

A brief overview of the importance of Epicurean philosophy in the philosophy of politics and philosophy of law

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From the historical point of watching, the development of *Epicurus thought*, must take into account the situation in the *polis* and all the accompanying events such are the unstable historical and social ground. Unique habitual *praxis* experiencing a completely collapse because of disorder of the *classical Hellenic polis*. It has come to derangement of the unique philosophical concept of *praxis*. Experience of the freedom that existed in the *habitual milieu* (reflected in terms of *autonomy*) is fully depressed in the Hellenistic epoch. The new freedom took place as a freedom that is "*live and think*" primarily as "*inner freedom of the individual*", more precisely, as a "*moral freedom*". That kind of freedom finds its reflection in the currents of Hellenistic philosophy achievements in the *Epicurean* and *Stoic*.

Epicurus practical philosophy is focused on the *individuality of self-consciousness* in its purpose. It's very similar to the *Stoic philosophy*. More clearly, it's made through immediate and clear the enjoyment in itself. For Epicurus, to doing individual subjectivity can't be released. When Epicurus gives a definition of purposes such as satisfaction, the satisfaction is viewed as the enjoyment of which is the result of philosophy. He demanded highly educated consciousness for thinking. *Prudence* he called on *logos*, which is the *greatest good* that is produced only by philosophy. Diogenes Laertius passed in book X in paragraph 132 : "*Without prudence, virtue and righteousness are smooth to live happily.*"

In addition to the *aforementioned pleasure principle*, this kind of philosophy appears as a principle of *happiness or bliss of the spirit*, more precisely what is free from external accidents. In this state are sages and he called that state as *ataraxia*. Complete the principle of Epicurean philosophy is bliss that is wielded mind. Diogenes Laertius

passed in book X, paragraph 135 following: "*It should be prefer to be unhappy with the mind, but to be happy with the madness.*"

Epicurus believed that always we must managed in accordance with reason and proper discernment. According to him, the *law* which we attribute to the virtue of the same is also true for pleasure. It is considered to be a pleasure to obey nature, although very little grandeur which nature meets. According to him, no man may live blissfully without prudence, and that means if he`s not good and just. Also, one can`t be intelligent, beautiful and just without what is pleasant. *This is a pleasant part consists in a pleasant feeling, partly in painlessness.*

Epicurus "rehabilitate" sensuous nature and happiness in his philosophical thought . He asks what is the nature of good. He pays attention primarily to the materialist determination is also good, but by how well it is what causes some pleasure. For him, it`s a good idea as "*the greatest and ultimate good*" to fully withdraw from public life, the "*Agora*" and "*home to be*" in the individual aspirations of man as an individual. When he spoke about freedom, it is primarily thought of freedom that is concretized form. He spoke about freedom from bodily pain and freedom from fear that disables, as conveyed to Diogenes Laertius. Therefore, customer satisfaction is a good starting point for the determination, and it is also mentioned in the freedom of man who "*selects and rejects*". As stated in the book X of Diogenes Laertius, according to Epicurus, every good thing isn`t our choice, nor is it the result of avoiding pain. The decision is made in accordance with benefits and the damage, because, as he noted, "*it is our will without a master*". He seen satisfaction in standby. Nature, or the sensual feeling, is a great teacher and he points to the correct distinction of useful than harmful. Epicurus is influenced by the times in which he lived and his own philosophy of nature, advocated the idea of randomness and the idea of the human will. He thought that an accident may somewhat affect human life, but that the human will is what is decisive. The concept of freedom when it is restrictive and he is revealed as the completeness of lust (*summa voluptas*), then as a delight in movement (*voluptas movens*), then as delight at rest

(*voluptas stans*). It should be noted that when it delight reflected in terms of the absence of pain, so it follows that the freedom understood as completely eliminating every form of pain or *Doloris omnis privatio*. For Epicurus there is effective transmission of a bet hedonistic utilitarian movement, and therefore the basis for a feature modern utilitarianism. In that sense philosophy is some kind of therapy of the soul. Epicurus observed moral virtues and evaluated in terms of *social utility*.

Epicurus maintained that no satisfaction unless mediated happiness. The mind is the greatest good by him because he teaches us that one can't live in pleasure, but at the same time doesn't live mentally. This also meant - that can't be multiplied to live and not live in satisfaction. He thought it the greatest enjoyment and happiness in complete dedication to virtue and the soul that is. Personal happiness was what specifically should be taken into account, because if a man is free from pain and fear then "melts winter in his soul," as stated in Laertius 128 X fragment of his book on Epicurus.

The question of importance of Epicurus philosophy for law and political philosophy is in the answer there is a very explicit. Its importance for the law and political philosophy is that **he the first claimed that the political community is formed from symbolon-contract**. Such an agreement were assembled by all free and equal citizens the common benefit (already noted his hedonistic utilitarian movement thereof) ensuring mutual peace. Living things (*referring to animals*), such an agreement couldn't conclude. He compared them to some of the nations who didn't want or couldn't conclude. According to him, justice isn't anything that is absolute. Justice is a result of the settlement, and it occurs at that moment when people each interact obligation to each other will not do harm. Usefulness is authoritative for the concept of justice and it follows therefore that all people may be one and the same if it is understood as a mutual benefit. It also doesn't apply absolute, but relative, and in this regard Epicurus observes different characteristics of countries and circumstances in which they are located, and which could undermine the notion of justice. Changed the way of useful understanding of the reasons most often reversed justice and transforms it into a kind

of injustice. This is one of the main reasons why one state (as a community) and justice that is effective in it, must be based on a contractual ie. conventional relationship. Practical-philosophical reflection Hellenistic epoch is actually a reduction of ethical reflection. Just Epicureanism and stoicism werw confirm this. Epicurus states that it should be released from tightness usual work and social activities in general, and that they should keep peaceful life far away from the crowd. Through preserved written works and subject matter which is to deal with them (and here is primarily on the reduction of social relations on friendship, avoiding public life and complete apolitical) recognize and hear his call and ethical requirements of the citizen as an individual to give up the role of the subjects in which it has become. All you had to do with what the political, the idea of justice, the political aspect of communication, then the state government, the laws and customs were his philosophical theme only if they were linked to a guarantee ataraxia and wise man who was isolated. His reflection on the concept of justice had more sturdy legitimacy foundation and has been reduced to an agreement on avoiding making damage. As noted above, holders of this agreement are free citizens who are in mutual love relations in general utility and a common legal and other forms of security. Natural justice thus arises from changes in the needs of mutual relations of people.¹

This contract represents the rudiment of the state conceptions themselves, and thus it is clear that justice is put into operation ethics. Epicurus said in 81 paragraph: "*Laws are provided to the wise, not because they would not have done evil, but that they were not to do evil.*"

After all this, the conclusion is that we can't in the full and true sense to talk about the law and political philosophy of Epicurus and his followers, but it can be recognized importance for further development of political and lawthoughts. His philosophical conception of law and policy is ethical and all above concepts derive from it all the

¹ Prof. Dr. Milenko A. Perović wrote about Epicurus legal philosophy in his book "Praktička filozofija", in the preface to the section on political philosophy and it is a part of my inspiration in this area of my paper.

thinking on this topic. In general it's very difficult to get a clear definition of this term in the Hellenistic and Roman periods. However, it's a great merit for the present and subsequent consideration of this matter, primarily because of its theory of the social contract, which will come into force long after his era.²

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² This Epicurus point of view leads to theories about the origin of society that is not much different from the theory of the social contract, according to the Bertrand Russell in his "History of the western part of philosophy."

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