

Epicurean Rules of Evidence

Post by “Cassius” of January 19, 2021 at 8:22 AM

In accord with the nearby thread [Epicurean Logic and Reason: Deriving True Opinion Through Evidence From The Canon of Truth](#) I'd like to compile a list of "Epicurean Rules of Evidence." In this I am thinking by analogy to the "Federal Rules of Evidence" which govern trial practice in the United States. These are pretty technical but they also embody a lot of practical wisdom which is closely related to the core question of how we decide that something is evidence and how we process that evidence. I will link the Federal Rules and also quote them below.

As time goes by I want to expand this list below of specific Epicurean citations which relate to the processing of evidence. Where needed we can put the quote in brackets and reword the quote to make a "rule." I will be grateful if others will suggest additions, and I will revise this first post to add them with thanks to the person who suggested it.

EPICUREAN RULES OF EVIDENCE

1. The tests of truth are the sensations and the preconceptions and the internal sensations, of the last of which there are two, pleasure and pain. ["Thus in The Canon Epicurus says that the tests of truth are the sensations and preconceptions and the feelings; the Epicureans add to these the intuitive apprehensions of the mind." "The internal sensations they say are two, pleasure and pain." D.L. (Diogenes Laertius)]
2. All reasoning is dependent upon sensation. ["All reason is dependent upon sensations;..." D.L.]
3. Repeatability is way the truth of sensations is confirmed. ["...the fact of apperception confirms the truth of the sensations." D.L.]
4. Opinion as to the imperceptible must be based on that which can be perceived by means of coincidence, analogy, similarity, and combination, also considering reasoning based on what is perceived. ["...as regards the imperceptible we must draw inferences from phenomena. For all thoughts have their origin in sensations by means of coincidence and analogy and similarity and combination, reasoning too contributing something." D.L.; "And besides we must keep all our investigations in accord with our sensations, and in particular with the immediate apprehensions whether of the mind or of any one of the instruments of judgment, and likewise in accord with the feelings existing in us, in order that we may have indications whereby we may judge both the problem of sense perception and the unseen. - Epicurus Letter to Herodotus]
5. "We must grasp the ideas attached to words, in order that we may be able to refer to them and so to judge the inferences of opinion or problems of investigation or reflection, so that we may not either leave everything uncertain and go on explaining to infinity or

use words devoid of meaning. For this purpose it is essential that the first mental image associated with each word should be regarded, and that there should be no need of explanation, if we are really to have a standard to which to refer a problem of investigation or reflection or a mental inference." Epicurus Letter to Herodotus

6. PD 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. PD 22
7. PD 23. If you fight against all sensations, you will have no standard by which to judge even those of them which you say are false. [PD23](#)
8. PD 24. If you reject any single sensation, and fail to distinguish between the conclusion of opinion, as to the appearance awaiting confirmation, and that which is actually given by the sensation or feeling, or each intuitive apprehension of the mind, you will confound all other sensations, as well, with the same groundless opinion, so that you will reject every standard of judgment. And if among the mental images created by your opinion you affirm both that which awaits confirmation, and that which does not, you will not escape error, since you will have preserved the whole cause of doubt in every judgment between what is right and what is wrong. [PD24](#)
9. PD 25. If on each occasion, instead of referring your actions to the end of nature, you turn to some other, nearer, standard, when you are making a choice or an avoidance, your actions will not be consistent with your principles. [PD25](#)
10. Opinion may be true or false: if it is confirmed or not contradicted, it is true; if it is not confirmed or is contradicted, it is false. Some opinions must be considered to be awaiting confirmation, such as waiting to come near the tower and see how it looks to the near view. [D.L. "Opinion they also call supposition, and say that it may be true or false: if it is confirmed or not contradicted, it is true ; if it is not confirmed or is contradicted, it is false. For this reason was introduced the notion of the problem awaiting confirmation: for example, waiting to come near the tower and see how it looks to the near view." "And every image which we obtain by an act of apprehension on the part of the mind or of the sense-organs, whether of shape or of properties, this image is the shape or the properties of the concrete object, and is produced by the constant repetition of the image or the impression it has left. Now falsehood and error always lie in the addition of opinion with regard to what is waiting to be confirmed or not contradicted, and then is not confirmed or is contradicted." Epicurus Letter to Herodotus]

For Comparison, the [FEDERAL RULES OF EVIDENCE](#)

I think we can find a short list of the actual evidence principals, rather than all the procedural terms in which they are wrapped, but I will have to look further. It would be useful to find an older "hornbook" which lists the traditional rules of evidence in aphorism form. Some of the important ones follow as examples of issues that a full Epicurean Rules of Evidence might likely

address:

Rule 401. Test for Relevant Evidence

Evidence is relevant if: **(a)** it has any tendency to make a fact more or less probable than it would be without the evidence; and **(b)** the fact is of consequence in determining the action.

Rule 402. General Admissibility of Relevant Evidence

Relevant evidence is admissible unless any of the following provides otherwise: the United States Constitution; a federal statute; these rules; or other rules prescribed by the Supreme Court. Irrelevant evidence is not admissible.

Rule 403. Excluding Relevant Evidence for Prejudice, Confusion, Waste of Time, or Other Reasons

The court may exclude relevant evidence if its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence.

Rule 406. Habit; Routine Practice

Evidence of a person's habit or an organization's routine practice may be admitted to prove that on a particular occasion the person or organization acted in accordance with the habit or routine practice. The court may admit this evidence regardless of whether it is corroborated or whether there was an eyewitness.

Rule 601. Competency to Testify in General

Every person is competent to be a witness unless these rules provide otherwise. But in a civil case, state law governs the witness's competency regarding a claim or defense for which state law supplies the rule of decision.

Rule 602. Need for Personal Knowledge

A witness may testify to a matter only if evidence is introduced sufficient to support a finding that the witness has personal knowledge of the matter. Evidence to prove personal knowledge may consist of the witness's own testimony. This rule does not apply to a witness's expert testimony under Rule 703.

Rule 701. Opinion Testimony by Lay Witnesses

If a witness is not testifying as an expert, testimony in the form of an opinion is limited to one that is:

- (a) rationally based on the witness's perception;
- (b) helpful to clearly understanding the witness's testimony or to determining a fact in issue; and
- (c) not based on scientific, technical, or other specialized knowledge within the scope of [Rule 702](#).

Rule 702. Testimony by Expert Witnesses

A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if:

- (a) the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
- (b) the testimony is based on sufficient facts or data;
- (c) the testimony is the product of reliable principles and methods; and
- (d) the expert has reliably applied the principles and methods to the facts of the case.

Rule 703. Bases of an Expert

An expert may base an opinion on facts or data in the case that the expert has been made aware of or personally observed. If experts in the particular field would reasonably rely on those kinds of facts or data in forming an opinion on the subject, they need not be admissible for the opinion to be admitted. But if the facts or data would otherwise be inadmissible, the proponent of the opinion may disclose them to the jury only if their probative value in helping the jury evaluate the opinion substantially outweighs their prejudicial effect.

Rule 704. Opinion on an Ultimate Issue

(a) In General — Not Automatically Objectionable. An opinion is not objectionable just because it embraces an ultimate issue.

(b) Exception. In a criminal case, an expert witness must not state an opinion about whether the defendant did or did not have a mental state or condition that constitutes an element of the crime charged or of a defense. Those matters are for the trier of fact alone.

Rule 705. Disclosing the Facts or Data Underlying an Expert

Unless the court orders otherwise, an expert may state an opinion — and give the reasons for it — without first testifying to the underlying facts or data. But the expert may be required to disclose those facts or data on cross-examination.

Post by “Joshua” of January 19, 2021 at 6:20 PM

I like this idea. It took me a few moments to figure out who "D.L." is, it might not hurt to give the full name on the first citation.

Post by “Cassius” of January 19, 2021 at 6:28 PM

Good idea - done!

Post by “Bryan” of January 23, 2021 at 9:20 PM

Excellent list. Understanding how we come to our conclusions is necessary in order to have certainty about them.

“οὐχὶ καὶ [διαφέρει] τοῦ φανεροῦ Τάφανες; καὶ παρακρούειν ἡμᾶς Ἔχουσι σθεναρῶς, ἐπειδὴ τὰ παρ' ἡμῖν ζῶα [παραφυλάττοντες] εἶναι φθαρτὰ, τοὺς θεοὺς ἀφθάρτους ὑπάρχειν λέγομεν; Καὶ πάντων γενητῶν καὶ φθαρτῶν ὄντων, τὰς τῶν ὄλων ἀρχὰς ἀγενήτους εἶναι καὶ ἀφθάρτους [ἀξιοῦμεν]; Φιλοδήμου Περὶ Σημείων XX.20-30

Isn't the invisible [different] from the visible? Can't they strongly slap us aside, because [while observing] that the living things around us are destructible, we say that the gods are indestructible? And although all things are created and destructible, [we think] that the elements of all things are uncreated and indestructible?"

Philodemus quoting Bromius (Cf. De Lacy “On Methods of Inference” pg. 69-70)

Post by “Elli” of January 24, 2021 at 8:45 AM

With the Physics, the Ethics and above all with the usage of CANON/senses/feelings along with all of our observations that are testified in the reality with the phenomena as they proceed... we the epicureans of our era and in the 21st century, we say boldly :

"Τους θεούς ουδ' υπάρχουν λέγομεν".

And this means, we say that gods do not exist!

We do not need any image of Gods to be prudent, fair and honest, for living pleasantly. The PD 5 is clear.

The only we need is to eliminate our painful feelings of loneliness, depression, and the overconsumption, for creating more friendly societies.

Religions, political, and economical ideologies do not unite us in our societies. Only friendship with our frank criticism, and knowledges that are based on the help/benefit of scientific findings and all measured through senses and feelings.

My dear friend Bryan, good day. 😊

Sorry, I have an objection for the above text by Philodemus, he tries to prove with a similarity with atoms and void the existence of gods and in the basis of "questions". This reminds me, the cunning of the methodology of dialectics by Socrates and Plato and specifically on the issue of science.

Please see the picture!

Socrates : There is also to be a difference in sciences; some of them regarding only the transient and perishing, and others the permanent and imperishable and everlasting and immutable; and when judged by the standard of truth, the latter, as we thought, were truer than the former. (Excerpt from "Philebus-on pleasure", by Plato)



Epicurus : One of his logical fallacies.

Teacher, what the son of Sophroniscus and Fainariti is trying to say ???



Post by "Elli" of January 24, 2021 at 9:21 AM

Those "intuitive apprehensions of the mind" is the imagined images, patterns, and motives that some epicureans like Philodemus, added after Epicurus era. This was all that food of philosophies by Hegel, Kant and Spinoza. The food that does not eliminate our hunger where is the false and where is the right.

They tried to connect the reality with the imagination of patterns. And the only they tried to do is to unite the rationalism with the empiricism,, but the result was that led the humanity in WARS.

From a latest work of my epicurean friend Dimitris Altas, that is a Dr. cardiologist.

Kant and Spinoza believed that starting from some fundamental principles such as mathematical axioms and logical principles along with innate ideas and only with "correct reason" one could acquire all possible Knowledge! In fact, Spinoza's rationality is absolute! He claims that human thought is capable of knowing God perfectly!

That is, it supports the logical approach of the metaphysical/supernatural. Nevertheless, Hegel argued that only with "correct reason" was it not only possible to understand human history, but also to predict its future course! This idea moved Karl Marx, who decided to use Hegel's Philosophy as a basis for his own theory, removing the metaphysical element with controversial results after maintaining its metaphysical determinism. Not even with Hegel's determinism did the shirt has been filled of what methodology we have to use for finding right conclusions. This shirt was still empty!

In the end, Immanuel Kant decided that if we found a way to combine Rationalism with Empiricism, there will be no end! But the unification of Empiricism with Rationalism seemed a bit like the unification of quantum mechanics with the theory of relativity! It may seem obvious to you, but in the field of Philosophy it is not! Correct calculus no longer had to be umbilical, but to analyze data from the experiences. But how does the raw data of the senses become experiences? Kant would have saved enough gray matter if he had been focused to the Epicurean Canon! Obviously, he did not do that! The menu may no longer have innate Ideas, but it had pre-installed innate molds, to which the mind adapted the raw data of the senses so that the right reason could process with them! He called the molds supervisions and categories in the context of a rather difficult and vague explanation with several metaphysical implications. Kant is considered the most important representative of German Philosophy who has always remained an Idealist, except Nietzsche.

Post by “Bryan” of January 26, 2021 at 10:23 PM

Thank you, Elli, for your response. I thank you also for your past comments on ΤΟ ΑΦΘΑΡΤΟΝ with its meaning of "that which is not in touch" which is good to keep in mind along with the connotations of "that which is self-sufficient" and "independent."

As we know, Epicurus reminded the people of his day not to add to their natural conceptions of gods, and to preserve them in the state "as the typical idea of a god is (mentally/naturally) engraved, ὡς ἡ κοινὴ τοῦ θεοῦ Νόησις ὑπεγράφη (X123b)." We have no ability to deny the existence of the conception, or the gods themselves, because "the knowledge of them is clear, ἐναργῆς δέ ἐστιν αὐτῶν ἡ Γνώσις." Which of course it is. Telling all the people around the world that the gods do not exist is like telling people that they themselves do not feel hunger or pain. They feel it, they know it. For an atheist to be made, a person must accept arguments that fight against their natural anticipations of the gods (or they assume the additional cultural ideas regarding the gods are the same as their anticipations, judge both to be ridiculous, and deny both together) – just as for a religious person to be made, they must accept additional ideas along with their natural anticipations.

Regarding the use of "intuitive apprehensions of the mind" ἡ φανταστικὴ ἐπιβολὴ τῆς διανοίας, we do have the use by Epicurus in KD24 and ΔΛ X51. "The entire graphic perception of the mind" "the full pictorial focus of the mind" "the complete visual attention of the mind." Because all thought is based upon images, the use of φανταστικὴ ('graphic') here is only further explaining the process of mental focus; the whole phrase is therefore equivalent to ἡ ἐπιβολὴ τῆς διανοίας ('the perception of the mind') alone, which Lucretius translates (2.740) as animī iniectus 'a casting of mental energy' or 'a throwing out of the attention.' Instead of using the modern analogy of 'focusing' the mind (as though the mind were something like a camera), Ἐπίκουρος and Lucretius use the analogy of 'throwing' or 'casting' the mind (as though the mind were something like a net). Put simply, animī iniectus and ἡ ἐπιβολὴ τῆς διανοίας are equivalent to our modern use of 'attention.'

Post by “Elli” of February 2, 2021 at 7:54 AM

Our friend Bryan has correctly said: <<Ἐπίκουρος and Lucretius use the analogy of 'throwing' or 'casting' the **mind (as though the mind were something like a net)**. Put simply, animī iniectus and ἡ ἐπιβολὴ τῆς διανοίας are equivalent to our modern use of 'attention.'>>

Wow, yes, that's it ! **This is the networks of the brain (please see the picture).**

Who is Epicurus and Lucretius ? Nobody...so bury both of them inside the ground, and as deep as you can.

And that is because, here (in the picture) is the true knowledge by "holy" men who the only thing want from us is to keep the whole of our **attention**, and keeping as such, **through repeated practice, through repeated practice, through repeated practice.** 😊

1st dogma: God is so Omnipotent, Omniscient, and Omnipresent for he created not only you, but the **whole Universe!**

2nd dogma: There is an afterlife in heavens. In heavens you will eliminate your hunger and thirst for **Justice.**

The "holy" men say: "Let the little children come to me. Don't stop them, because the kingdom of God belongs to people who are like these **Children**".

Children that will remain till the end of their life as children who are afraid in the **Darkness!**

<<Life is sweet and death is darkness>> as a greek poet said!

Sweet in greek language is synonym with the word <<ηδύς>> that means **pleasant!**

Those "holy" men... what are they fighting against? The sweetness of life i.e. the pleasure and the life itself!

So, these children that remain children till the end of their life, are living in pain and are dying in pains.

Sorry, being Hellene, I piss upon the graves of the emperors CONSTANTINE, THEODOSIUS, EUDOXIA and LEO III, the Isaurian that lived in the byzantine era!

<<We modern Greeks resemble our ancient ancestors only in form. But the mass, this m the physicists talk about, is utterly Jewish. And the space, the spatium or this s the physicists talk about, within which the de-Hellenisation of the Greeks took place, is Christian Byzantium. And the time, the tempus or the t the physicists talk about, within whose duration the process of Jew-ification of the Greeks took place, stretches from the time of Emperor Theodosius until this very day. Theodosius destroyed temples, ravaged ancient statues, closed down stadiums, theatres, Greek schools. All the sources that were the lifestream of the Hellenic way of life. This is why he is remembered as "the Great". Which is the way his predecessor, Constantine, is also remembered. The Caesar who murdered his own wife and son. And they were first called "Great" by those who also called "Great" the Emperors Athanasius, Basil and all their ilk. Destroyers, forgers, vandals of the Hellenic idea. But there is another voice, persistently whispering from the shadows, that all the brutalities the Christians inflicted upon the Greeks

mean nothing in the end for those that did not become Jewish-Greeks but remained Hellenic-Greeks. It rises from a distant place and is only heard by a few:

Just because we tore their statues down, (along with the inscription by Diogenis of Oinoanda)

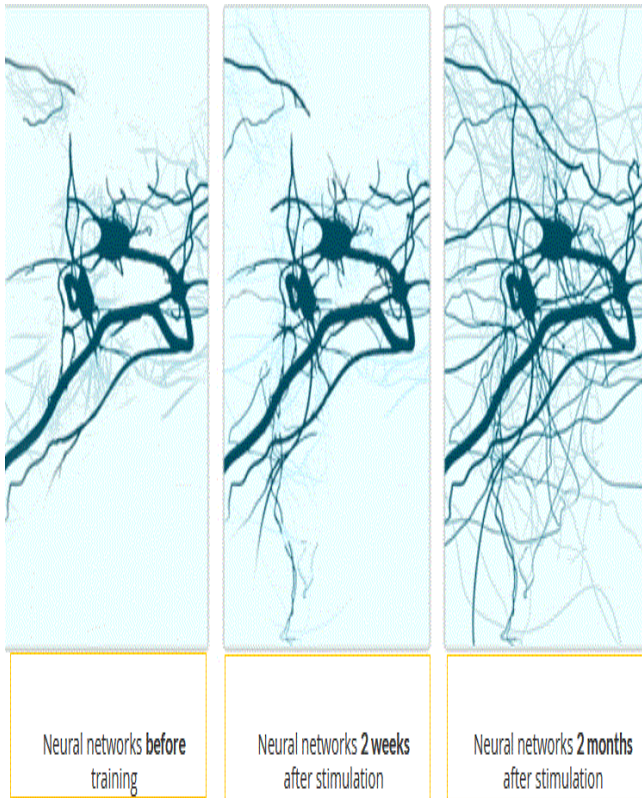
and cast them from their temples, does not mean that the gods are dead.

*This is the poet Cavafy, dear reader, not some miser. Not some invented god. And the poem is called Ionian. It is not called Cherubicon. The dissolution and extinguishing of the classical Greek by Jewish-minded Christians lasted from the time of Theodosius until the time of Empress Eudoxia. Up to 843AD, with the official restitution of the icons. This holiday in the Orthodox calendar is celebrated annually since then, at the beginning of Spring! It is a grandiose celebration attended by state officials and foreign dignitaries. Viewed from a positive perspective, it symbolizes the triumph of Christianity. But viewed from its negative perspective, it represents the utter destruction of everything Greek. **It is the tombstone of the Hellenic idea.***

*The last stand of the moderate "Greek" against the Asian monstrosity was through Leo III, the Isaurian. He got up one morning and realized that half the population of the empire had taken up the cloth and were having a splendid time. Then, like Jesus at the temple, he began what came to be known as the Iconomachy. That story reached its sad conclusion with the light defeated and darkness triumphant. With the Sunday of Orthodoxy and the appearance of the modern Greek identity. So Greeks only by name and superficially. And Jews to the bone, the blood, the heart, the intestines and the bile. **Herein lies the key, the reason and the cause of the national schizophrenia>>.***

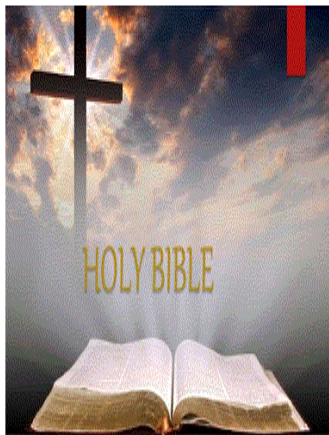
Liantinis Dimitris book "Gemma"

Synaptic plasticity

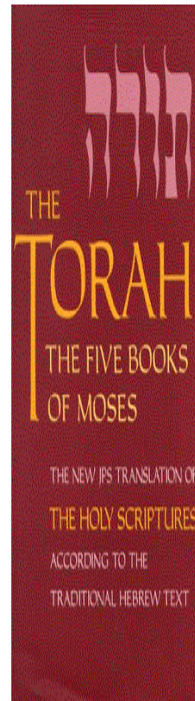
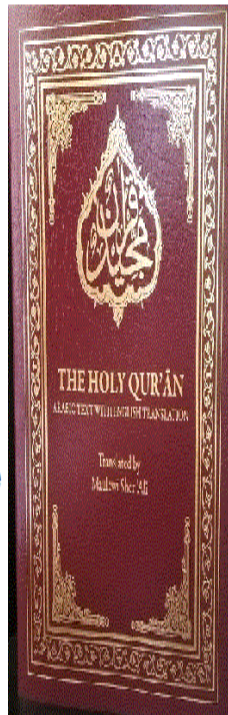


When engaged in new experiences and learning, the brain establishes a series of neural pathways. These neural pathways, or circuits, are routes made of inter-connecting neurons. These routes are created in the brain through daily use and practice; much like a mountain path is made by daily use of a shepherd and his herd. The neurons in a neural pathway communicate with each other through connections called synapses, and these communication pathways can regenerate throughout your whole life. Each time that we gain new knowledge (through repeated practice), the synaptic communication between neurons is strengthened. A better connection between the neurons means that the electric signals travel more efficiently when creating or using a new pathway. For example, when trying to recognize a new bird, new connections are made among specific neurons. Neurons in the visual cortex determine its color, the auditory cortex identifies its song, and other, the name of the bird. In order to know what bird it is, its attributes, its color, song, and name are repeated many times. Revisiting the neural circuit and re-establishing neuronal transmission between the implicated neurons at each new attempt enhances the efficiency of synaptic transmission. Communication between the relevant neurons is facilitated, cognition made faster and faster. Synaptic plasticity is perhaps the pillar on which the brain's amazing malleability rests.

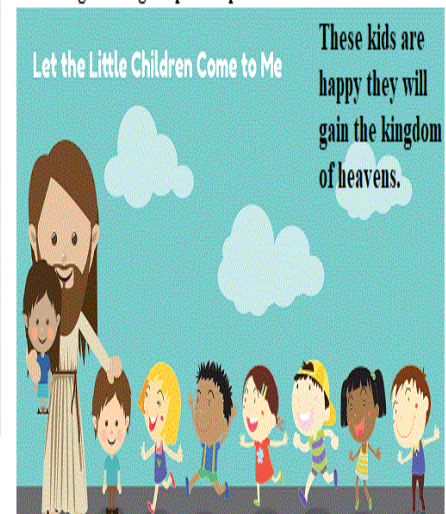
MONOTHEISTIC RELIGIONS IN FULLY COLLABORATION WITH THE IDEALISTIC POLITICAL IDEOLOGIES, IT IS A CONTINUOUS STIMULATION INSIDE THE NEURAL NETWORKS OF THE CHILDRENS' BRAINS.



Inside families, schools and whole societies... We've INVENTED A CONTINUOUS STIMULATION of the childrens' brain with pictures, words, hymns, along with the monuments i.e. churches, temples etc. Thus, the children will remain till the old age, as children! This is the purpose on how to rule the whole world , since every political leader has been chosen by the GOD, and he is doing the work of GOD.



Kids, your attention please...here is your right education/paedia in any field and in any place and in any time forever and ever!!
 knowledge through repeated practice...
 knowledge through repeated practice...
 knowledge through repeated practice...



Post by “Elli” of February 2, 2021 at 8:09 AM

Shame on you, my ex-president of our fake Democracy!!!

<https://www.facebook.com/groups/Epicure...81730511875883/>

Post by “Elli” of February 2, 2021 at 11:08 AM

Bryan my friend, you are my inspiration for this:

<https://www.facebook.com/groups/Epicure...28316807217253/>



Post by “Elli” of February 2, 2021 at 6:37 PM

Quote

Bryan said : Telling all the people around the world that the gods do not exist is like telling people that they themselves do not feel hunger or pain. They feel it, they know it.

Telling people not for the existence of gods actually. Telling them of how usefull are their preconceptions or anticipations of gods in their daily life. Do gods eliminate their hunger and thirst? Because hunger and thirst need heads and mouths. Nobody saw in the Greek Agora or the Roman Praetorium people judging without heads and speaking without mouths!

Post by “Bryan” of February 6, 2021 at 8:36 PM

Thank you Elli, for your excellent response and wise words. Liantinis correctly perceived the situation, as sad as it is, and was brave enough to report what he saw.

ἐναργὲς δὲ ἡμεῖον τοῦ μηδὲν δύνασθαι τοὺς θεοὺς

πρὸς τὸ ἀπερύκειν τὰ δεικνύματα
τὰ Ἰουδαίων καὶ Αἰγυπτίων ἔθνη
πάντων γὰρ ὄντες δεισιδαίμονεσσι
πάντων εἰσὶ μαιώτατοι

a clear indication of the inability of the gods
in regards to the prevention of wrongdoings
is provided by the Jews and Egyptians
because of all people they are the most superstitious and
of all people they are the most stained with blood.

Διογένης ὁ Οἰνοανδεύς (Diogenes Oinoanda) · NF 126 III

I am happy that you also agree that ἡ ἐπιβολή τῆς διανοίας is best understood as 'attention.'
This certainly simplifies a point in our philosophy which has unnecessarily caused confusion
historically.