

Instances of the Sage breaking the law? From Plutarch

Post by “wbernys” of July 9, 2026 at 9:24 PM

Wanted to establish this thread for more detailed discussion of this fragment.

Quote

In his *Problems*, Epicurus asks himself if a Sage, knowing they will not be caught, will do anything the law forbids?

First of all, it is likely Plutarch is being typically unfair here, as i imagine right after this Epicurus may have mentioned examples like helping a friend, or acquiring food in need. But Plutarch uses this to suggest unfairly Epicurus would be okay with things like murder or sexual assault. Notice how Plutarch conveniently doesn't mention what the "anything the law forbids" actually is.

For my part, i believe the proper interpretation of this can be as follows and requires a careful reading of [PD35](#), which is related.

Quote

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. (Peter Saint Andre translation)

In this Principal Doctrine, Epicurus seems to specify that is it the agreement to neither harm each other which is genuinely impossible to have confidence in escaping. However, despite Hicks translation that "It is impossible for the man who secretly violates any article of the social compact to feel confident that he will remain undiscovered," The Greek itself to indicates the "neither harm nor be harmed" being specified, so things like murder, sexual assault, terrorism, and theft done in a way which genuinely threatens or harms someone else, such as stealing their entire life's savings or hostage taking for extortion, but not just any part of the law preventing confidence in escaping.

I think it follows that Epicurus thinks there may be instances where the Sage breaking the law may be "hard to determine" for Epicurus, obvious cases being helping a friend, escaping a country if one needs to, or getting food without better options, along with other more minor

things such as gambling, piracy, speeding, taxation loopholes, or other things, if unenforced or secrecy is assured, while i still believe he would generally advise against heavy use in such things for their anxiety. He considers these more "hard to determine" unlike examples of harming another person, which the Sage would say "absolutely not". It is these things which is the part of "living justly" as per Principle Doctrine 5

In short, while strictly rejecting anything which genuinely harms another as preventing serenity of the mind permanently because the nature of "harming one another" always creates fear of discovery, heavy punishment, and resentment, but other things without this nature which don't produce the same anxiety or risk, are more "hard to determine" and context dependent but generally discouraged.

Post by “Don” of July 9, 2026 at 10:08 PM

See also

[U340]

Hippolytus, "Philosophical Questions," (Refutation of all Heresies, I) 22.5 [p. 572.14 Diels.]: He {Epicurus} concluded that the souls of men are dissolved along with their bodies, just as also they were produced along with them; these, in fact, are blood, and when this has gone forth or been altered, the entire man perishes. In keeping with this tenet, it follows that there are neither trials in Hades, nor tribunals of justice; so that whatsoever any one may commit in this life, that, *provided he may escape detection*, he is altogether beyond any liability of trial.

[U582]

Clement of Alexandria, Miscellanies, IV.22, [p. 228.7 Sylb.]: Even Epicurus says that a man who he esteemed wise "would not do wrong to anyone for the sake of gain; for he could not persuade himself that he would escape detection." So then, *if he knew he would not be detected, he would, accordingly, do evil.*

[U532]

Plutarch, That Epicurus actually makes a pleasant life impossible, 6, p. 1090C: That their general prospects are poor even for a life without mental anguish you may also judge in the light of the remarks they address to others. Criminals and transgressors of the laws, says Epicurus, pass their entire lives in misery and apprehension, since even though they may succeed in escaping detection, they can have no assurance of doing so. Consequently, fear of the next moment weighs heavy on them and precludes any delight or confidence in their present situation.

Seneca, Letters to Lucilius, 97.13: Hence I hold Epicurus' saying to be most apt: "That the guilty may happen to remain hidden is possible," or, if you think that the meaning can be made more clear in this way: "The reason that there is no advantage for wrong-doers to remain hidden is that (even though they got lucky) they have not the assurance of remaining so."

Cf. Atticus, by way of Eusebius of Caesarea, Preparation for the Gospel, XV 5.5: It is not impossible to feel assurance of being undetected in wrong-doing, if indeed it be necessary to avoid detection by men: it is not necessary, however, on every occasion even to seek to avoid detection, where a man has power to overmaster those who have discovered him. So the disbelief in providence is a ready way to wrong-doing. For a very worthy person indeed is he, who after holding out pleasure to us as a good, and granting us security from the gods, still thinks to provide a plan to prevent wrong-doing. He acts like a physician who, having neglected to give help while the sick man was yet alive, attempts after death to devise certain contrivances for curing the dead man.

Arrian, Diatribes of Epictetus, III.7.11: A man acts foolishly {according to Epictetus' derisive portrayal of Epicureanism}, if, when he is a Judge and able to take the property of other men, he keeps his hands off it. But, if you please, let us consider this point only, that the theft be done secretly, safely, without anybody's knowledge. For even Epicurus himself does not declare the act of theft evil - only getting caught. Only because it is impossible for one to be certain that he will not be detected, does he say, "Do not steal."

Lucretius, On the Nature of Things, V.1152:

Hence, the fear of punishment spoils the {ill-gotten} prizes.

Violence and wrong catch people in their own nets

and those who start such things are most often entangled.

It is not easy to pass a peaceful life

if you act in a way that disturbs the general peace.

Although you elude the gods and the human race

you still must wonder whether your secret will be kept forever.