

Do Animals Have Freewill? Epicurus, *On Nature*, Book XXV, 20 B and 20 j Long-Sedley*

The limited purpose of this paper is to discuss and, I hope, to correct the admitted interpretation of two fragments of Epicurus' *On Nature* concerning the freewill problem. These fragments were used to argue that Epicurus regarded some animals as being in possession of freewill and as being able to establish some sort of social compact with a man. The passages in question are a part of Epicurus' polemics with a deterministic explanation of human behaviour (perhaps, with one of the Democriteans) in the 25th book of *On Nature*, preserved in Herculaneum papyri.¹ We are obliged to David Sedley's excellent edition and his illuminating commentary for the reconstruction of Epicurus' thoughts about τὰ ἀπογεγεννημένα, the acquired constant psychological dispositions which are connected with the rearrangements of atomic configurations but not identical with them.² Epicurus argues in this book that these psychological features are acquired by man's own will and form some sort of man's self in contrast to his innate atomic constitution. It is these ἀπογεγεννημένα that are responsible for man's actions and emotions, and so they establish man's relative independence from his original atomic make-up and external influences.

Pamele M. Huby was the first, it seems, to suggest on account of Arr.² 34.25.31-34 (=20 j LS) that Epicurus regarded not only men,

* It is my pleasant task to thank M.F. Burnyeat and D.N. Sedley, who were so kind as to help me in obtaining the publications indispensable for the work, part of which is here presented. I am also grateful to Myles Burnyeat for improving my English and to Dmitri Panchenko for his generous help.

¹ The number of the book has been established by Simon Laursen, "Epicurus On Nature Book 25", *CErc* 17 (1987) 77 f. [non vidi], see Id., "Epicurus On Nature XXV (Long-Sedley 20 B, C and j)", *CErc* 18 (1988) 7-18 (cited below as Laursen). The book was known previously as "liber incertus" in both editions of Epicurus' remains by G. Arrighetti ([31] Arr.¹ = [34] Arr.²; only the first edition was available to me).

² D. Sedley, "Epicurus Refutation of Determinism" in *Syzetesis. Studi sull'epicureismo greco e romano offerti a Marcello Gigante* (Napoli 1983) 11-51 (cited below as Sedley); see also the Greek text of the fragments in question, their translation and commentary in A.A. Long, D.N. Sedley, *The Hellenistic Philosophers* 1-2 (Cambridge 1987): Section 20 (cited below as LS). The previous editions of these particular fragments by T. Gomperz, C. Diano, G. Arrighetti and H.J. Mette are now superseded by Sedley's publications. A new edition of the whole book by S. Laursen is expected.

but also some animals, namely tame ones, as being in possession of freewill.³ The text in LS differs slightly from that used by Huby and runs as follows:⁴

ἄν δὲ [καὶ] βαδίζη[ι] διὰ τὴν ἑαυτοῦ ἤδη ἀ[ι]τίαν εἰς τὸ ὅμοιον τῆ
 ἐ[ξ] ἀρχῆς συστάσει φαύλη οὖση, ἔτι μᾶλλον ἐνίοτε κακίζομεν ἐν
 νοουθητικῷ μέντοι μᾶλλον τρόπῳ[ι] καὶ οὐχ ὥσπερ τὰ ἄγρια τῶν
 ζῴων [κ]α[θ]αίρομεν μὲν ὁμοίως αὐτὰ τὰ ἀπογεγεννημένα [κ]αὶ
 τῆ[ν] σύστασιν εἰς ἓν τι συμπλέκοντες, οὐ μὴν οὔτε τῷ
 νουθε[τ]ητικῷ τρόπῳ καὶ ἐπανορθωτικῷ οὔτε τῷ ἀπλῶς
 ἀντιπο[ι]ητικῷ χρώμεθα.

It is evident that Epicurus contrasts here, on the one hand, some beings,⁵ whom, if due to themselves they acquire a condition homogenous with their initial bad (atomic) constitution, we blame even more,⁶ but do this by way of admonition, and on the other hand, wild animals, towards which we use neither admonition, nor correction, nor retribution. The treatment of wild animals is not certain, but I think that by the words καθαίρομεν...συμπλέκοντες Epicurus means that we do not divide theoretically the acquired psychological dispositions of these animals and the state of their atomic constitution. If we want to influence these beings we must remove (καθαίρομεν)⁷ the undesirable dispositions by rearranging the

³ P.M. Huby, "The Epicureans, Animals and Freewill", *Apeiron* 3/1 (1969) 17-19 (cited below as Huby).

⁴ I use also the precisions made by Laursen (17) in the course of a new study of papyrus.

⁵ It is also possible that the objects of our punishment are τὰ ἀπογεγεννημένα, the acquired psychological reactions which here, as in some other fragments, serve as the equivalent of man himself, as an autonomous being, see the beginning of the [31.25, 1-9] Arr¹, not reedited by D. Sedley and S. Laursen (the text here is unreliable, see Laursen, 16 f.): "Although τὸ ἀπογεγεννημένον has the same [structure, as the atoms underlying it] we do not deprive τὰ ἀπογεγεννημένα of their responsibility, but connecting together τὸ ἀπογεγεννημένον and the atomic structure, in some cases we remove [them both] and in others do not consider this necessary" (I read τὸ μὲν καθαίρομεν following Gomperz). And in the next sentence it is said that if we deprive the τὸ ἀπογεγεννημένον of responsibility this means we attribute the responsibility to the original atomic constitution. But this is impossible, for τὸ ἀπογεγεννημένον contributes to the formation (?) of an atomic arrangement different from the primary one (?).

⁶ The words ἔτι μᾶλλον imply, as it seems, that the higher grade of our indignation against the guilty beings proves the higher grade of their responsibility (perhaps, also the necessity of stronger means for their correction).

⁷ Most of previous interpretations take καθαίρομεν as "exonerate" (LSJ s.v. gives an unparalleled "explain an action"), but I see no reason to abandon the

atoms, which underlie them. I think that Epicurus has in view the taming of wild animals, and by removing he means some treatment both physical (hunger and blows, for example) and psychological (e.g. rewards and frightening), which somehow influences the state of the soul's atoms and only through them the behaviour of animals.⁸ In any case, it is evident, that we cannot use the modes of treatment that suggest responsibility (ἀντιποιητικός τρόπος, retribution) and possibility for change itself in accordance with rational influence (νουθετητικός καὶ ἐπανορθωτικός τρόπος, admonition and correction).⁹

Huby, who used a slightly different text, based on readings of C. Diano, adopted by G. Arrighetti, made the penetrating judgement

usual meaning of καθαίρω "to remove". Laursen, 17 translates it as "rinse", but I am not sure that I understand his overall explanation of the fragment.

⁸ I have in mind the contrast in Hermarchus' account of ancient legislators (Porph. *De abstin.* 1.8.2-3 Bouffartigue-Patillon = 22M3-4 LS) between rational admonition showing utility of right behaviour, and frightening by punishment those who cannot recognize this utility. Here we have some sort of equivalent of the taming in our passage, but in connection with human behaviour, namely the education of irrational qualities (Porph. *De abstin.* 1.9.5 = 22M8 LS): τὸ γὰρ ἀνόητον τῆς ψυχῆς ποικίλως παιδαγωγηθὲν ἦλθεν εἰς τὴν καθεστῶσαν ἡμερότητα, προσμηχανωμένων ἐπὶ τῆς ἀλόγου φορᾶς ἐπιθυμίας τιθασεύματα τῶν ἐξ ἀρχῆς τὰ πλήθη διακοσμησάντων. Contrary to J. Bouffartigue and A.A. Long-D.N. Sedley I understand τὸ ἀνόητον τῆς ψυχῆς as ἄνοια τῆς ψυχῆς, not as the soul's irrational part, for Epicurean psychology regards both thoughts and affects as states of the rational part of soul, τὸ λογικόν.

⁹ Sedley (24 note 18) has another interpretation. He translates: "We sometimes vilify it [sc. a self-determining animal] all the more, but more in an admonitory way - and not in the way in which we exonerate those animals which are wild by conflating their developments and their make-up alike into a single thing..." He may be right in supposing that we only excuse the wild animals, but see the note 7 for the meaning of καθαίρω. It seems further that οὐ μὴν κτλ. implies some form of restrictive treatment and not only a theoretical attitude. Moreover it would be quite unusual to characterize such an attitude as a common one, as the form of statement presupposes. Laursen's suggestion (17), that comparison with wild animals must be applied to the behaviour of those who punish, not to those who are punished, must be definitely rejected; for here Epicurus opposes two modes of verbal influence (κακίζω) and animals apparently cannot blame other. Laursen's suggestion on syntax is equally unconvincing. His translation implies a negation before νουθετητικῶι, which is absent in Greek text. As a result, Laursen identifies κακίζομεν and καθαίρομεν, while Epicurus connects the νουθετητικός τρόπος with the former action and denies its connection with the latter one. Besides, I do not understand his doubts concerning "the relation of μέντοι, μέν and οὐ μὴν." It is next to certain that μέντοι introduces the specification to κακίζομεν (we blame, but do it in a mode of admonition), and οὐ μὴν both confirmation and specification to καθαίρομεν (we do remove, but not in the way of admonition). For μέν...οὐ μὴν see J. Denniston, *The Greek Particles* (Oxford² 1954) 339 note 1.

that it is acquired reactions (τὰ ἀπογεγεννημένα), where Epicurus “finds the seat of freewill” and although she hesitated how precisely to understand the passage, she quite rightly concluded that according to Epicurus “wild animals do not have freewill”.

It was the next step in Huby’s reasoning that I find erroneous. She compared the fragment with the famous Lucretian passage about the *clinamen* (2. 251-293). Here the horses who get the command to run from their cells “cannot burst forth so suddenly as the mind itself craves” (nonne vides...non posse tamen prorumpere equorum / vim cupidam tam de subito quam mens avet ipsa, 263-265, W.H.D. Rouse’s translation revised by M.F. Smith in the Loeb edition). The sense of the passage is the following: the slight delay in the horses’ forward motion suggests that they possess some sort of internal volition which is recognizable by the fact that “when we move forwards impelled by a blow from the strength and mighty effort of another there is no delay, and we can only after that try to resist this compulsion (272-276)”. It is not necessary to discuss here the complicated problem of how precisely Lucretius could connect this internal volition which exists obviously both in men and in horses with the spontaneous swerving of atoms from their movement which appears “at no fixed place and at no fixed time” (293). It is enough for our purpose that the *clinamen*, according to Lucretius, makes possible the voluntary movement in opposition to the forced one in men and at least some animals.¹⁰

Now, back to Huby’s proposal. She sees the relationship between Epicurus’ fragment and Lucretius’ passage about horses as follows: the two can be reconciled if we admit that tame animals have freewill (Lucretius’ point) and wild animals do not (Epicurus’ one). It is necessary, I am afraid, to appraise this suggestion as ingenious, but improbable. It is only the ambiguity of such a word as freewill that makes this idea at first sight plausible. Could Lucretius indeed mean

¹⁰ Note that the horses’ movement in the example Lucretius has chosen takes place due to man’s command and not their own will, and, at the same time, Lucretius regards this as a volition of the horses’ mind (265). It is evident that what is argued for here is not the independence of volition from the command or some other psychic influence, but only freedom from purely physical compulsion. (Cf. Ph. Mitsis, *Epicurus’ Ethical Theory: The Pleasures of Invulnerability* [Ithaca-London 1988] 141-2 note 30; J. Annas, *Hellenistic Philosophy of Mind* [Berkeley, Los Angeles 1992] 134). I do not want to say definitely that the swerve makes possible only this rather low level of volition’s freedom. For a recent discussion of the problem, which has provoked great interest in the last few years, see R.W. Sharples, “Epicurus, Carneades and the atomic swerve”, *BICS* 38 (1991-1993) 174-190.

that lions and tigers contrary to horses always act under compulsion, "impelled by a blow from the strength and mighty effort of another"? Is not it far more probable that the horses' case is only an example that makes evident the internal volition common to all animate beings? On the other hand I see in Lucretius no indications to conclude what kind of animals we can blame in way of admonition and correction and what kind we cannot, which is crucial for our interpretation of Epicurus' fragment. So it seems certain, that the *prima facie* decision Huby rejected, namely that there is simply no connection between Epicurus' and Lucretius' passages, was really the right one.¹¹

Huby supposes that Aristotle's position was different from the one she attributes to Epicurus. She refers to *EE* II. 6. 1222 b 18-22, where it is said that man alone among all the animals is a principle of an action (ὁ γ' ἄνθρωπος καὶ πράξεων τινῶν ἐστὶν ἀρχὴ μόνον τῶν ζῴων) and rightly explains that Aristotle has in mind the possibility of being praised and blamed, which demonstrates man's responsibility for his actions (see 1223 a 9-15). She supposes that Epicurus' position was more generous in respect to the appraisal of animals' freewill and responsibility, but it is difficult to see any difference. As we have seen, from *Lucr.* 2. 250-276 the conclusion that some animals can be praised and blamed cannot be drawn. And from the treatment of wild animals in Epicurus [34.25] *Arr.*² it does not follow that another way of treating tame ones presupposes freewill in the latter. On the other hand, it is obvious that Aristotle did not want to deprive animals of free volition totally. We need only compare *Lucr.* 2 250 ff. not with the adduced passage of the *Eudemian Ethics* but with the famous Aristotelian distinction between actions due to or without physical compulsion in *EN* III. 1. 1110 a 1-4, where the first are characterized as voluntary (ἐκούσια) and the second as involuntary (ἀκούσια).¹² It is certain that Aristotle has in view here the same distinction that Lucretius does in 2. 250 ff. But we have clear testimonies that Aristotle regarded animals (all animals just as Lucretius did on the view I am defending) as beings capable of voluntary action, in the sense that they can act due to some sort of internal volition in opposition to actions under external physical compulsion. See *EN* III. 4. 1111 b 7 ff, where it is said that "voluntary" (ἐκούσιον) is used in a

¹¹ Also Sedley (24 note 18) and Annas (134f.) following Huby find in the passage a contrast between wild and tame animals, although Annas rightly negates any connection with Lucretius' passage about the *clinamen* and horses.

¹² Δοκεῖ δὲ ἀκούσια εἶναι τὰ βίαια ἢ διὰ ἀγνοίαν γιγνόμενα. Βίαιον δὲ οὗδ' ἡ ἀρχὴ ἔξωθεν, τοιαύτη οὖσα ἐν ἧ μηδὲν συμβάλλεται ὁ πράττων ἢ ὁ πάσχων, οἷον εἰ πνεῦμα κομίσει ποι ἢ ἄνθρωποι κύριοι ὄντες.

wider sense than “choice” (προαίρεσις) and that “children and animals participate in voluntary actions, but not in free choice”.¹³ See also 3. 1111 a 24-26: the acts which we perform due to anger or passion, must be regarded as voluntary (ἐκούσιον), otherwise both animals and children will be found devoid of voluntary action.¹⁴ It is evident that the passage of *EE* must be interpreted in the sense that only a mature man is capable of free choice, that is he, due to his possession of reason, has the freedom to deliberate, to weight up the different considerations relevant to his decision and to choose one of many possible decisions according to his trained character and his experience of life. As such he is responsible for his action and can be, consequently, praised and blamed. On the other hand, children and animals, although able to act due to their internal volition, act immediately or almost immediately under the influence of a stimulus or the strongest of several stimuli, due to the desire that is provoked by an external object.¹⁵ I see no reason to doubt that Lucretius’ position on animals’ freewill and responsibility (and, I believe, Epicurus’ as well) was the same as Aristotle’s.

Now let us pass to the Epicurus fragment [34.21] Arr.²=20 B LS which is crucial one for our discussion.¹⁶

πολλὰ δὲ τῶνδε καὶ τῶνδε φύσιν ἔχοντα ἀπεργαστικὰ γίνεσθαι δι’ ἑαυτὰ οὐ γίνεται ἀπεργαστικὰ, οὐ διὰ τὴν αὐτὴν αἰτίαν τῶν τε ἀτόμων καὶ ἑαυτῶν. οἷς δὴ καὶ μάλιστα μαχόμεθα καὶ ἐπιτιμῶμεν [μι]σοῦντες κατὰ τὴν ἐξ ἀρχῆς [τα]ραχώδη φύσιν ἔχοντα καθάπερ ἐπὶ τῶν πάντων ζώων. οὐδὲν γὰρ αὐτοῖς συνήργηκεν εἰς ἓνια ἔργα τε καὶ μεγέθη ἔργων καὶ διαθέσεων ἢ τῶν ἀτόμων φύσις, ἀλλ’ αὐτὰ τὰ ἀπογεγεννημένα τὴν πᾶσαν ἢ τὴν πλείστην κέκ[τη]ται αἰτίαν τῶνδὲ τιγῶν...

Sedley’s translation: “But many naturally capable of achieving these and those results fail to achieve them, because of themselves,

¹³ Τοῦ μὲν γὰρ ἐκούσιου καὶ παῖδες καὶ τὰ ἄλλα ζῶα κοινωνεῖ, προαιρέσεως δ’ οὐ.

¹⁴ Ἴσως γὰρ οὐ καλῶς λέγεται ἀκούσια εἶναι τὰ διὰ θυμὸν ἢ δι’ ἐπιθυμίαν. Πρῶτον μὲν γὰρ οὐδὲν ἔτι τῶν ἄλλων ζώων ἐκούσιως πράξει, οὐδ’ οἱ παῖδες.

¹⁵ Compare e.g. the passage of *EN* (VI. 2. 1139a 18-26) to which F. Dirlmeier refers at *EE* 1222b 18ff. (Aristoteles, *Eudemische Ethik* übersetzt und kommentiert von F. Dirlmeier, Berlin³ 1979, 267 ad loc.). Aristotle, of course, did not exclude the partial responsibility of children, and he regarded them as especially liable to praise and blame, reward and punishment, but presumably in the first place with a view to correcting them and not in a mode of retribution that presupposes full responsibility, see e.g. *EN* II. 2. 1104b 11-13, 16-18.

¹⁶ I use the text edited in Sedley, 36f. and then in LS 20 B, see also corrections by Laursen, 7-8, which are of no importance as concerns these particular lines.

not because of one and the same responsibility of the atoms and themselves. And with these we especially do battle and rebuke them, hating them for a disposition which follows their disordered congenital nature as we do with the whole range of animals. For the nature of their atoms has contributed nothing to some of their behaviours, and degrees of behaviour and attitude, but it is their developments which themselves possess all or most of the responsibility for certain things".

I totally agree with Sedley's interpretation that Epicurus defends here the freedom of some "self-determining beings", as Sedley designates them, specifically the freedom of their actions and emotions from the influence of their initial atomic constitution.¹⁷ It is not clear who are precisely the neuter subjects of οὐ γίνεται at the beginning of the fragment, who are at the same time the object of our "doing battle and rebuking" in the next sentence. Sedley himself supposes that the neuter subjects are unqualified τὰ ζῶα, but taken in a sense of "self-determining animals", who are contrasted with wild ones. I think it is not impossible but I find it equally probable that the subject is τὰ ἀπογεγεννημένα, that is, as Sedley understands this term, acquired psychic characteristics, which play the roles of subjects and objects of actions in some of Epicurus' fragments.¹⁸

The interpretation of the neuter subjects as τὰ ἀπογεγεννημένα makes the passage sound somewhat awkward, for Epicurus describes them as φύσιν ἔχοντα (as Myles Burnyeat has pointed to me). Perhaps the unusual turn of phrase can be explained by the fact that these dispositions, which Epicurus mentions both *in statu*

¹⁷ Compare for both thought and terminology Diog. Oen. Fr. 111 Smith (οὐχ ἡ φύσις, μία γε οὖσα τῶν πάντων, εὐγενεῖς ἢ δυσγενεῖς ἐποίησεν, ἀλλ' αἱ πράξεις καὶ διαθέσεις), which in view of the Epicurus' fragment turns out to be more in accordance with the school tradition than was previously thought, although Diogenes simplifies the point.

¹⁸ See e.g. the beginning of [31.25] Arr.¹=[34.2] Arr.² (above, note 5). Both G. Arrighetti (Epicuro¹, 332) and S. Laursen (8) understand the subject as τὰ ἀπογεγεννημένα, the first taking it as "attegiamenti e moti dell' anima" and the second as strictly material changes in atomic structure caused by external influences (see Laursen, 10-12 for his objections to Sedley's understanding of the word, which, as it seems to me, have no decisive force). For my interpretation of these unnamed subjects I can refer to their being characterized as ἀπεργαστικά τῶνδε καὶ τῶνδε, which implies a standing disposition that expresses itself in some regular mode of behaviour, i.e. some sort of equivalent of Aristotle's ἔξις (compare for the idea *EN* II. 2. 1104 a 27 ff.). Annas, 131 also takes the anonymous subject as τὰ ἀπογεγεννημένα and her position on this term is somewhat intermediate between Sedley and Laursen: the developments are atomic but their structure depends in some grade on man.

nascendi (τὰ ἀπογεννώμενα) and in their complete form (τὰ ἀπογεγεννημένα), are considered as identical with man's responsible self. Note that τὰ ἀπογεγεννημένα are subsequently called responsible for the actions here mentioned (κέκτηται αἰτίαν τῶνδὲ τινῶν).

Whatever interpretation of these unnamed beings or things is correct, Sedley certainly is right that struggle and blame here imply responsibility in the objects of these actions. But the crucial point is the meaning of "hating" (μισοῦντες) and the sense of the comparison (καθάπερ ἐπὶ τῶν πάντων ζῴων).

Sedley supposes that μισοῦντες καθάπερ ἐπὶ τῶν πάντων ζῴων means καθάπερ μισοῦμεν τὰ πάντα ζῴα. He suggests that Epicurus' words imply a contrast between battle and rebuke, on the one hand, and hatred on the other. We battle with and rebuke the beings in question and this is an attitude which is possible only against "self-determining" beings, i.e. against men and tame animals, as Sedley proposes. And simultaneously we hate these beings, as we hate any (wicked) animal who follows its dangerous initial state. This second attitude or aspect of an attitude is thus something universal. It applies both to those who are responsible for their faults and to those who are predetermined in their behaviour.¹⁹

Even if we admit this interpretation of the sense of passage, we can still assume that Epicurus contrasts men and animals as a whole because the identification of those who are blamed and hated is so doubtful. For although the phrase could mean "hating them as we hate any animal", as Sedley supposes, it does not follow yet that Epicurus distinguishes two kinds of animals, tame and wild ones. The arguments founded on 20 j LS and other passages have no cumulative force, for, as we have seen, nowhere does Epicurus unambiguously contrast wild and tame animals with reference to their possession of responsibility.

Moreover, Sedley's interpretation runs into the following difficulties:

First, it is difficult to find here any hint of a contrast between μαχόμεθα καὶ ἐπιτιμῶμεν, on the one hand, and μισοῦντες, on the other, so as to conclude that we rebuke only one category of animals and hate all wicked animals. Hatred is clearly the additional detail in

¹⁹ See explications in LS 2, 113: "We hate wickedness in any animal, but we do not blame wild animals, since we regard their eventual development as already built into their congenital nature. E.g. we hate, but do not blame, sharks for eating people". In support of this understanding LS cite Galen. *Quod animi mores*, p. 73.3 - 74.13 and Manilius 4.106-108.

the same course of actions as is expressed by ἐπιτιμῶμεν; the word intensifies the force of the actions (see also μάλιστα) but does not introduce something qualitatively new.

According to Sedley, hatred is directed at both responsible and non responsible animals. But if we combine this with the linguistic point just made, that μισοῦντες continues the same course of actions, we get a ruinous result that the first two actions must also be directed at both types of animals: Epicurus' all argument is spoiled. It is even more ruinous because those who are hated follow their innate constitution. For Epicurus obviously wants to argue that blame testifies to the freewill and responsibility of those who are blamed. And the hatred has to serve, as the continuation of the fragment shows, if not as proof of the same thesis, then at least as evidence not incompatible with it.

It is necessary to add that in the Epicurean tradition hatred as well as anger towards animals, as beings who behave involuntarily was considered as an irrational affect.²⁰ Such hatred could hardly be approved or adduced as an example demonstrating some latent truth in crowd behaviour. Nor can the examples from other non-epicurean authors adduced by Sedley where hatred is presented as the normal attitude toward all wicked animals be appropriate in our context. For the authors cited evidently intend to show that the absence of responsibility, both in some men and in all wicked animals does not deny our right to hate and, consequently, to punish them. I should like to remind the reader that in our passage hatred is an attitude towards both responsible and irresponsible beings. Hatred here is surely not appropriate as the *tertium comparationis* between "self-determining" men and tame animals on the one hand, and wild animals on the other.²¹

²⁰ See Philod. *De ira*, col. 46. 30-40 Wilke, where Philodemus refers to the opinion of the school's κατηγεμόνες for the thesis that gratitude as well as anger should not be directed towards those who act without free choice, ἀπροαιρέτως. More specifically, Philodemus (col. 17-18) regards hatred of flies and gnats, and even of dogs and children as unreasonable and in col. 33. 28 he approves the opinion of Stoic Antipater of Tarsus that wicked animals should be killed without anger. Anger, as well as hatred, are justified within certain limits and under rational control and only with reference to those who are responsible for their actions, see col. 40. 29-33; 41.35-42. 3 et al. [G. Indelli's new edition was not available to me: Filodemo, *L'ira*. Ediz., trad. e comm. a.c. di G. Indelli (Napoli 1988) = La scuola di Epicuro 5] For the material on the topic of "hatred" see J. Procope, "Haß", in *RAC* XII (1985) 678-714.

²¹ I by no means deny that the punishment of tame animals could be considered by somebody to presuppose the animals' capacity of being corrected or even correcting themselves, see e.g. Plut. *De soll. an.* 961 d where from the fact that

The most important of passages cited by Sedley is Gal. *Quod an. mor.* 11 (Galenus opera minora 2, rec. I. Müller, p. 73.3-74.21). Here Galen justifies our right to punish by utilitarian considerations, viz. the necessity of defence against wicked humans, and on the other hand, the preferability of death for those who are desperately depraved. Galen *expressis verbis* declines to discuss the question how far the punished are responsible for their wickedness (see esp. p. 74.8-21). It is in this context that he defends our right to hate and kill wicked men, even if they are not responsible for their innate temperament, as well as our right to kill dangerous wild animals, which are also not responsible for their innate features. The same theory (of Poseidonian provenance?) is implied also in the passage of Manilius (4. 106-108), cited by Sedley. This doctrine has its roots in Protagoras' reasoning in Plat. *Prot.* 323d-324c; 325a-c and in the teaching of Plato himself in his other works (see T.J. Saunders, "Protagoras and Plato on Punishment", in *The Sophists and Their Legacy*, edited by G.B. Kerferd = *Hermes-Einzelschriften* 44, 1981, 129-141). Galen employs here only a part of this heritage – namely, that related to the punishment of the incurable. It is evident that the theoretical foundation of Epicurus' reasoning here is quite different. He tries, as Aristotle does (*NE* III. 7. 1113 a 33-1114 a 1; 1114 a 15-31), to justify punishment on the basis of freewill and responsibility, and regards it as a retribution. Epicurus would agree, however, with Protagoras (as well as Aristotle would, see *NE* I. 13. 1102 b 33 ff.) that punishment in many cases has a prospective purpose of correction: compare Epicurus' emphasis on ἐπιτιμάω and νοθετέω in the fragment we are discussing, as well as in its continuation (20 B 4 LS) and in 20 C 2 LS, with Protagoras' use of νοθετέω (*Prot.* 324 a) and his reasoning at whole in the passages cited above. The difference is that Epicurus regarded the fact of blame and admonition as proof that we presuppose freewill in a person we try to influence, while Protagoras regarded it as evidence of the educability of this person and did not connect this point with the freewill problem. Cf. also Diog. Oen. Fr. 54, col. III. 10 ff. Smith where admonition and blame stand and fall with the existence of freewill (πισθευθείσης γὰρ εἰμαρμένης αἴρεται πᾶσα νοθεσία καὶ ἐπιτίμησις καὶ οὐδὲ τοὺς πονηροὺς [ἔξεστι δικάως κολάζειν]). To sum up, I see no place for Galen's hatred of both dangerous animals and incurable humans in Epicurus' attitude to those beings, one part of whom at least is responsible and can be improved.

Both Huby (19) and Sedley (392 note 38) refer to RS 32 to argue that Epicurus extends the norms of justice to some animals (ὄσα τῶν ζῴων μὴ

Stoics, as well as all other men, punish their dogs and horses - obviously, as Plutarch concludes, to correct them - follows a refutation of their doctrine about the lack of mind in animals (αὐτοὶ δὲ καὶ κύνας ἀμαρτάνοντας καὶ ἵππους κολάζουσιν, οὐ διὰ κενῆς ἀλλ' ἐπὶ σωφρονισμῷ, λύπην δ' ἀλγηδόνος ἐμποιοῦντες αὐτοῖς, ἦν μετάνοιαν ὀνομάζομεν). But notice that just hatred against the punished is quite inappropriate for Plutarch's purposes. It must be pointed out, besides, that Plutarch adduces the Academic arguments in defense of animal rationality and his view is quite different from the Epicurean doctrine which he *inter alia* opposes.

ἔδύνατο συνθήκας ποιείσθαι τὰς ὑπὲρ τοῦ μὴ βλάπτειν ἄλληλα μηδὲ βλάπτεσθαι πρὸς ταῦτα οὐθὲν ἦν δίκαιον οὐδὲ ἄδικον). But this maxim proves only, if anything, that Epicurus could use the generic term ζῷα to designate the totality of both animals and man. It seems to be more probable that Epicurus regarded some human beings as incapable of establishing compacts than that he thought that some compact with animals, namely the tame ones, is possible. How can we imagine such a compact where the safety of one side is regularly violated by another? There is a passage of the ethnographical writer Agatharchides where the compact between the primitive Ichthyophages and seals is represented. Being a parody of Epicurean teaching or paradoxical development of it, it has an unmistakable connection with the Epicurean doctrine. Compare Agatharchides ap. Phot. Cod. 250, p.450b12-15 Henry (οὐτε αὐτοὶ [scil. Ἴχθυοφάγοι] τὰς φώκας σίνονται, οὐδ' ὑπ' ἐκείνων οὐτοὶ βλάπτονται) with the formulation of the compact in *Ratae sententiae* 31,33 and 35. Another detail of Agatharchides narrative (Diod. 3.18.7), mutual mercy between men and seals in dealing with wives and children, reminds one of Lucr. 5.1019-1021, the compacts between the first men about the same item. It shows both how we must imagine a compact between men and animals and how would find such a compact impossible the far more realistic Epicurean theory. This impression is corroborated by Hermarchus, who says that it was not forbidden by ancient legislators to kill an animal when it was useful for protecting the human community (Porph. *De abstin.* 1.10. 1). Moreover, he argues against the defenders of vegetarianism that the slaying and sparing of domesticated animals is a matter for purely utilitarian considerations and affirms not only our unrestricted right to eat them, but even insists that tame animals, useful as they are in their present state, can become harmful due to an increase in their number and so we must regulate their quantity (Ibid. 11. 3-5). Finally, he denies explicitly that our relations with animals can be regulated by any mutual compact. He has in mind harmful animals mainly, but he assumes a lack of rationality in every animal (ibid. 12. 5-6). True, P.A. Vander Waerdt, "The Epicurean Genealogy of morals", *TAPA* 118 [1988] 99 note 14, who supports Sedley's interpretation of our fragment, argues that Hermarchus' denial of compacts with animals is only a modification of Epicurus' view under the influence of the Stoics. But his suggestion stands and falls with Sedley's understanding of Epicurus 20 B LS and with the interpretation of RS 32 mentioned above, neither of which is certain. The Lucretius' passage (5. 860-877) Vander Waerdt refers to does not prove that Hermarchus deviated from Epicurean orthodoxy, for Lucretius does not say that the mutual utility of men and tame animals is based on a compact.²²

So, since I do not know any definite evidence for the contrast between wild and tame animals in respect to their possession of freewill in Epicurean tradition, and in view of the difficulties I have

²² See also against Huby's and Sedley's interpretation of RS 32 Mitsis, 141-2 note 30 and Annas, 136 who take it as excluding all animals from compacts.

adduced both about the immediate meaning of the fragment and about its incompatibility with known Epicurean doctrines, I venture to propose a rather simple decision to solve all these puzzles. All we need to do is to take *καθάπερ κτλ.* as introducing a comparison not with our own mode of behaviour in the case of animals, but with the state of those whom we rebuke and hate. The punished are the responsible beings (I believe, only human ones) or, perhaps, their *τὰ ἀπογεγεννημένα*, who by their own will follow their disturbed innate nature,²³ and whom we, consequently, fight, blame and even hate. The state of persons influenced in such a way is compared with one of the animals, who also follow their innate nature, but do this due to necessity, for they cannot change themselves. The passage must be translated as follows: "And with these human beings we especially do battle and rebuke them and even hate them as those who have a nature that is in accordance with their initial natural state, as any animal has". The same contrast as I suggest seeing here underlies the discussion of the problem in *Lucr.* 3. 307 ff. where both the dangerous sides of innate human temperaments caused by the predominance of soul atoms of one of three kinds are presented, and our freedom to neutralize these influences is argued for. And here, as in our fragment, animals, with the differences of temperament appropriate to each species, serve both as analogy to man, and as a contrast. For animals (as Lucretius seems to imply) cannot change (by themselves, at least) their innate features. We do not know what kind of failures Epicurus means precisely in our fragment. But the especially strong reaction (see *μάλιστα* and the extraordinary *μισοῦντες*) can presuppose an unusual grade of indignation, proving, perhaps, in Epicurus' view the great contrast between human abilities and voluntary abuse of them.²⁴

²³ The difficult phrase *μισοῦντες κατὰ τὴν ἐξ ἀρχῆς ταραχώδη φύσιν ἔχοντα* (T. Gomperz: *νοοῦντες*; A. Vogliano and G. Arrighetti: *ἐνοοῦντες*; D. Sedley: *μ[ι]σοῦντες*; S. Laursen: [...]*σοῦντες*) can be construed as follows: *μισοῦντες* (scil. *τὰ ἀπογεγεννημένα*) *ἔχοντα ταραχώδη φύσιν κατὰ τὴν ἐξ ἀρχῆς* (scil. *φύσιν*) i.e. "hating them (scil. dispositions) as far as they have the disturbed nature, which corresponds to their initial one". Sedley (37 note 48) suggests construing *ἔχοντα* (intransitive) *κατὰ...φύσιν* which seems to be unusual, or supplying, following C. Diano, *σύστασιν* after *ἀρχῆς* which gives the similar sense as my suggestion.

²⁴ As far as I know, only Annas, 131 understands the passage in a similar sense: "These in particular we combat and rebuke...in accordance with their nature, which is disturbed from the beginning, *as is true of all animals.*" Annas does not translate *μισοῦντες* following Laursen, who doubts this reading of papyrus. She has an ingenious proposal (p. 133) that a disturbed initial state is in Epicurus' view not something extraordinary but inherent in man's nature. (It

From a grammatical point of view, the understanding here proposed seems to be admissable. The use of ἐπί with genitive to denote the sphere where an action or quality in question exists is surely as frequent as its employment to denote the object of an action. True, it would be more appropriate to say e.g. καθάπερ γίνεται ἐπὶ τῶν πάντων ζῴων to satisfy the sense I suggest, but such an omission of the predicate is within the limits of the possible, and the verb implied may quite possibly be one correlating with ἔχοντα, not with μισοῦντες, as Sedley takes it.²⁵

But whether this interpretation will be accepted or not, the arguments adduced in this paper are, I hope, sufficient to prove that we have to wait for other, more definite evidence to make us believe that Epicurus regarded some animals as having freewill and responsibility.²⁶

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seems to me that Lucr. 3.307-313 implies the same idea). But Annas mistakenly, as it seems to me, connects the combating and rebuking directly with the nature of the beings influenced, not with their responsibility for remaining in their initial state. Consequently I find erroneous her suggestion that Epicurus has in view here "abnormal agency".

²⁵ For an omission of predicate in phrases of the type καθάπερ ἐπί see H. Usener, *Glossarium Epicureum* (Roma 1977) 272 s.v. ἐπί: Ep. *Pyth.* 86 (p.36. 10 Us.), 103 (p.46. 12), 108 (p.50. 10) [Gomperz. *Nat.*102=20 C 10 LS now has to be eliminated.] In all these cases ἐπί is used to denote the sphere of action, not its objects. Neither case is as ambiguous as our one is.

²⁶ Laursen, 8-12 has another interpretation of the fragment. It is rather complicated and is too closely connected with his general understanding of τὰ ἀπογεγεννημένα, which is different from the one Sedley proposes, to be discussed here in detail. Reading Laursen's paper, I could not decide how precisely he understands the relation of men and animals in this particular sentence. It seems that he supports Sedley's understanding that καθάπερ introduces a comparison with another mode of behaviour of those who punish, not with state of those who are punished. However, he includes in these actions not only hatred but reproaches (ἐπιτιμῶμεν), and, although he does not discuss the problem, he, probably, has no faith in Sedley's special class of "self-determining" tame animals. On the contrary, I am almost sure *pace* Laursen that οὐδὲν γὰρ αὐτοῖς κτλ. is related to the human τὰ ἀπογεγεννημένα not to the animals' ones, and that in l. 17 of Laursen's edition of the fragment we must supply another negation - e.g. πάντως οὐδὲ διὰ τὰ ἐμψύχωντα... and not [ἀλλὰ διὰ], as Laursen does (compare 20 C 2 LS).

В статье рассматривается и отвергается гипотеза П. Хьюби и Д. Седли, согласно которой Эпикур считал, что свободой воли, выражающейся в способности изменять свое поведение под влиянием порицания и увещевания, обладают наряду с человеком также домашние животные. В связи с этим предлагается новое толкование двух папирусных фрагментов сочинения Эпикура "О природе", в которых прежде видели обсуждение свойств домашних животных в противоположность диким. По мнению автора, в первом из этих фрагментов (34.25.31-34 Arr.² = 20j Long-Sedley) речь в действительности идет о воздействии на сознание людей при помощи порицания, с одной стороны, и о дрессировке диких животных - с другой. Во втором фрагменте (34.21 Arr.² = 20B Long-Sedley) Эпикур уподобляет состояние людей, по собственной воле следующих опасным свойствам своей врожденной природы, животным, которые находятся в таком же состоянии по необходимости.