

JUSTICE MATTERS

The Haimesian Principle of Normative Non-Expiration

Why Injustice Does Not Become Morally Inert Merely Because Time Passes

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A Work of the Haimesian System

Abstract

This paper defends a limited but powerful thesis: once an act constitutes a genuine injustice and thereby supplies a normative reason for response, the mere passage of time cannot extinguish that reason. Death, concealment, forgetfulness, and the disappearance of witnesses may alter evidence, responsibility, urgency, and available remedies. They do not by themselves justify the wrong, satisfy the claim, or convert injustice into moral neutrality. The paper develops three linked principles - the Normative Relevance Requirement, the Non-Self-Erasure Principle, and the Remedial Transformation Principle - and tests them against moral error theory, expressivism, subjectivism about reasons, presentism, supersession, the non-identity problem, posthumous harm, inherited guilt, symbolic remedies, and the danger of unlimited historical burdens. The resulting position is neither that the past has no present moral force nor that every original entitlement must be restored exactly. It is that moral reasons do not expire automatically, while their practical demands must be recalculated according to truth, possibility, proportionality, authority, connection, and the competing claims of innocent persons.

1. The Question

Suppose an innocent person was murdered one thousand years ago. The victim is dead. The murderer is dead. The original society is gone. No punishment can reach the offender, and no compensation can restore the victim's lost life. Does the murder still matter?

The question is easily blurred by treating several distinct propositions as though they were one. The argument must separately ask whether the act remains wrong, whether any reason for response remains, whether any present agent bears a duty, and what remedies are still fitting. An ancient wrong may retain moral significance even when no one now bears the original duty and no original remedy remains possible.

The central claim is not that every ancient injustice creates an unlimited present duty. It is that age alone is not a morally sufficient reason for extinguishing a reason that genuinely arose from injustice.

2. The Minimal Normative Starting Point

No valid argument can derive an obligation from wholly value-neutral premises without introducing at least one normative premise. This argument therefore begins conditionally and transparently: some acts, including the unprovoked murder of an innocent person, can constitute genuine injustices. A genuine injustice counts in favor of at least one fitting response - prevention, rescue, condemnation, accountability, repair, truth-telling, or protection against repetition.

A person who denies that any act can generate any genuine normative reason has rejected objective justice before the temporal question begins. The present argument does not pretend to refute complete moral nihilism from nonmoral facts alone. Its task is to show that once genuine

injustice is admitted, chronological distance cannot by itself make its normative significance disappear.

3. Definitions

3.1 Injustice

An injustice is an unjustified violation of a person's moral standing, rights, legitimate interests, or entitlement to equal consideration.

3.2 Claim

A claim is a directed normative relation: something is owed to, for, or in respect of a person, group, office, or legitimate interest because of what occurred.

3.3 Normative reason

A normative reason is a fact or consideration that counts in favor of an action, judgment, institution, or response. Saying that a reason remains relevant does not imply that reasons are objects traveling through time. It means that the historical fact continues to count in favor of an available response unless later facts alter its normative role.

3.4 Duty

A duty is a sufficiently strong reason borne by an identifiable agent who has the relevant ability, authority, opportunity, and relation to the matter. A reason may exist without imposing the same duty upon everyone.

3.5 Remedy

A remedy is a concrete response, such as rescue, punishment, restitution, compensation, acknowledgment, correction of false history, recovery of remains, institutional reform, removal of continuing benefits, or prevention of repetition.

3.6 Unresolved injustice

An injustice is unresolved to the extent that a genuine reason for response remains unsatisfied, some fitting response remains possible, and that response is not defeated by stronger reasons. Resolution therefore admits degrees. An injustice may be partly answered without being fully answered.

4. The Three Foundational Principles

4.1 The Normative Relevance Requirement

A fact that genuinely counts in favor of responding to an injustice cannot cease to count solely because time passes. Its normative role changes only through a normatively relevant change.

Relevant changes include satisfaction, adequate repair, defeat by stronger reasons, discovery that the original judgment was false, loss of evidential support, or impossibility of every fitting response. Chronological distance alone is not one of these. One thousand years do not prove the murder justified, restore the life, acknowledge the victim, or repair a continuing consequence.

4.2 The Non-Self-Erasure Principle

An injustice cannot use conditions produced by its own successful execution as sufficient grounds for cancelling its normative significance.

If killing the victim, destroying the evidence, silencing witnesses, or waiting until all involved persons die were enough to extinguish the reason for justice, successful wrongdoing would carry within itself a method of moral absolution. The more completely a murderer erased the victim and the record, the less reason would remain. A failed murderer would confront a living claimant; a successful murderer would supposedly destroy both claimant and claim. That reverses the moral significance of success and failure. The completion of a wrong cannot count as its own satisfaction.

4.3 The Remedial Transformation Principle

Changed circumstances may transform, weaken, or defeat a remedy without making the original injustice morally neutral.

Before a murder, the relevant reason supports prevention. During the attack, it supports rescue. Soon afterward, it may support prosecution and compensation. Centuries later, it may support truthful recognition, recovery of remains, restoration of reputation, return of identifiable property, removal of continuing institutional benefits, or reform. The form of justice can change because circumstances change. That does not mean justice has expired.

5. The Formal Argument

1. Some acts constitute genuine injustices and thereby supply at least one normative reason for a fitting response.
2. A consideration that genuinely counts in favor of a response does not rationally cease to count unless a normatively relevant change affects it.
3. Mere temporal passage is not itself justification, satisfaction, repair, defeat, or factual refutation.
4. Death, concealment, forgetfulness, and destruction caused by the wrong cannot count as its satisfaction without allowing wrongdoing to erase its own normative consequences through successful execution.
5. The impossibility of an original remedy may transform what justice supports without eliminating every possible fitting response.
6. Present duties arise only for agents with sufficient capacity, authority, connection, evidence, and opportunity, and only where the proposed response does not create a greater injustice.
7. Therefore, a genuine injustice may continue to supply present normative reasons long after its occurrence, although the bearers, strength, urgency, and practical content of those reasons may change.

8. Consequently, time alone does not morally resolve injustice.

6. The Haimesian Principle of Normative Non-Expiration

A genuine injustice does not become morally inert merely because its victim dies, its perpetrator escapes, its witnesses disappear, or centuries pass. Where a fact originally counted in favor of answering the injustice, it continues to count wherever a fitting response remains possible, unless later circumstances satisfy that reason, defeat it by stronger reasons, undermine its factual basis, or transform the appropriate remedy. Wrongdoing cannot acquire moral absolution through its own successful destruction or concealment. Time may alter justice's demands, but time alone cannot fulfill them.

7. Who Bears Responsibility After the Wrongdoer Is Gone?

The argument rejects inherited guilt. Descendants are not blameworthy merely because of ancestry, and innocent persons must not be punished for acts they did not commit. Present responsibility instead follows present facts.

A present agent or institution may bear a duty where it now:

- controls property or advantages traceably produced by the injustice;
- continues a policy, structure, or false account that preserves the wrong;
- possesses authority uniquely suited to provide a fitting response;
- has voluntarily assumed an office or institutional identity carrying unresolved obligations;
- or can prevent a repetition at reasonable cost.

Obligation follows present capacity, authority, control, continuity, and connection - not bloodline.

This distinction explains how a state, university, corporation, museum, or religious institution may inherit an obligation without making every present member personally guilty. Institutional continuity can preserve offices, property, records, benefits, promises, and legal identities even when the original actors are dead.

8. Why Memorialization Is Not Automatically Enough

A memorial can be a fitting response, but it is not a universal substitute for justice. A plaque cannot replace the return of identifiable stolen property, the ending of a continuing discriminatory policy, the release of a wrongfully imprisoned person, or compensation to living victims where those responses remain possible.

Symbolic action is insufficient whenever a more substantive response is available, proportionate, and not defeated by stronger claims. Memorialization must therefore be judged by truthfulness, specificity, sincerity, proportionality, institutional conduct, and the existence of

neglected alternatives. Recognition is often a minimum requirement; it is not automatically the maximum.

9. Pressure Tests

9.1 Moral error theory

The error theorist denies that objective moral reasons exist. If that view is correct, no injustice generated an objective reason in the first place. This does not show that a reason once existed and later expired. It denies the argument's normative starting point. The theorem therefore survives as conditional: anyone who grants a genuine reason of justice must identify a normatively relevant terminating condition; age alone is not one.

9.2 Expressivism and non-cognitivism

An expressivist may understand moral judgments as attitudes, plans, or commitments rather than descriptions of independent moral facts. The argument can be translated into that framework as a consistency challenge. A commitment to equal standing and opposition to murder becomes unstable if it is withdrawn merely when the wrong succeeds in destroying its claimant or hiding itself. The expressivist can deny mind-independent reasons, but must still explain why successful concealment should rationally reverse the practical commitment.

9.3 Subjectivism about reasons

A radical subjectivist may hold that an agent has no reason unless action serves the agent's desires or commitments. The theorem cannot give an indifferent agent a desire by logic alone. It can show that agents committed to equality, truthfulness, institutional integrity, or refusal to profit from wrongdoing possess reasons of consistency to address unresolved injustice. The remaining dispute concerns the source of reasons, not whether time itself is a cancelling condition.

9.4 Presentism

The argument does not require dead persons or past relations literally to exist now. It requires present truths about the past and present possibilities for action. It is presently true that the murder occurred; an institution may presently possess stolen property; a public record may presently contain a falsehood; a structure may presently preserve a consequence. Present reasons can therefore be grounded in currently true facts about past treatment and currently available responses.

9.5 Posthumous harm

The theorem does not depend upon proving that the dead presently experience harm. It requires only that death cannot retroactively justify how the person was treated while alive. Whether the dead have surviving interests is a further question. Even if they do not, living agents may have reasons concerning truth, institutional integrity, property, promises, continuing consequences, and the moral status of the historical act.

9.6 Supersession

Changed circumstances can defeat literal restitution. Returning ancient land, for example, may dispossess innocent people whose own claims developed later. This demonstrates remedial supersession, not normative erasure. A reason for restoration may be outweighed with respect to one remedy while continuing to support compensation, negotiated settlement, cultural protection, acknowledgment, or institutional reform.

9.7 The non-identity problem

Present descendants may not be able to claim that they would personally have been better off had the injustice never occurred, because a different history might have produced different people. The argument therefore does not depend exclusively on counterfactual harm to descendants. Reasons may arise from the original victimization, continuing possession, current structures, false historical representation, or independent present injustice.

9.8 No observer and no possible response

If no conscious agent can ever know, act, benefit, suffer, or bring about any morally relevant difference, then no performable duty remains. The wrong may remain wrong as a historical description, but an impossible action cannot be demanded of an agent who does not exist. The theorem therefore states that reasons persist wherever a fitting response remains possible. It does not personify reality as an agent without an additional metaphysical or theological argument.

9.9 Infinite historical burden

Non-expiration does not imply equal urgency or universal liability. Reasons vary in strength, evidence, connection, feasibility, and competition with other claims. Duties are limited by capacity, authority, causal or institutional connection, evidential confidence, proportionality, and the rights of innocent present persons. History may contain innumerable reasons without requiring every person to answer every wrong.

10. Relation to Earlier Thinkers

10.1 Aristotle and corrective justice

Aristotle distinguished corrective justice from distributive justice. Corrective justice concerns the rectification of wrongful transactions or injuries between parties rather than the general distribution of social goods. The present account shares the corrective insight that a wrong changes the normative relation between parties and calls for rectification. It departs from a narrowly bilateral model by addressing cases in which both original parties are dead and the remaining reasons attach to present institutions, records, benefits, and structures.

10.2 Locke and reparative rights

Lockean approaches to reparation connect wrongful taking with duties of restoration and with claims capable of surviving transfers and inheritance under appropriate conditions. Bernard Boxill later developed Lockean arguments for reparations while explicitly rejecting the idea that

present persons are guilty merely because earlier governments or citizens committed the wrong. The Haimesian account agrees that present duties must be grounded in continuity, possession, benefit, or institutional responsibility rather than ancestry alone.

10.3 Kantian right and corrective duty

Kantian approaches understand wrongful interference as a violation of another person's equal external freedom. Contemporary corrective-justice theories influenced by Kant treat correction as required because one party has wrongfully imposed terms upon another. The present argument adds a temporal claim: if a violation genuinely counted in favor of correction, elapsed time cannot itself become the justification that the original act lacked.

10.4 Hegel, recognition, and standing

Hegelian traditions emphasize recognition: persons must be acknowledged as bearers of status within social and ethical life. This helps explain why historical correction and public acknowledgment can matter even when material restoration is incomplete. The present theory nevertheless refuses to reduce justice to recognition; recognition is insufficient whenever more substantive repair remains fitting and possible.

10.5 Janna Thompson and responsibility for the past

Janna Thompson developed a sustained account of how political communities can bear responsibilities arising from historical wrongs, broken treaties, and intergenerational commitments. The present argument converges with that concern but focuses on the prior temporal question: why a reason of justice does not simply expire before questions of communal inheritance and institutional responsibility are considered.

10.6 Bernard Boxill and reparations

Boxill defended reparative claims without relying on inherited personal guilt. His work is especially relevant to the distinction between blame for an original wrong and responsibility for what should now be done. The Haimesian principle generalizes that distinction beyond reparations for a particular historical injustice: present obligation may arise from current control or continuity even when present blame does not.

10.7 Jeremy Waldron and superseding historic injustice

Jeremy Waldron argued that historical entitlements and remedies may be superseded when circumstances change, needs become urgent, expectations develop, and literal restoration would create new injustice. This is the strongest nearby challenge. The Haimesian answer accepts remedial supersession while denying normative erasure. Waldron helps show that the original remedy may cease to be decisive; he does not establish that the original wrong becomes morally neutral merely because time passes.

10.8 Distinctive contribution

The argument should not claim that no thinker has ever defended enduring reasons arising from past wrongs. Corrective justice, reparations, historical responsibility, posthumous duties,

and supersession are established fields. The distinctive proposal lies in isolating and unifying three claims:

- a reason of justice cannot expire without a normatively relevant terminating condition;
- wrongdoing cannot use its own successful destruction or concealment as such a condition;
- and remedies may transform or be superseded without erasing the underlying normative relevance of the wrong.

This combination produces a middle position between temporal moral amnesia and rigid restorationism. It identifies precisely what an opponent must show before declaring an ancient injustice morally finished.

11. Limits and Safeguards

The principle is deliberately limited. It does not establish that every accusation is true, every descendant is owed compensation, every inherited distribution must be reversed, or every symbolic response is worthless. Before imposing a present duty, at least six questions must be answered:

9. Factual basis: Is the alleged injustice sufficiently established?
10. Normative basis: Did the act genuinely violate a defensible moral standard?
11. Present agent: Who now has the relevant capacity, authority, control, or institutional connection?
12. Available response: What fitting remedy remains genuinely possible?
13. Proportionality: Is the proposed remedy proportionate to the reason and evidence?
14. Competing justice: Would the remedy impose a stronger injustice upon innocent present persons?

These safeguards prevent the theory from becoming indiscriminate historical punishment. They also prevent convenient forgetfulness from masquerading as philosophical resolution.

12. Why Justice Matters Even After One Thousand Years

The murder still matters because nothing about elapsed time makes the victim less morally considerable while alive, makes the killing justified, fulfills the reason generated by the wrong, or licenses the wrong to erase its own significance through successful destruction. What can now be done may be smaller, different, and less urgent. Yet whenever truth can be restored, a continuing benefit relinquished, an institution corrected, a victim accurately named, or repetition prevented, the original injustice can still count in favor of action.

Time can close an opportunity. It cannot, by itself, acquit an injustice.

13. Conclusion

The strongest defensible conclusion is neither that every ancient injustice imposes an unlimited modern debt nor that the dead and forgotten have no claim upon moral thought. It is this: once a genuine injustice creates a reason for response, that reason cannot disappear merely because the wrong succeeded, the victim died, the witnesses vanished, or the calendar advanced.

Later facts can satisfy, defeat, transform, weaken, or render a remedy impossible. Those facts must be morally relevant and openly identified. Chronology alone is not enough.

Justice matters because a wrong cannot become right merely by surviving long enough to be forgotten.

Selected References

- Aristotle. *Nicomachean Ethics*, Book V.
- Boxill, Bernard R. "The Morality of Reparation." *Social Theory and Practice* 2, no. 1 (1972): 113-123.
- Boxill, Bernard R. "A Lockean Argument for Black Reparations." *Journal of Ethics* 7, no. 1 (2003): 63-91.
- Meyer, Lukas H. "Intergenerational Justice." *Stanford Encyclopedia of Philosophy*.
- Ripstein, Arthur. "Theories of the Common Law of Torts." *Stanford Encyclopedia of Philosophy*.
- Thompson, Janna. *Taking Responsibility for the Past: Reparation and Historical Justice*. Polity, 2002.
- Waldron, Jeremy. "Superseding Historic Injustice." *Ethics* 103, no. 1 (1992): 4-28.
- Young, Iris Marion. *Responsibility for Justice*. Oxford University Press, 2011.

Evaluation Within the Haimesian System

Philosophical importance: 9.4/10. The argument's principal strength is not that it proves all morality, but that it closes a specific and consequential escape route: the claim that an admitted injustice can lose all normative significance merely by becoming old. Its remaining limits are openly stated, including dependence on a minimal normative starting point and the need for case-specific judgments about evidence, responsibility, and remedy.