

# Justice

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2023-09-23

## 1 Intro

An idea I'm trying on:

The scope of human laws are incapable of perfectly spanning justice. Justice is a pure concept belonging to the realm of abstraction. If justice is done, each person is judged and punished in accordance with their wrongdoing. A couple of the biggest issues are 1) to know what occurred (lack of perfect knowledge) and 2) degree of wrongdoing is determined at least partially by thoughts or mentality. Justice is a spiritual or ideallistic concept, and people are inherently imperfect, as is their language and their structures of justice. Human laws and their enforcements of them are, at best, a heuristic or an approximation to the abstract concept of justice. Justice is a perfect ideal, and is therefore not achievable *a priori* by human constructs or understanding. The law, then, must determine how to best approximate justice. Supposing human justice is an approximation to 'natural' justice or the 'natural law' we can assume that there will be errors of excess and deficiency, then the issue is how to balance these possible errors. Generally, and I think rightly so, most prefer to make errors of a deficiency of justice rather than excess of justice (using the language of virtue ethics; don't be confused: not implying that justice can be a bad thing, only a poor understanding or poor execution of justice). I think the human efforts of justice overburdening or oppressing the public would be worse. However, that means that justice will often fall short and be insufficient, as carried out by the justice system.

As a corollary, perhaps individuals can or should sometimes go beyond the limits of the law system to exact justice. Then, though, the individual ought to be ready to accept the recompense for their actions, recognizing that they have transgressed the accepted human law.

As a clarification, the excess of justice, as in a virtue ethics framework, would be an overzealous miscarriage of justice, with the punishment exceeding the crime or with innocents being punished, while a deficit of justice would imply insufficient justice for a crime or the guilty going free of judgement.