clearly"

LOL

Actually, let me expand on that LOL.

I think I was getting hung up on the idea that someone had to commit the act *then* be afraid of getting caught.

Instead, the whole intent is to weigh the pain or pleasure stemming from your commission of an act counter to the law before you commit it. Your children are starving and you decide to steal food. You may get caught but your children eat. You can live with the fear of getting caught because the pleasure of fed children outweighs the pain of the fear of retribution.

Yes?

Or am I imposing my own desired meaning on the text instead of reading what's there?

It doesn't look that on the literal front, but then again...

Ahhh! It's too late in the day for textual criticism. 😊

Post by “Don” of March 24, 2021 at 11:59 PM

This all still so far doesn't address the "injustice" of the biggies (e.g., atrocities, genocide, mass murder, etc.), but I think we're getting there and, rest assured, I'mma gonna circle back around to all that before we're done with this thread.

For now, I like where my head is ending up for 34 & 35... Until I start thinking again. We'll see.

Post by “Don” of March 25, 2021 at 8:28 AM

[Quote from Don](#)

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

Okay, reading this in the light of day, I can see how it is consistent with the philosophy. It seems (now) to be reinforcing the personal responsibility inherent in Epicurus's writings. I.e.,...

If you're weighing the choice of whether or not you're going to commit an act contrary to the laws of the community in which you live, you're free to do that. BUT be aware that if you're not caught right away, that doesn't mean your home free... Until the day you die. You want to live your life that way?

Maybe these two are [The Tell-tale Heart](#) Key Doctrines.

Post by “Cassius” of March 25, 2021 at 10:05 AM

[Quote from Don](#)

If you're weighing the choice of whether or not you're going to commit an act contrary to the laws of the community in which you live, you're free to do that. BUT be aware that if you're not caught right away, that doesn't mean your home free... Until the day you die. You want to live your life that way?

I think you're correct. Of course the big picture includes the possibility of revolting (Cassius Longinus model) or leaving (which Epicurus did from Mytilene and Lampsacus, right?)

Post by “Don” of March 25, 2021 at 12:50 PM

[Quote from Cassius](#)

[Quote from Don](#)

If you're weighing the choice of whether or not you're going to commit an act contrary to the laws of the community in which you live, you're free to do that. BUT be aware that if you're not caught right away, that doesn't mean your

home free... Until the day you die. You want to live your life that way?

I think you're correct. Of course the big picture includes the possibility of revolting (Cassius Longinus model) or leaving (which Epicurus did from Mytilene and Lampsacus, right?)

That even makes sense in the context of the KDs here: if you feel you can't abide by the contract of your community, you have the choice to oppose it (Does the pain of that makes it choice-worthy?) or find a new community and a new contract

Post by “Cassius” of March 25, 2021 at 1:43 PM

[Quote from Don](#)

(Does the pain of that makes it choice-worthy?)

I think that (the decision to leave, fight, or comply) is an entirely contextual decision, and an example of the urgency of the need to smash the idea that Epicurus defined the goal as absence of pain so that he could emphasize that total painlessness through the avoidance of every pain is the first and greatest commandment. Someone who takes such a position would be impelled toward compliance toward things which we could find as abhorrent as any of the outrages you've referenced earlier.

Post by “Bryan” of March 25, 2021 at 3:47 PM

I find it helpful to keep the Macedonians/Diadochoi in mind. From one perspective, they were a constant source of abhorrent behavior and destruction. Many people found living underneath them to be humiliating and intolerable. There is no evidence that Epikouros ever even complained, as Metrodoros says "ΟΥΔΕΝ ΔΕΙ ΣΩΙΖΕΙΝ ΤΟΥΣ ΕΛΛΗΝΑΣ it is not our responsibility to save the country (Plutarch, Non Posse 1098 C)" Kolotes even dedicated his work to the Ptolemy family.

Post by “Cassius” of March 25, 2021 at 4:08 PM

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

Bryan where is that quote from Metrodorus found?

Post by “Don” of March 25, 2021 at 5:08 PM

Plutarch, Against Colotes, 1125. I believe it's supposed to be from Metrodorus's Letter to Timocrates.

<http://www.perseus.tufts.edu/hopper/text?do...%3Asection%3D31>

Post by “Cassius” of March 25, 2021 at 5:10 PM

Gosh I somehow missed seeing Bryan's cite in his text -- sorry! Might as well paste that here, keeping in mind that Plutarch was not disposed to characterize the Epicureans in a kindly way:

Quote

No sufficient praise therefore or equivalent to their deserts can be given those who, for the restraining of such bestial passions, have set down laws, established policy and government of state, instituted magistrates and ordained good and wholesome laws. But who are they that utterly confound and abolish this? Are they not those who withdraw themselves and their followers from all part in the government? Are they not those who say that the garland of tranquillity and a reposed life are far more valuable than all the kingdoms and principalities in the world? Are they not those who declare that reigning and being a king is a mistaking the path and straying from the right way of felicity? And they write in express terms: 'We are to treat how a man may best keep and preserve the end of Nature, and how he may from the very beginning avoid entering of his own free will and voluntarily upon offices of magistracy, and government over the people.' And yet again, these other words are theirs: 'There is no need at all that a man should tire out his mind and body to preserve the Greeks, and to obtain from them a crown of wisdom; but to eat and drink well, O Timocrates, without prejudicing, but rather pleasing the flesh.' And yet in the constitution of laws and policy, which Colotes so much praises, the first and most important article is the belief and persuasion of the Gods. Wherefore also Lycurgus heretofore sanctified the Lacedaemonians, Numa the Romans, the ancient Ion the Athenians, and Deucalion universally all the Greeks, through prayers, oaths, oracles, and omens, rendering them

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

devout and affectionate to the Gods by means of hopes and fears at once. And if you will take the pains to travel through the world, you may find towns and cities without walls, without letters, without kings, without houses, without wealth, without money, without theatres and places of exercise; but there was never seen nor shall be seen by man any city without temples and Gods, or without making use of prayers, oaths, divinations, and sacrifices for the obtaining of blessings and benefits, and the averting of curses and calamities. Nay, I am of opinion, that a city might sooner be built without any ground to fix it on, than a commonweal be constituted altogether void of any religion and opinion of the Gods,—or being constituted, be preserved. But this, which is the foundation and ground of all laws, do these men, not going circularly about, nor secretly and by enigmatical speeches, but attacking it with the first of their most principal opinions, directly subvert and overthrow; and then afterwards, as if they were haunted by the Furies, they come and confess that they have grievously offended in thus taking away the laws, and confounding the ordinances of justice and policy, that they may not be capable of pardon. For to err in opinion, though it be not the part of wise men, is at least human; but to impute to others the errors and offences they commit themselves, how can any one declare what it is, if he forbears to give it the name it deserves?

Post by “Don” of March 25, 2021 at 5:28 PM

Oops, I missed that too! It looks like it's in both Non posse and Adv. Col.

Mea culpa!

Post by “Cassius” of March 25, 2021 at 6:41 PM

I think pollen season has started here and I can barely keep my eyes open, so that's my excuse! 😊 But I am going to work to keep up my motivation so I can post our final podcast of book 4 tonight - this time on most productive sex positions! Maybe I can stay awake for that.

Post by “Don” of March 25, 2021 at 10:53 PM

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

[Quote from Bryan](#)

I find it helpful to keep the Macedonians/Diadochoi in mind. From one perspective, they were a constant source of abhorrent behavior and destruction. Many people found living underneath them to be humiliating and intolerable. There is no evidence that Epikouros ever even complained, as Metrodoros says "ΟΥΔΕΝ ΔΕΙ ΣΩΙΖΕΙΝ ΤΟΥΣ ΕΛΛΗΝΑΣ it is not our responsibility to save the country (Plutarch, Non Posse 1098 C)" Kolotes even dedicated his work to the Ptolemy family.

Thanks for posting this! I tend to forget about Plutarch. Looks like I need to go do some more reading!!

This seems to be a reminder to be aware of your limitations and not to be overwhelmed by trying to "save the country" unless this truly gives you pleasure, of course.

Post by “Don” of March 26, 2021 at 11:04 AM

Before I dive into the last KDs on justice, I wanted to take a moment to review what is actually the connotation of the ancient Greek word translated as justice, right, etc: δίκαιος dikaios

Here the LSJ dictionary entry:

<http://www.perseus.tufts.edu/hopper/text?do...:entry=di/kaios>

Note that the basic meaning has to do with observing custom or rule, being well-ordered, abiding by the social rule, being civilized.

Speaking for myself, I have a cultural bias to think of justice - or better capital J Justice - or being Righteous had an abstract existence, some canonical measurements. This is less just than this because ABC parameters of the ultimate yardstick of justice are not met. Epicurus blows that idea out of the water. Using the word justice has sooo much cultural baggage in English.

Granted, the word took on similar connotations in Epicurus's day which is probably why he took so much of KDs to dispel that notion.

Please feel free to check out the LSJ entry and share any thoughts on what context we're dealing with using the English justice (and variants) to translate δίκαιος.

Post by "Cassius" of March 26, 2021 at 11:35 AM

Thanks for that link. This reminds me too of what is maybe a similar word "duty" and the Latin variant "officiis." I remember I spend a lot of time with Cicero's "De Officiis" when I first came across it. But I totally agree with this: "Using the word justice has sooo much cultural baggage in English."

Post by "Don" of March 26, 2021 at 12:10 PM

Quote from Cassius

Thanks for that link. This reminds me too of what is maybe a similar word "duty" and the Latin variant "officiis." I remember I spend a lot of time with Cicero's "De Officiis" when I first came across it. But I totally agree with this: "Using the word justice has sooo much cultural baggage in English."

Here's the *officium* entry (officiis is just the dative/ablative plural) from Lewis and Short:

<http://www.perseus.tufts.edu/hopper/text?do...:entry=officium>

Post by "Don" of March 27, 2021 at 10:47 AM

Onto the next Key Doctrine (KD) concerning behavior that is δίκαιος:

KD 36: Κατὰ μὲν <τὸ> κοινὸν πᾶσι τὸ δίκαιον τὸ αὐτό, συμφέρον γάρ τι ἦν ἐν τῇ πρὸς ἀλλήλους κοινωνίᾳ· κατὰ δὲ τὸ ἴδιον χώρας καὶ ὄσων δὴ ποτε αἰτίων οὐ πᾶσι συνέπεται τὸ αὐτὸ δίκαιον εἶναι.

From LSJ: κατὰ κοινόν, opp. κατ' ἴδιαν, jointly, in common (κατ' ἴδιαν in private; also, separately, apart) **Spoiler alert: we're going to see κατ' ἴδιαν soon!

I'm going to use "civilized conduct" and similar terms to try to get away from the baggage of "justice" and "righteousness." Granted, it's not a 1-1 correspondence, but it may help us break out of our preconceived notions.

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

(μὲν) κατὰ κοινὸν πᾶσι τὸ δίκαιον τὸ αὐτό

"On the one hand, 'civilized conduct' is the same (τὸ αὐτό) for all in common (κατὰ κοινὸν)..."

...συμφέρον γάρ τι ἦν ἐν τῇ πρὸς ἀλλήλους κοινωνίᾳ·

paraphrase: "for it was something useful in communities brought together for mutual benefit [to neither harm nor be harmed]..."

Next clause...

(δὲ) κατὰ τὸ ἴδιον χώρας καὶ ὅσων δὴ ποτε αἰτίων οὐ πᾶσι συνέπεται τὸ αὐτὸ δίκαιον εἶναι.

μὲν... δὲ... Remember that this combination of particles sets up a contrast between two phrases. The clunky but helpful "standard" is to think "On the one hand, X... On the other hand, Y..."

So:

(μὲν) κατὰ (τὸ) κοινὸν...

"On the one hand, jointly/in common..."

(δὲ) κατὰ τὸ ἴδιον...

"On the other hand, in private or separately/apart; individually..."

Here ἴδιον (having to do with the private sphere; being set apart; individually) is contrasted with κοινόν (having to do with the public sphere; considered together in community) from the first phrase. This parallel writing style is reminiscent of Epicurus in his letter to Menoikeus.

This style can be seen also in...

πᾶσι τὸ δίκαιον τὸ αὐτό (clause 1)

"Civilized behavior is the same for all"

οὐ πᾶσι [συνέπεται] τὸ αὐτὸ δίκαιον εἶναι. (clause 2, οὐ πᾶσι "not all")

"Civilized behavior is not the same for all"

...which is lost if a translator decides to use "it is not.." or other paraphrases or pronouns.

κατὰ δὲ τὸ ἴδιον χώρας καὶ ὅσων δὴ ποτε αἰτίων οὐ πᾶσι συνέπεται τὸ αὐτὸ δίκαιον εἶναι.

"On the other hand, with respect to the particulars of a place or other causes, civilized behavior is not the same for all."

Looked at in this way, this KD is not that controversial. To judge an act as "civilized, well-ordered, conducive to mutual benefit, i.e., righteous", does it provide both parties with the benefit of not harming nor being harmed. That's what's common to all. How this is brought about can be different in time and place.

This is in keeping with Epicurus's philosophy of relativity and context. Note, this does NOT mean there is an ideal form of το δίκαιον. There is a contextual, mutually-beneficial series of actions that can be used as a guide to determining if an action or law meets certain criteria: two, in fact - (1) Are the parties protected from harm? (2) Are the parties prohibited from harming others? How these two criteria are achieved can be different in individual times and places, but the criteria stay the same since humans began gathering together in communities.

Post by "Don" of March 28, 2021 at 9:03 PM

Onto KD 37 (Those is a long one!)

Τὸ μὲν ἐπιμαρτυρούμενον ὅτι συμφέρει ἐν ταῖς χρεῖαις τῆς πρὸς ἀλλήλους κοινωνίας, ἔχει τὸν τοῦ δικαίου χαρακτήρα, ἐάν τε τὸ αὐτὸ πᾶσι γένηται ἐάν τε μὴ τὸ αὐτό. ἐὰν δὲ νόμον θῆται τις, μὴ ἀποβαίνῃ δὲ κατὰ τὸ συμφέρον τῆς πρὸς ἀλλήλους κοινωνίας, οὐκέτι τοῦτο τὴν τοῦ δικαίου φύσιν ἔχει. κἂν μεταπίπτῃ τὸ κατὰ τὸ δίκαιον συμφέρον, χρόνον δὲ τινα εἰς τὴν πρόληψιν ἐναρμόττη, οὐδὲν ἦττον ἐκείνον τὸν χρόνον ἢ δίκαιον τοῖς μὴ φωναῖς κεναῖς ἑαυτοὺς συνταράττουσιν ἀλλ' εἰς τὰ πράγματα βλέπουσιν.

Let's break this down:

KD 37: section 1

Τὸ μὲν ἐπιμαρτυρούμενον ὅτι συμφέρει ἐν ταῖς χρεῖαις τῆς πρὸς ἀλλήλους κοινωνίας, ἔχει τὸν τοῦ δικαίου χαρακτήρα, ἐάν τε τὸ αὐτὸ πᾶσι γένηται ἐάν τε μὴ τὸ αὐτό. ...

"On the one hand, that which has been confirmed by evidence and observation to bring mutual advantage among companions has the qualities which identify 'civilized behavior' (justice), whether or not it is the same for everyone." ... (See KD 36)

That first word in this KD is very important, both to the meaning of this Doctrine and the philosophy as a whole: Το ἐπιμαρτυρούμενον "that which has been confirmed by evidence and observation; that which has been witnessed." That middle part -μαρτυρ- -martyr- is the origin of the English martyr which literally means "a witness (to what one believes)"

Moving on, after the μὲν... we expect to find the contrasting δὲ... Remember, these two must come second in the phrase but are translated as if they come first.

KD 37: section 2

ἐὰν δὲ νόμον θῆταί τις, μὴ ἀποβαίνει δὲ κατὰ τὸ συμφέρον τῆς πρὸς ἀλλήλους κοινωνίας, οὐκέτι τοῦτο τὴν τοῦ δικαίου φύσιν ἔχει. ...

"On the other hand, let's say a law were to be enacted bringing results not in accord with what brings mutual advantage among companions, then it would not have the natural form or constitution of 'civilized behavior' (τὴν τοῦ δικαίου φύσιν)...

The natural form or constitution of 'civilized behavior' (τὴν τοῦ δικαίου φύσιν) as we've seen is (a) what brings mutual advantage to all parties involved, (b) protects parties from harm, and (c) prohibits parties from harming each other.

It's important to note that the subjunctive mood is used here. For some context on that:

<https://ancientgreek.pressbooks.com/chapter/46/> Basically, the subjunctive is used to express hypotheticals. Cassius may say that that should be my favorite verbal mood 😊 I'm proposing here a shorthand way of emphasizing this as "Let's say that X happens..."

It may also be helpful to review the LSJ entry for φύσις (φύσιν) <http://www.perseus.tufts.edu/hopper/text?do...57:entry=fu/sis> Again, I'm trying to disrupt the baggage of English "nature/natural."

KD 37: section 3

...κἂν μεταπίπτῃ τὸ κατὰ τὸ δίκαιον συμφέρον, χρόνον δέ τινα εἰς τὴν πρόληψιν ἐναρμόττη, ...

"And, let's say, if what brings advantage according to 'civilized behavior' (τὸ κατὰ τὸ δίκαιον συμφέρον) were to change and for a specific period of time, let's say, it fit our 'anticipation' (πρόληψις prolepsis) [of civilized behavior/justice],...

KD 37: section 4

... οὐδὲν ἦττον ἐκείνον τὸν χρόνον ἦν δίκαιον τοῖς μὴ φωναῖς κεναῖς ἑαυτοὺς συνταράττουσιν ἀλλ' εἰς τὰ πράγματα βλέπουσιν.

"...there was nothing inferior about that for that period of time and it was 'civilized behavior' at least for those who are not confounded, greatly troubled, or much distressed by meaningless words (i.e., by a lot of blah-blah-blah) but who look into the circumstances and conditions."

συνταράττουσιν "confounded, greatly troubled, or much distressed" is an interesting word because it incorporates the stem that also gives rise to ataraxia: ταρασσω >> α-ταράσσω >> αταραξία. So, it's just not saying those who are confused by a lot of empty words but those who are confused and greatly troubled by them. And the goal is to live a pleasurable life not a life characterized by a troubled mind.

This again seems to emphasize the relative, contextual nature of the philosophy. There's no absolute. Look at the conditions and circumstances and use your prolepsis and your knowledge of the criteria of "civilized behavior" to determine if the changed circumstances allow for that specific law or action to be considered "righteous" or "civilized." I'm specifically thinking of Pres. Lincoln's suspension of habeas corpus during the Civil War. Was it just? I'm not giving an answer, just posing the question.

So, to bring all our alternative translation together:

On the one hand, that which has been confirmed by evidence and observation to bring mutual advantage among companions has the qualities which identify 'civilized behavior', whether or not it is the same for everyone. On the other hand, let's say a law were to be enacted bringing results not in accord with what brings mutual advantage among companions, then it would not have the natural form or constitution of 'civilized behavior.' And, let's say, if what brings advantage according to 'civilized behavior' were to change and for a specific period of time, let's say, it fit our prolepsis of 'civilized behavior,' there was nothing inferior about that for that period of time and it was 'civilized behavior' at least for those who are not greatly confused and troubled by meaningless words but who look into the circumstances and conditions.

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. Ἐνθα 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 ἔνταυθα 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 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?

Post by “Cassius” of March 30, 2021 at 6:28 AM

I agree with your conclusions there. As to this:

[Quote from Don](#)

to those living as members of a state.

Do you think that the context limits the point to "members of a state"?

Post by “Don” of March 30, 2021 at 7:24 AM

συμπολιτευομένων

sympoliteuomenōn

"to live as fellow-citizens or members of one state" also mid., οἱ συμπολιτεύόμενοι "one's fellow-citizens"

<http://www.perseus.tufts.edu/hopper/morph?l...0:chapter=1&i=1>

My note: The word incorporates συμ- sym- "together" (English sympathy, synergy, symmetrical, etc.) and πόλις polis (Anc. Greek "city-state", English political). That's what Aristotle meant when he said "Man is a political animal" i.e., one that naturally belongs in a polis, a social community (so, a more accurate translation of that is "man is a social animal.") All these KDs have to do with community, mutual benefit, civilized behavior within a social compact, laws, etc. The whole idea of dikaios has no meaning outside that framework it seems. Dikaios "justice/civilized behavior" has no meaning outside civilization or at least a mutually-agreed-upon social network.

Post by “Cassius” of March 30, 2021 at 7:35 AM

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

So you're thinking that while we use the word "just" or "justice" to describe some types of dealings between any two people in most any context, Epicurus was limiting it to a more "organized society" context?

Post by “Don” of March 30, 2021 at 7:50 AM

[Quote from Cassius](#)

you're thinking that while we use the word "just" or "justice" to describe some types of dealings between any two people in most any context, Epicurus was limiting it to a more "organized society" context?

I'll have to think about that, but I do think the social component is very important in the philosophy. And where do your two hypothetical people exist? Are they members of a community? What "rules" or "laws" govern their interaction?

Post by “Don” of March 30, 2021 at 8:18 AM

For example, I'm assuming there were rules governing social interactions in the Garden of Epicurus so there could be "just" and "unjust" actions there... unless the rules governing social interactions there were those of the larger polis of Athens especially in light of Epicurus's embrace of taking part in the civic religious celebrations of the city-state.

Post by “Cassius” of March 30, 2021 at 8:47 AM

You know, this part of the discussion reminds me that I intentionally entitled the thread "With examples of Just and unjust" and I am not sure we've made much progress on that 😊

Post by “Don” of March 30, 2021 at 9:04 AM

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

[Quote from Cassius](#)

You know, this part of the discussion reminds me that I intentionally entitled the thread "With examples of Just and unjust" and I am not sure we've made much progress on that 😊

Oh, it's coming 😊 Be patient.

Post by “Don” of April 5, 2021 at 10:30 AM

To jumpstart this discussion again, I had the following thoughts on my way to work today:

Pain and pleasure, the senses, and the prolepses are the criteria for making personal decisions on what is choice-worthy and what is not.

Justice is not concerned with the personal but the community. Civilization/society/community is not a person or being. Therefore, "it" does not have access to the Canon.

Therefore, pleasure and pain on a personal level doesn't enter into the criteria of what is just or righteous.

The criteria for justice is "not being harmed or not causing harm" which if we wanted a metaphorical civilized Canon *could* equate to "pleasure" (not being harmed) and "pain" (not causing harm) with the understanding that this is only a metaphor.

Therefore, the personal pleasure or pain that the individual experiences has no bearing on whether an action is just or not.

Discuss...

Post by “Cassius” of April 5, 2021 at 10:38 AM

[Quote from Don](#)

Justice is not concerned with the personal but the community.

This statement hearks back to our brief discussion above, and I think this is the point in the chain of reasoning in post 69 where the processing halts. By this point, there is no "justice" in the actions between two individuals alone. Apparently we need to revisit your definitional section above, but I think this is the point that most people are going to say is not established satisfactorily. Do you believe it is?

Because if so then your final statement, given the definition of "justice," may be correct. However if this is the case then we're going to be adding to our list of non-standard terminology, and this one might be the most non-standard of all.

i would like to hear what others say.

Post by “Don” of April 5, 2021 at 11:04 AM

[Quote from Cassius](#)

. By this point, there is no "justice" in the actions between two individuals alone.

I wouldn't go that far.

Scenario: If someone kills someone else, that's "only" an interaction between two people, but it has ramifications for the community as a whole. Party A caused harm to party B, therefore - under this criteria of justice -, that is not an act of civilized behavior, it is not δίκαιος, and so is worthy of punishment.

Post by “Don” of April 5, 2021 at 11:22 AM

So, my understanding is that "justice" is concerned with *interactions* between and among individuals as it affects the stability and peace of the community. As such, there are any number of interactions between two people that would fall under that purview.

Post by “Cassius” of April 5, 2021 at 11:23 AM

but the basic point you are making is that we should consider justice to be an entirely "civil" concept and maybe use words like "fairness" for strictly personal relations ?

Post by “Don” of April 5, 2021 at 11:33 AM

[Quote from Cassius](#)

but the basic point you are making is that we should consider justice to be an entirely "civil" concept and maybe use words like "fairness" for strictly personal relations ?



Maybe... So, how do you define the difference between "justice" and "fairness" then? Is there any if we go back to the criteria of "not being harmed & not causing harm"? What are you thinking of as "strictly personal relations"?

Post by “Don” of April 5, 2021 at 1:38 PM

I'm wondering if there is an analogy with "civil" and "criminal" offenses? I'm not a lawyer (but I know someone who is 😊), but it seems both of those arenas have to do with seeking justice for injured (harmed) parties. If either civil or criminal offenses go unpunished, that harms society as a whole as in those acts become sanctioned by not being punished and so are detrimental to the community.

What are your thoughts on that route?

Post by “Don” of April 5, 2021 at 9:37 PM

Just checking KD 31-38... The word pleasure $\eta\delta\omicron\nu\eta$ or its synonyms or variants do not appear in them, which makes sense. Like I said above, pleasure has to do with individual humans. I am coming to the idea that "justice" "civilized behavior" has to do with providing individual human beings the most conducive environment in which to live the most pleasurable life. An

environment - a community - which allows humans to make the choices and rejections that lead to a pleasurable life based on the Canon. The community must uphold the criteria of "not being harmed and not doing harm": the most basic agreement for a just/civilized community no matter the size: a band of Neanderthals living in a cave to a nation like the US and so on. Acts between people must uphold that agreement. Acts between nations must uphold that agreement... Where that agreement exists! That's the tricky part of these KDs.

But the community needs to be peaceful and stable. Justice maintains this peace and stability. Unjust acts need to be punished to maintain that peace and stability. Epicurus seems to rely heavily on one's conscience to get the person to not engage in unjust acts for fear of getting caught and of punishment. But the last two KDs may also figure into this. So, that's where I'll be going next.

However, y'all feel free to comment on these thoughts, too.

Post by "Cassius" of April 6, 2021 at 5:46 AM

I am sorry I got distracted yesterday and wasn't able to reply, and I am still thinking about your suggestions here without reaching a conclusion yet. You are probably right to be considering the analogy with "civil" law and "criminal law." Also related are the terms "malum in se" (bad in itself) and "malum prohibitum" (bad because it is prohibited) - a classic latter of the example being driving on whatever side of the road is designated as against the law in that locality. One question to ask is whether Epicurus would accept even the idea of "malum in se." Possibly, but only with clear statements of what is meant and why.

It is statements like this which cause me concern:

[Quote from Don](#)

But the community needs to be peaceful and stable. Justice maintains this peace and stability.

When you say "the community needs...." you are making an observation that is no doubt true (organizations of any kind have a need to perpetuate their existence) but I see nothing in the texts that indicate to me that Epicurus was in any way concerned with the needs of "organizations." It seems to me that Epicurus was focused on the issues of feelings - pleasure and pain - and only individual human beings have those feelings. Now he might have been referring to organizational concepts as a part of showing how they are obstacles to pleasure, as he referred to false religions and false philosophies, so it is a possibility that he was singling out

"justice" for attention given its status as one of the classic "virtues" which are elevated to ends in themselves.

But I am still in thinking mode and again would like to see more discussion.

Post by "Don" of April 6, 2021 at 7:16 AM

[Quote from Cassius](#)

When you say "the community needs...." you are making an observation that is no doubt true (organizations of any kind have a need to perpetuate their existence)

As far as perpetuation of an organization's existence, Epicurus himself made explicit arrangements for the continuation of the Garden in his will.

But I think the use of the word "organization" is wrong here. I would advocate consistently for terms like "community" "society" "civilization" that is the social medium/environment in which individuals live. Ancient Greeks were very concerned about how individuals lived in common. Those outside of common society were looked at with suspicion. That's why Greek ἴδιος idios meaning "private, separate, one's own" could give rise to the English word [idiot](#). I think Epicurus is addressing these concepts in the last set of KDs.

[Quote from Cassius](#)

but I see nothing in the texts that indicate to me that Epicurus was in any way concerned with the needs of "organizations."

Hmm. I see KD 31-40 concerned about nothing else except the interrelation among individuals, community, and "justice." We talk about the contextual and relative nature of the philosophy. These last KDs are *all* about justice as a contextual principle concerning how individuals interact in a society. There is no "justice" apart from that context. I'm going back and re-reading the posts on KD 31-38 and then working on 39 and 40, but that's my take on them in recollecting.

[Quote from Cassius](#)

It seems to me that Epicurus was focused on the issues of feelings - pleasure and pain - and only individual human beings have those feelings.

Exactly. The majority of the KDs specifically focus on the individual, the use of the Canon, death (of the individual), etc., etc. But the individual doesn't exist in a vacuum. How do we live in community (whether it's Athens or the Garden)? Epicurus addresses this in 31-40. He set out an entire system from atoms to the cosmos and *everything* in between. Book V in Lucretius addresses the rise of humans and civilization and so this discussion of what justice is seems to fit right into that.

[Quote from Cassius](#)

Now he might have been referring to organizational concepts as a part of showing how they are obstacles to pleasure, as he referred to false religions and false philosophies, so it is a possibility that he was singling out "justice" for attention given its status as one of the classic "virtues" which are elevated to ends in themselves.

Bingo (in part)! If your community has no justice and is just "red in tooth and claw" or even "nasty, brutish, and short" you're going to have a hard time living a pleasurable life. I think this is why your fav Atticus could justify his resistance to developments in his society. He felt that direction didn't provide for the context of living a pleasurable life and so fought to restore peace and safety/stability.

To your second point, I think Epicurus was singling out justice because it was/is necessary for living a pleasurable life. That's why he can say living justly, wisely, and nobly is living pleurably and vice versa. If we get along with our fellow members of our community and feel safe, we have a better chance of living pleurably. Therefore, "not doing harm and not being harmed" are the most basic "natural" definition of justice. It's not imposed by a god or even Nature but is the foundational agreement among individuals upon which civilization itself is built.

Post by "Cassius" of April 6, 2021 at 10:12 AM

[Quote from Don](#)

your fav Atticus

OK now let's not get on the wrong track! 😊 By no means is **Atticus** my favorite - as you know by far I favor Cassius Longinus, who was very far from being neutral in the civil war! However in the bigger picture I think I have given up trying to decide which side I personally really favor in that conflict, or whether I personally think Cassius or Atticus were correct in their actions. We are so far removed from the background and details of that conflict that I find it impossible in

my own mind to sort it all out, especially the character and actions of Caesar. Was the Republic so hopelessly corrupt that I could justify Caesar's actions? Was the Republic worth trying to save and did Cassius and Brutus act correctly? Was Atticus correct to stay neutral? Was Cicero justified in talking a big game and essentially doing nothing BUT talk? I don't know the answers to those questions and at this point I think the "true" details are probably lost to history. I think this is a good illustration why Epicurus was right to focus on the contextual individual circumstances and point out that a "general rule" is impossible by nature.

Post by “Don” of April 6, 2021 at 10:26 AM

Mea culpa on the Atticus 😊

I agree generally with your post; however, I think Epicurus's "don't harm; don't be harmed" is a "general rule" BUT only meaningful in context. It's not an absolute or Platonic ideal but it is a criteria against which to decide "just" actions for society... just like the Canon is a criteria against which to decide actions for the individual. As he says injustice is not bad itself but its effects are what are used to decide. Breaking society's agreement - at its most basic "don't harm; don't be harmed" - upsets the individual's ability to live pleasurably and upsets the community's ability to provide for an environment conducive to living pleasurably.

Post by “Cassius” of April 6, 2021 at 10:31 AM

[Quote from Don](#)

"don't harm; don't be harmed" -

One of the clear reservations I have about stating the point that way is that "harm" seems overbroad. If a burglar or murderer threatens me or my friends, I consider myself entirely justified in placing a high degree of "harm" on that person to stop them from their efforts, and I think Epicurus would fully agree with that. How would you account for those situations in use of the word "harm"? Is it not "harming" a murderer to put a bullet between his eyes before he accomplishes his goal?

Post by “Don” of April 6, 2021 at 11:20 AM

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

In your scenario, the burglar has initiated an unjust act in going against the laws of the community (I'm assuming there are laws against burglary and murder in this hypothetical society especially if it's our own). The potential victim is protecting themselves from harm.

As for definitions of harm let's let Epicurus speak for himself. He says specifically in several KDs:

μη βλάπτειν μηδὲ βλάπτεσθαι.

Neither βλάπτειν nor βλάπτεσθαι.

βλάπτειν

Infinitive of βλάπτω

to disable, to hinder

to harm, to hurt, to damage

βλάπτεσθαι

middle/passive infinitive of βλάπτω

which refers the action/benefit back to oneself

That's where the "don't be harmed" comes from.

Here's the LSJ for βλάπτω for full context:

<http://www.perseus.tufts.edu/hopper/text?do...7:entry=bla/ptw>

And

<http://www.perseus.tufts.edu/hopper/text?do...8:entry=bla/ptw>

Post by “Don” of April 6, 2021 at 11:45 AM

I think it's also significant that Epicurus does not use *to wilful wrong* (ἀδικεῖν)

Post by “Cassius” of April 6, 2021 at 1:30 PM

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

Ok maybe where I am going is back in the direction of "examples.". Is protecting oneself from a murderer something that comes under the heading of " justice " at all?

I think most people today would say that it does. Are you saying Epicurus would not (say that self-protection involving harm to the aggressor) because that does not fall under the category of justice?

Post by “Don” of April 6, 2021 at 2:08 PM

[Quote from Cassius](#)

Ok maybe where I am going is back in the direction of "examples.". Is protecting oneself from a murderer something that comes under the heading of " justice " at all?

[Quote from Cassius](#)

I think most pple today would say that it does. Are you saying Epicurus would not (say that self-protection involving harm to the aggressor) because that does not fall under the category of justice?

To the first question:

Yes.

You are protecting yourself from being harmed. I believe Epicurus would say, if possible, make decisions that don't put yourself in a situation in which you can be harmed. But, if chance does put you there, it is natural for you to not want to be harmed.

Eschewing the word "justice", I would fall back on δίκαιος's sense of "civilized behavior." Self-defense is justified under "Neither βλάπτειν nor βλάπτεσθαι."

I guess that also sort of addresses question #2.

Post by “Cassius” of April 6, 2021 at 2:53 PM

ok but suppose the two people involved in that murder hypothetical were on a desert island totally isolated from all organized communities or other people entirely? Would self defense then still be a matter of "justice"? Now clearly it is desirable / proper under Epicurean texts, but the question is must Epicurean justice be a matter of "society"?

Maybe that last part is the key point. Is Epicurus talking about justice using his own terminology? As with gods, how much of the outside terminology is he accepting?

Post by “Don” of April 6, 2021 at 3:12 PM

[Quote from Cassius](#)

ok but suppose the two people involved in rhd murder hypothetical were on a desert island totally isolated from all organized communities or other people entirely? Would self defense then still be a matter of "justice"? Now clearly it is desirable / proper under Epicurean texts, but the question is must Epicurean justice be a matter of "society"?

Epicurean justice or civilized behavior appears to me to be entirely contextual between human beings existing in a community of any size.

Have the two castaways agreed on any ground rules? Or are they bound by the laws of the society from which they sailed? Those are the questions that would need answering.

You can have a "community" (what you call "society") of two people I'd say as long as they've agreed on an agreement on how to coexist on the island. If they cannot agree or decide not to agree, then maybe "civilized behavior" isn't an appropriate frame for their interaction.

Post by “Don” of April 6, 2021 at 5:38 PM

[Quote from Cassius](#)

Maybe that last part is the key point. Is Epicurus talking about justice using his own terminology? As with gods, how much of the outside terminology is he accepting?

I think like gods, he's boiling down the definition to its most basic essence. Gods = blessed and uncorruptible ones; justice = neither harm nor be harmed. People may embellish those definitions but almost everyone could agree on those boiled down definitions.

Are the gods blessed and uncorruptible beings?

Yes, but they're also...

Wait, wait! Not so fast! That's enough.

Is it just to not harm nor be harmed.

Yes, but it's also...

Wait! Wait! That'll do.



Post by “Bryan” of April 6, 2021 at 7:35 PM

I agree, that the issue of justice lies exactly here: "Have the two castaways agreed on any ground rules?"

As we know, justice must be created, it does not just float around and therefore without us fabricating it by mutual agreement it will not be around at all.

KΔ32 "Natural justice is a mutual agreement of mutual interest to not harm each other and to not be harmed. All of the living things that are not able to form treaties regarding not harming each other and not being harmed: for them nothing can be just or unjust - in this same situation also are all of those tribes who were not able or did not want to form treaties about not harming and not being harmed."

Post by “Don” of April 6, 2021 at 9:00 PM

[Quote from Bryan](#)

justice must be created, it does not just float around and therefore without us fabricating it by mutual agreement it will not be around at all.

I like the way you wordsmithed that!

Post by “Don” of April 6, 2021 at 10:33 PM

That brings up a question: Is there a "natural" agreement among humans to neither harm nor be harmed, or does that have to be mutually agreed upon?

I'm thinking if a culture/society/community made a law that it was legal to kill people with red hair, would that law then be just for that society? It would be legal, but would it be just for members of that society?

My answer would be "no, it is not just" because a red-haired person would constantly live in fear of harm. That's what I'd say Epicurus meant by justice is the same for all people ... But what does he mean when he says if circumstances change. We're back to mutual benefit then. The red-hair murder law does not mutually benefit those with red hair in that society.

I'm not saying any of this is easy, but I do think Epicurus gave us a framework and some basic criteria to decide if acts were just. Why else would he bother to talk about living justly etc. if there was no way to know what that meant.

Post by “Cassius” of April 7, 2021 at 8:43 AM

I think Bryan has really encapsulated the whole issue here, which is the key to unwinding it:

[Quote from Bryan](#)

As we know, justice must be created, it does not just float around and therefore without us fabricating it by mutual agreement it will not be around at all.

And I think that the issue of killing all red-haired people has to be analyzed in that context. Were the red-haired people formerly part of an agreement not to harm or be harmed? Are the circumstances that gave rise to the agreement still present?

If (1) the red-hairs were not part of an agreement in the first place, a law to kill them would not be "unjust" in this viewpoint.

If (2) the red-hairs WERE part of an agreement previously, but the circumstances under which the agreement was entered into have changed, and the parties no longer mutually agree that killing red-hairs is improper, then a law to kill them would not be unjust after those circumstances change.

That's why this would not be a factor:

[Quote from Don](#)

because a red-haired person would constantly live in fear of harm.

You would expect that the people you have determined to be your enemies, and whom you think it appropriate to kill, would constantly live in fear of harm. For whatever reason you've not agreed not to kill them, and "justice" must be founded on agreement, so it's either "not unjust" or "neither just nor unjust" to kill them, because you're not violating a present agreement.

The bigger issue I have is distinguishing use of the term "unjust" from what Epicurus is apparently implying is "outside justice" (neither just nor unjust). I don't think we're yet clear on the difference between those two (unjust vs neither just nor unjust).

Post by “Don” of April 7, 2021 at 10:08 AM

I'm not sure if I agree with all your conclusions but don't have any strong arguments at this time.

I wanted to share the most recent podcast I listened to with Lisa Feldman Barrett:

<https://www.tenpercent.com/podcast-episod...man-barrett-336>

It's a Buddhist podcast, so skip the first couple minutes if you like... But I highly encourage you to listen to the end. I think it connects directly to our discussion here.

She and the host talk about parallels with her research and Buddhist Abhidharma. But I still contend there are strong parallels between her research and Epicurean philosophy.

Enjoy if you get the chance to listen and post if you see parallels too especially in the social aspect they discuss at the end.

Post by “Cassius” of April 7, 2021 at 10:29 AM

Thank you I will listen to that

Also, I think this is the appropriate time to restate what I think ought to be implicit, but maybe not:

I think when Epicurus argues that "justice" does not exist in the air, he is not saying that the issues involved aren't of vital importance to the people involved, or that we should hold back from taking forceful, even "extreme," action to try to stop or resolve circumstances that we find painful. He's not saying that the red-heads should not defend themselves, or that we who presumably would be pained by their elimination (for whatever reason - they're our friends, they are us, or we just don't like the idea of eliminating anybody) should not take strong action to defend them.

He's simply saying that when we act to defend the red-heads, we should be clear that we are doing so because we ourselves are impelled to do so by our "feelings" (or however we want to describe that). What we're NOT doing is because we are impelled to by some force of "natural justice" that was instituted by the gods, or which exists as somewhere as a platonic or aristotelian absolute.

I think it's necessary to make this point regularly because we would not be being "heartless" to follow these last ten PD's to their logical conclusion, we would just be being "clear-sighted" when we realize that it's up to US to vindicate our viewpoints.

And to me, that has a much more forceful value than thinking that there is some kind of universal "justice" that can somehow defend itself, or that somehow motivates every human being if we just somehow can find a way to bring it to the surface. As I read it, Epicurus is emphasizing that those things DON'T exist, and that if we want to truly respect our feelings and follow them, then we'll ourselves take action, to the best of our ability, to see that the red-heads (this example) are protected.

Post by “Cassius” of April 7, 2021 at 10:30 AM

Oops I need to ask this Don -- skip how many minutes?

Post by “Don” of April 7, 2021 at 10:46 AM

<http://www.epicureanfriends.com/thread/1927-toward-a-better-understanding-of-epicurean-justice-and-injustice-with-examples-o/>

[Quote from Cassius](#)

Oops I need to ask this Don -- skip how many minutes?

She starts at 2:36

Post by “Don” of April 7, 2021 at 2:19 PM

[Quote from Cassius](#)

Thank you I will listen to that

Also, I think this is the appropriate time to restate what I think ought to be implicit, but maybe not:

I think when Epicurus argues that "justice" does not exist in the air, he is not saying that the issues involved aren't of vital importance to the people involved, or that we should hold back from taking forceful, even "extreme," action to try to stop or resolve circumstances that we find painful. He's not saying that the red-heads should not defend themselves, or that we who presumably would be pained by their elimination (for whatever reason - they're our friends, they are us, or we just don't like the idea of eliminating anybody) should not take strong action to defend them.

He's simply saying that when we act to defend the red-heads, we should be clear that we are doing so because we ourselves are impelled to do so by our "feelings" (or however we want to describe that). What we're NOT doing is because we are impelled to by some force of "natural justice" that was instituted by the gods, or which exists as somewhere as a platonic or aristotelian absolute.

I think it's necessary to make this point regularly because we would not be being "heartless" to follow these last ten PD's to their logical conclusion, we would just be being "clear-sighted" when we realize that it's up to US to vindicate our viewpoints.

And to me, that has a much more forceful value than thinking that there is some kind of universal "justice" that can somehow defend itself, or that somehow motivates every human being if we just somehow can find a way to bring it to the surface. As I read it, Epicurus is emphasizing that those things DON'T exist, and that if we want to truly respect our feelings and follow them, then we'll ourselves take action, to the best of our ability, to see that the red-heads (this example) are protected.

Display More

Agreed... Although that doesn't mean I'm not still grappling with the implications.

Lisa Feldman Barrett hits these exact points at the end of that episode, too.

Post by “Cassius” of April 7, 2021 at 3:15 PM

ok I am 35 minutes in. She is a little "breezy" for me but I see why you see the connections. I will reserve more comments til I finish.

Post by “Don” of April 7, 2021 at 7:05 PM

[Quote from Don](#)

But I highly encourage you to listen to the end.

Oh, I just wanted to add, [Cassius](#) , that when I said the above, I meant "I highly encourage y'all" so I didn't want you to think I was ordering you around! 😊

Post by “Cassius” of April 7, 2021 at 7:33 PM

Ha no issues at all, but thanks for the concern! I think sensitivity to how we come across is very Epicurean, and I seriously doubt that someone who is grossly deficient in that department can really grasp Epicurus. 😊