

Erler's view on 'True Epicurean Politics'

Post by “Bryan” of March 22, 2024 at 9:51 PM

I agree that Epicurus would not have thought laws necessary for interactions between Epicureans and that he wished to have very many people become Epicureans.

It is clear, however, that he had a realistic sense of the dangers posed by other people and supported the existence of laws.

These comments by Hermarchus (by way of Porphyry's *On Abstinence from Eating Animals* 1.7-12) are good to keep in mind:

The Arguments of the Epicureans, from Hermarchus 7. ...The ancient legislators, looking to the association of life, and the mutual actions of men, proclaimed that manslaughter was unholy, and punished it with no casual disgrace. Perhaps, indeed, a certain natural alliance which exists in men towards each other, though the similitude of form and soul, is the reason why they do not so readily destroy an animal of this kind, as some of the other animals which are conceded to our use. Nevertheless, the greatest cause why manslaughter was considered as a thing grievous to be borne, and impious, was the opinion that it did not contribute to the whole nature and condition of human life. For, from a principle of this kind, those who are capable of perceiving the advantage arising from this decree, require no other cause of being restrained from a deed so dire. But those who are not able to have a sufficient perception of this, being terrified by the magnitude of the punishment, will abstain from readily destroying each other. For those, indeed, who survey the utility of the before-mentioned ordinance, will promptly observe it; but those who are not able to perceive the benefit with which it is attended, will obey the mandate, in consequence of fearing the threatenings of the laws; which threatenings certain persons ordained for the sake of those who could not, by a reasoning process, infer the beneficial tendency of the decree, at the same time that most would admit this to be evident. For none of those legal institutes which were established from the first, whether written or unwritten, and which still remain, and are adapted to be transmitted, [from one generation to another] became lawful through violence, but through the consent of those that used them. For those who introduced things of this kind to the multitude, excelled in wisdom, and not in strength of body, and the power which subjugates the rabble. Hence, through this, some were led to a rational consideration of utility, of which they had only an irrational sensation, and which they had frequently forgotten; but others were terrified by the magnitude of the punishments. **For it was not possible to use any other remedy for the ignorance of what is beneficial than the dread of the punishment ordained by law. For this alone even now keeps the vulgar in awe, and prevents them from doing any thing, either publicly or privately, which is not beneficial [to the community].** But if all men were

similarly capable of surveying and recollecting what is advantageous, there would be no need of laws, but men would spontaneously avoid such things as are prohibited, and perform such as they were ordered to do. For a survey of what is useful and detrimental, is a sufficient incentive to the avoidance of the one and the choice of the other. But **the infliction of punishment has a reference to those who do not foresee what is beneficial. For impendent punishment forcibly compels such as these to subdue those impulses which lead them to useless actions, and to do that which is right.**

9. Hence also, legislators ordained, that even involuntary manslaughter should not be entirely void of punishment; in order that they might not only afford no pretext for the voluntary imitation of those deeds which were involuntarily performed, but also that they might prevent many things of this kind from taking place, which happen, in reality, involuntarily. For neither is this advantageous through the same causes, by which men were forbidden voluntarily to destroy each other. Since, therefore, of involuntary deeds, some proceed from a cause which is unstable, and which cannot be guarded against by human nature; but others are produced by our negligence and inattention to different circumstances; hence **legislators, wishing to restrain that indolence which is injurious to our neighbours, did not even leave an involuntary noxious deed without punishment, but, through the fear of penalties, prevented the commission of numerous offences of this kind. I also am of opinion, that the slaughters which are allowed by law, and which receive their accustomed expiations through certain purifications, were introduced by those ancient legislators, who first very properly instituted these things for no other reason than that they wished to prevent men as much as possible from voluntary slaughter. For the vulgar everywhere require something which may impede them from promptly performing what is not advantageous [to the community].** Hence those who first perceived this to be the case, not only ordained the punishment of fines, but also excited a certain other irrational dread, though proclaiming those not to be pure who in any way whatever had slain a man, unless they used purifications after the commission of the deed. For that part of the soul which is void of intellect, being variously disciplined, acquired a becoming mildness, certain taming arts having been from the first invented for the purpose of subduing the irrational impulses of desire, by those who governed the people. And one of the precepts promulgated on this occasion was, that men should not destroy each other without discrimination.

10. Those, however, who first defined what we ought to do, and what we ought not, very properly did not forbid us to kill other animals. For the advantage arising from these is effected by a contrary practice, since it is not possible that men could be preserved, unless they endeavoured to defend those who are nurtured with themselves from the attacks of other animals. At that time, therefore, some of those, of the most elegant manners, recollecting that they abstained from slaughter because it was useful to the public safety, they also reminded the rest of the people in their mutual associations of what was the consequence of this abstinence; in order that, by refraining from the slaughter of their kindred, they might preserve that communion which greatly contributes to the peculiar safety of each individual. But it was

not only found to be useful for men not to separate from each other, and not to do any thing injurious to those who were collected together in the same place, for the purpose of repelling the attacks of animals of another species; but also for defense against men whose design was to act nefariously. To a certain extent, therefore, they abstained from the slaughter of men, for these reasons, viz. in order that there might be a communion among them in things that are necessary, and that a certain utility might be afforded in each of the above-mentioned incommunities. In the course of time, however, when the offspring of mankind, through their intercourse with each other, became more widely extended, and animals of a different species were expelled, certain persons directed their attention in a rational way to what was useful to men in their mutual nutriment, and did not alone recall this to their memory in an irrational manner.

11. Hence they endeavoured still more firmly to restrain those who readily destroyed each other, and who, through an oblivion of past transactions, prepared a more imbecile defence. But in attempting to effect this, they introduced those legal institutes which still remain in cities and nations; the multitude spontaneously assenting to them, in consequence of now perceiving, in a greater degree, the advantage arising from an association with each other. For the destruction of every thing noxious, and the preservation of that which is subservient to its extermination, similarly contribute to a fearless life. And hence it is reasonable to suppose, that one of the above-mentioned particulars was forbidden, but that the other was not prohibited. Nor must it be said, that the law allows us to destroy some animals which are not corruptive of human nature, and which are not in any other way injurious to our life. For as I may say, no animal among those which the law permits us to kill is of this kind; since, if we suffered them to increase excessively, they would become injurious to us. But through the number of them which is now preserved, certain advantages are imparted to human life. For sheep and oxen, and every such like animal, when the number of them is moderate, are beneficial to our necessary wants; but if they become redundant in the extreme, and far exceed the number which is sufficient, they then become detrimental to our life; the latter by employing their strength, in consequence of participating of this through an innate power of nature, and the former, by consuming the nutriment which springs up from the earth for our benefit alone. Hence, through this cause, the slaughter of animals of this kind is not prohibited, in order that as many of them as are sufficient for our use, and which we may be able easily to subdue, may be left. For it is not with horses, oxen, and sheep, and with all tame animals, as it is with lions and wolves, and, in short, with all such as are called savage animals, that, whether the number of them is small or great, no multitude of them can be assumed, which, if left, would alleviate the necessity of our life. And on this account, indeed, we utterly destroy some of them; but of others, we take away as many as are found to be more than commensurate to our use.

12. On this account, from the above-mentioned causes, it is similarly requisite to think, that what pertains to the eating of animals, was ordained by those who from the first established the laws; and that the advantageous and the disadvantageous were the causes why some animals were permitted to be eaten and others not. So that those who assert, that every thing beautiful and just subsists conformably to the peculiar opinions of men respecting those who

establish the laws, are full of a certain most profound stupidity. For it is not possible that this thing can take place in any other way than that in which the other utilities of life subsist, such as those that are salubrious, and an innumerable multitude of others. **Erroneous opinions, however, are entertained in many particulars, both of a public and private nature. For certain persons do not perceive those legal institutes, which are similarly adapted to all men; but some, conceiving them to rank among things of an indifferent nature, omit them; while others, who are of a contrary opinion, think that such things as are not universally profitable, are every where advantageous.** Hence, through this cause, they adhere to things which are unappropriate; though in certain particulars they discover what is advantageous to themselves, and what contributes to general utility. And among these are to be enumerated the eating of animals, and the legally ordained destructions which are instituted by most nations on account of the peculiarity of the region. It is not necessary, however, that these institutes should be preserved by us, because we do not dwell in the same place as those did by whom they were made. **If, therefore, it was possible to make a certain compact with other animals in the same manner as with men, that we should not kill them, nor they us, and that they should not be indiscriminately destroyed by us, it would be well to extend justice as far as to this; for this extent of it would be attended with security.** But since it is among things impossible, that animals which are not recipients of reason should participate with us of law, on this account, utility cannot be in a greater degree procured by security from other animals, than from inanimate natures. But we can alone obtain security from the liberty which we now possess of putting them to death.