

# Is Every Breach of Every Agreement "Unjust"?

Post by "Cassius" of October 13, 2019 at 12:24 PM

In the Skype discussion this morning of DeWitt's Chapter 14, we raised the question "Is Every Breach of Every Agreement Unjust?"

This relates also to whether Epicurean theory is classified as supporting "social contract" theory. Is every withdrawal from every social contract "unjust?"

What happens when parties enter an agreement and one side decides later that it is no longer in his/her advantage to remain? Is every withdrawal "unjust"?

## Quote

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.

I think the answer most likely has to be "every withdrawal is not unjust" but it is interesting to consider what circumstances make withdrawal just or unjust, or whether justice applies at all either to (1) the withdrawal or (2) the period after the withdrawal.


Here is the Epicurism wiki:

---

## Principal Doctrine 31

---

<<Prev | Principal Doctrines | Next>>

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

The [justice] → of nature → is (a) mutual consent of (common) interest → → not to harm each other nor to be harmed

### Translation

---

Natural **justice** is the advantage conferred by mutual agreements not to inflict nor allow **harm**.

So my tentative observation is that the focus here cannot solely be on the question (1) was the agreement violated? but must also equally consider (2) the existence of harm or disadvantage. In other words, it would be wrong to consider every breach of every agreement, or every withdrawal from every social contract, to be "unjust."

We discussed also that since justice is something that arises from anticipations, it is by nature something that is "felt," and therefore like any other feeling is subject to immediate change.

My thoughts are not at all fully developed on this but I wanted to make this post to preserve and start the discussion here.

What do you guys think?