Education for Justice

Rey Ty

Abstract: Determined by socio-economic relations, justice is a norm important in social and political consciousness. However, because of its universal significance, justice is also relatively independent of specific economic or political life. A gap exists, as while many educators use justice as a concept in teaching and learning, many do not even have a basic definition. This paper provides implications to educational policy and practice.

Introduction

Statement of the Problem. Education is not neutral. By keeping quiet about social inequalities, educators in effect accept the status quo. Due to the struggles of African Americans throughout history, civil rights are now recognized in courts. Slavery and public lynching are gone. But U.S. folks still experience discrimination and are still far from reaching full equality. Among those who experience discrimination are Native Americans, African Americans, Latinos, Asian Americans and Pacific Islanders, women, gays, lesbians, disabled, Muslims, senior citizens, and atheists. White men complain of reverse discrimination. Everyone, regardless of color, sex, size, weight, age, abilities, economic or social status deserves fair treatment. Educators, therefore, have a duty to promote justice. But what is justice? Many talk about justice without knowing what it means. Worse, the term ‘justice’ is not defined.

Research Goals. The goal of this paper is to provide ideas on the way by which justice can be incorporated in teaching and learning, the outcome of which will be a heightened understanding of the theory and a corresponding increased practice of justice in society.

Research Questions. This research answered the following research questions: One, what is justice? How has the meaning of the term evolved historically? Two, what are the implications of the changing meaning of justice to adult and community education? What are the different ways in which educators can engage in education that promote justice?

Various Theoretical and Practical Approaches That Deal with the Concerns. Various approaches deal with the concern for education for justice. They include critical pedagogy; and, anti-racist, citizenship, civic, development, environmental, gender, human rights, intercultural, inter-group, moral, multicultural, peace, global, and values education (Flowers, 2007; Osler & Starkey, 1996; Tarrow, 1991). Although they are related, these approaches have different priorities and focuses.

Research Process. This paper provides a literature review (Torraco, 2005) that traces the etymology, genesis, and historical development of the concept from ancient to the medieval, modern, and postmodern thought. Implications to education are provided.

Findings

What is Justice?

Etymology. According to the Etymology Dictionary (2010), the mid-12th century word justice refers to the use of authority in justification of right by giving reward or punishment. It is derived from the Old French justise, Latin justitia meaning righteousness or equity and Justus,
i.e. upright or just. The Old French word means uprightness, equity, vindication of right, court of justice, and judge. By the 14th century, the word just means righteous in God’s eyes, upright, and impartial, from the Old French just and from Latin justus meaning upright or equitable, and from jus and juris meaning right, legal right or law. Justice is a “moral ideal that the law seeks to uphold in the protection of rights and punishment of wrongs” (Martin, 1997, p. 254). Requirements include “an impartial judge” and “all parties being heard” (Stewart, 2006, p. 297).

**Evolution of the Concept.** The content of the term justice is historically and socially determined and changes meanings from one period and one context to another. Claims are made that situations are on the one hand appropriate and match human essence, rights, and needs, or on the other hand clash with them and must be purged. While good and evil rest on the individual level of analysis, justice can only be understood from the social level. Justice and injustice, therefore deal with the role people play in society in relation to others; pay to work; rewards to abilities; crime to punishment; abilities to social recognition; and, rights to duties.

**Classical Views of Justice**

**Ancient Asian Views.** Buddha and Confucius contributed to the idea of justice. Buddha’s sense of justice extends to all living things, teaching compassion and not doing harm to any sentient being. For Buddha (1966, p. 468), great rulers “must judge justly... [and] pronounce [their] verdict with kindness... [and] sympathy.” Confucius (2010) stressed love of humanity, proper conduct, justice and sincerity. Confucius’ Golden Rule stated that one must not do unto others what one does not want others to do unto you, doing good to good and justice to evil.

**Ancient Greek Views.** In their epic poems, both Homer and Hesiod showed the genesis and evolution of ethics, as a discipline, which led to the corresponding recognition of abstract moral values, the subject matter (Bakshanovsky, et. al., 1986). Hesiod was the first to attach a moral and legal connotation to the word. Homer’s characters Hector and Achilles are collectivist, patriotic, and work for the welfare of the people. Hesiod portrayed the worldviews of peasants and petty property owners vis-à-vis that of the aristocrats. “…Hesiod considers labour and justice as supra-individual moral standards outlining the boundaries of decent behaviour…” (p. 8).

In the drama, *Antigone*, Sophocle (2010) distinguished between human and divine justice. Civil disobedience to authority is preferred to blind obedience to erroneous human laws. King Creon ordered Polynices to be unburied and prey for vultures. Antigone felt that divine justice dictated that she bury her brother, in defiance of human justice.

Plato’s protagonist, Socrates, always asked “what is justice?” about everything: in dialectics, rhetoric, social relations, politics, and ethics. For Plato, justice is seen as deserts, consisting in personal fulfillment, being in one’s proper place, recognizing and using one’s inherent abilities, giving each person one’s due, receiving what one deserves—all for the common good. Plato noted in his book *Gorgias* (2009): "Are injustice and intemperance and the other baseness of soul therefore the greatest evil among the things that are" (477e)?

In Plato’s *Republic* (1981), the protagonists dialectically debated about justice in terms of ownership, condition, retribution, and power. Cephalus argued that justice consists of fulfilling one’s legal duties, being honest, and returning what one has borrowed to its rightful owner. Socrates replied that if the conditions change, say, the owner became insane, then returning, for instance, a knife, does not meet the needs of justice. Polemarchus insisted that justice consists in doing good to friends and harm to enemies. Socrates exclaimed that knowledge is needed to judge who friends and enemies are, arguing that doing harm to the unjust makes one person worse than the unjust. Thrasymachus said that justice is what is to the interest of the strongest, as
they make and enforce the laws. Socrates argued that rulers do not always know what their interest is and hence make mistakes but stressed that the rulers must care for the people’s welfare. He added that the life of the just person, despite suffering indignities, is worth living. Socrates stressed that once justice is found in the state, it will apply to the individual. Aristotle distinguished general or universal justice, which applies only in a perfect society, from particular justice. He considered justice as treating equals equally and unequals unequally in proportion to their inequality. For Aristotle, the role of the state is to regulate social life in order to ensure justice. Note that the ancient Greeks and Romans held slavery to be just.

**Medieval Christian Views of Justice**

In both classical and medieval political thought, justice consists of the harmonious ordering of people within society. In Christian theology, justice is used as the term for the nature of God, for human righteousness lost due to sin, and the proper social relationship (Harvey, 1997). As products of their historical contexts and influenced by Plato and Aristotle, Augustine and Aquinas, respectively, developed theological perspectives that ranked knowledge and virtues hierarchically under God’s direction. Medieval thought is theocentric. Augustine made a distinction between the supreme city of God and the error-prone city of humans. Christians have a duty to engage in a just war in defense of their faith. Aquinas ranked laws to include divine law, natural law, and human law, which includes law among nations and internal or national law, to all of which there is a corresponding level of justice attached. Religious teachings reduce human equality to equality before God. Due to a sense of powerlessness in the face of social antagonism and oppression, many attribute the victory of justice to God.

**Modern, Liberal, and Socialist Views of Justice**

The ancient and medieval views subordinated the individual to the common good in the whole society. But the modern, liberal, and social views elevate people’s rights, economic interests, and benefits as the point of departure of justice.

**Machiavelli, Hobbes, Locke, Rousseau, and Bentham.** Machiavelli’s amoral *Prince* is more interested in power than justice. The social contractarians Hobbes, Locke, and Rousseau (in Curtis, 1981) argued that justice did not exist naturally but is a social invention where it replaces instinct in social conduct. Justice is based on fulfilling contractual obligations, including property rights; injustice, breaking them. Moderns reject feudalism as unjust. Justice refers not to equality of outcome but of process and opportunity. Hobbes identified natural or moral laws to include equity, justice, and humility; Locke, with non-interference with the liberty of others. Bentham’s utilitarian philosophy (2010) of justice focused on the greatest good for the greatest number.

**U.S. Constitution.** As representatives of the people, the Founding Parents of the U.S. established the Constitution “to form a more perfect union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty.” In the Federalist Papers (1999), Madison wrote: “Justice is the end of government” (p. 292) and Hamilton said justice “the great cement of society” (p. 88).

**Marx.** Marx’s argued that justice is conditioned by historical and social factors. Marx and Engels argued that “although the working masses share the concept of” justice and injustice, “this is not tantamount to a conscious understanding of the objective historical laws” (Frolov, 1984, p. 208). For Marxism, therefore, “the scientific theory of the history of society cannot base its conclusions on the concepts of” justice and injustice (Frolov, 1984, p. 208). Yet, “these concepts reflect an elemental and instinctive awareness of the operation of these laws” (Frolov,
To illustrate, “the fact that the working masses come to see capitalist society as unjust serves as an indication of this system being historically outdated” (Frolov, 1984, p. 208). Socialist justice calls for distribution based on work; and, communist, from each according to one’s abilities, to each according to one’s needs. Marx believed that justice and equality will exist in a future society where people will collectively administer their common affairs and private ownership of the means of production, such as land and factories, will cease to exist.

United Nations. The United Nations human rights instruments (2002) contain provisions dealing with justice. The U.N. argues that the “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace” (p. 1). It asserts that all humans are “born free and equal in dignity and rights” and that all must “act towards one another in a spirit of brotherhood (p. 2). It stressed the “equal rights” of men and women (p. 4). When one is criminally charged, the U.N. calls for “full equality to a fair and public hearing by an… impartial tribunal” (p. 3). Also, everyone has “the right of equal access to public service” (p. 4), “equal suffrage” (p. 4), “equal pay for equal work” (p. 5), and “education shall be equally accessible to all on the basis of merit” (p. 5). Rights and freedoms can be limited only to secure “respect for the rights and freedoms of others and of meeting the just requirements... in a democratic society” (p. 6).

Rawls. For Rawls (1981), “justice is fairness” (1958, p. 164). Viewing justice as the first virtue of social institutions, Rawls combined several criteria of material justice under the notion of a contract. “The principles of justice are chosen behind a veil of ignorance” (p. 12). “They do not know how the various alternatives will affect their own particular case,” evaluating “principles solely on the basis of general consideration” (p. 136). The principles to determine social institutions are chosen in a procedurally fair way. The first principle is: “Each person is to have an equal right to the most extensive total system of basic liberties compatible with a similar system of liberty for all” (pp. 250; 302). The second principle is: “Social and economic inequalities are to be arranged so that they are both (a) to the greatest benefit of the least advantaged and (b) attached to offices and positions open to all under conditions of fair equality of opportunity” (pp. 87; 302). Rawl’s “First Priority Rule (The Priority of Liberty)” indicates that the “principles of justice are to be ranked in lexical order and therefore liberty can be restricted only for the sake of liberty” (p. 302). His “Second Priority Rule (The Priority of Justice over Efficiency and Welfare)” specifies that “the second principle of justice is lexically prior to the principle of efficiency and to that of maximizing the sum of advantages, and fair opportunity is prior to the difference principles” (p. 302).

Sen. Opposing Rawls’ idealist, utopian, formalistic foundationalism, Amartya Sen (2009) focused on a historical materialist real-world capabilities-approach to justice in people’s lives. The experience of injustice precedes the idea of justice. Instead of espousing Rawls’ building abstract theoretical castles in the air, Sen called for reducing real-world injustice, such as poverty, hunger, disease, illiteracy, and gender inequality, as a way to attain justice. Justice refers to enhancing human capability to lead a good life.

Critical and Postmodern Views of Justice

Feminism. There are many types of feminism, among which are liberal, radical, Marxist, psychoanalytic, post-colonial, eco, and postmodern feminism (Tong, 2008). Despite their differences, different strands of feminism call for justice. Feminists clamor for equal economic opportunities, education, work, and career advancement. They demand equal pay for equal work, equal access to traditionally male-dominated professions and top workplace positions.
**Chomsky and Foucault.** Chomsky and Foucault (2006) discussed about the dialectical relationship between power and justice. Chomsky calls them the “two intellectual tasks” (p. 138). Foucault studied history as his starting point in his analysis of society; whereas Chomsky, vital principles as the basis upon which social reality is investigated. The Foucault-Chomsky debate was ontological: Foucault was a historical materialist and Chomsky was a rational idealist. Epistemologically, Foucault tended towards historical analysis; and Chomsky, rationalism. Foucault focused on power; while Chomsky, on justice. Chomsky viewed justice as the higher goal which guides the struggle against injustice, while Foucault considered justice as a political weapon to fight against economic and political power. Foucault emphasized that “one has to emphasize ‘justice’ in terms of the social struggle” (p. 50). Chomsky paraphrased Foucault as saying that there is a need “to analyze the nature of power and oppression in our present societies” (p. 138). For Chomsky: “A social struggle…can only be justified if it… will be beneficial for human beings and will bring about a more decent society” (pp. 183-139).

**Habermas.** In his theory of communicative action, Habermas (1984) argued that people’s identity and consciousness are shaped by different practices and beliefs as mediated through communicative action, which is based on intersubjective relationships. As with theories of justice, Habermas’ theory of discourse ethics deal with issues of right and wrong, good and bad, and on how standards of ethics can be justified through moral argumentation and reasoned agreement. He aimed to achieve undistorted communication so that agreement on valid norms can be achieved. For democracy to work, Habermas said that there must be public processes of communicative interaction and equal rights of political participation in the public realm.

**Conclusion and Implications to Research and Practice in Education**

**Summary.** Justice is a concern that has permeating through the ages. But its meaning has changed through time. Classical, medieval, modern, and postmodern writers have diverse views.

**Implications.** As Dr. Martin Luther King, Jr. declaimed: “I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin, but by the content of their character.” We aspire to live in a humane society where everyone is treated fairly. Educators are responsible making the learning environment a safe zone for everyone to engage in dialogue. By posing problems and questions, adult and community educators as catalysts have a duty to help raise the consciousness of adult learners and community members. As the meaning of justice changes through time and space, we need to meet today’s demands for justice. Justice has psychological, social, and global aspects. To promote justice from the psychological perspective, there must be zero tolerance for bullying and incivility. From the social perspective, educators and students must study poverty, the situations of women, minorities, indigenous peoples, refugees, and champion environmentalism, human rights, and just peace. Educators can seek policy changes so that the state can balance the rights of conflicting groups and protect the rights of minorities and the vulnerable. Globally, educators need to conduct research on global inequality, global warming, economic globalization, terrorism, foreign debt service, and the market model as well as promote grassroots empowerment, fair trade, and a just world order. Education for justice is important to adult and community education, as it serves as a means to facilitate the development of a more equitable society, where each is treated with respect, dignity, and fairness.
References


Rey Ty, International Training Office, Northern Illinois University, DeKalb IL 60115, rty@niu.edu.