

Ubi est iustitia?

Nobody asked but ...

Ubi est iustitia? This is Latin for “where is justice?” I have been listening to a very interesting podcast, Russ Roberts’ EconTalk, with his guest Paul Robinson, on Cooperation, Punishment and the Criminal Justice System. The gist is that even the most transitory societies may impose rudimentary justice, even at the risk of existential danger of disbanding. But what I liked particularly about this episode was how Roberts brought out the idea that when justice becomes bound with government, it hardly ever levels out at delivering moderate justice. The governmental approach becomes hidebound in procedure. Even pseudo-government often confuses outcomes with objectives. A compelling example would be found in ***The Oxbow Incident***, movie or book. Whereas a crime has in fact been committed, the mob seems to be more intent on rendering justice than in getting it right. They are entirely concerned with formality, as in trying to appear governmental in choosing the highest ranking military veteran and community member as the mob leader. Then they are determined to carry out a sentence despite all appeals to reason otherwise. The tragic surprise is that somebody else committed the crime. I agree with Paul Robinson that we have a strong impulse for justice but it seems we have no collective compass for it.

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