

JOHN RAWLS ON EDUCATIONAL JUSTICE

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Abstract: John Rawls' theory of justice as fairness has profound implications for educational justice. This paper examines Rawls' principles of justice and their application to education, focusing on fairness, equality, and opportunity. Rawls' difference principle and equal opportunity principle are particularly relevant to addressing educational inequalities. The paper argues that Rawls' framework provides a robust foundation for advocating for equitable education policies and practices.

Rawls' theory emphasizes the importance of ensuring that social and economic inequalities are arranged to benefit the least advantaged members of society. In education, this means prioritizing the needs of marginalized and disadvantaged students. The paper explores how Rawls' principles can inform debates on educational resource allocation, access to quality education, and addressing systemic inequalities.

The paper concludes that Rawls' theory of justice offers a valuable framework for promoting educational justice and addressing the needs of the least advantaged students.

Keywords: Rawls, justice, education, fairness, equality, opportunity, difference principle.

INTRODUCTION

The French contract philosopher, Jean Jacques Rousseau, asserts that man is born free and equal but everywhere in chains. The idea of freedom has not only failed but has remained on paper. Experiences show that people are not treated equally and fairly, nor are they given equal opportunities in life. This situation of incessant inequality witnessed in society is one that characterizes the teaching and learning process in schools. In the school situation, we have a misuse of power which has led to mental and physical oppression and marginalization of students based on (in)ability, age, race, social status, social class, differences of ethnicity and sometimes tribal origin. The quest for equality and better understanding of teaching and learning has led philosophers of education, like F. Rizvi (1998) to draw upon a number of classical philosophical discussions of justice and apply them to contemporary education. It is in this light that we shall use the American political philosopher, John Rawls' perspectives on education.

In this paper, we shall argue that if the teaching and learning process is to achieve and attain its aims, then the place of justice in education is primordial. In this sense, we shall be considering how Rawls' justice as fairness can be applied within the school milieu, given the many inequalities that are rampant. These inequalities range from natural handicaps to man-made ones, like discrimination based on age, sex, religion, ethnicity and social status. In this sense, we reiterate the fact that educational justice considered in this paper as fairness is *sine qua non* for an effective teaching and learning process.

This would lead us to naturally consider how the principles of justice and fairness can apply in the classroom

situation. Given that there is already inherent injustice in society such as the glaring case of inequality of age, gender discrimination and ethnicity. How can the concept of educational justice be applied? It is in this light that we shall draw from Rawls' corpus, hence our topic *Rawlsian Perspectives on Educational Justice*.

The purpose of this paper is to use the Rawlsian Original Position approach in establishing educational justice in the teaching and learning process. This approach is supported by Shor (1999, xiii) when he notes that classrooms are laboratories for social justice. In other words, the classroom is the lab for all the important things that one needs to know, especially in one's interactions both within and outside the school milieu. One of these is social justice or educational justice.

In this sense, we can say with Jipson (2000, 173), that knowledge must be valued in terms of its potential to contribute to progressive social change and social justice. We shall examine some of Rawls' concepts and tenets that have a wider application and implication for educational justice.

I. RAWLS ON SOCIAL JUSTICE

The concept of justice in Rawls is so pertinent that it can be seen as the cardinal hinge of his politico-social and moral philosophy. Rawls holds that "justice is the first virtue of social institutions as truth is of systems of thought" (p. 3). He goes ahead to say that each person possesses inviolability founded on justice that even the welfare of society as a whole cannot override. In this light, he maintains that justice denies that the loss of freedom for some is made right by a greater good shared by others. Rawls (1999, 9) goes on to define justice as proper balance between competing claims. He further intimates that justice is the first virtue of social institutions. For him too, it is the first moral virtue.

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When Rawls talks of moral virtue here, we should not think he is setting a moral code. The word 'moral' for him is the same as 'fairness.' By fairness, he means that whatever is just is as a result of a fair procedure. This preliminary consideration leads us to the principles of Rawlsian justice.

II. PRINCIPLES OF JUSTICE

We discuss these principles here because they would be chosen in the Original Position. By Original Position, Rawls means a hypothetical situation where no one has an advantage over another person in a deliberation. This is good because it is the foundation on which fair equality rests. Now we shall turn our attention to the two principles:

The first statement of this principle holds that "Each person is to have an equal right to the most extensive basic liberty compatible with similar liberty for others" (Rawls, 53) and second; social and economic inequalities are to be arranged such that they are both

- (a) Reasonably expected to be everyone's advantage and
- (b) attached to positions and offices opened to all.

These principles advocated are to assign rights and duties and also to regulate the distribution of social educational and economic advantages. We shall dwell very much on the second principle because it has a lot to do with educational justice which is implied in the fair equality of opportunity. This principle holds in the first place that the distribution of income and wealth makes use of differences in authority, responsibility or chains of command. This may not be equal but it must be to everyone's advantage. This also suggests that positions of authority and offices of command must be accessible to all so in the second principle everyone should be able to benefit from all the advantages necessary and if there were to be any injustice at all, it should be to favour the less privileged. This principle has two main parts. The first one concerns social inequalities and the other is economic. For Rawls the substance of the social class requires a fair equality of opportunity. When he talks of fair opportunity of education, he means that those with similar life abilities and skills should have similar life chances (p. 63).

III. FAIR EQUALITY OF OPPORTUNITY

This is a very fundamental Rawlsian position especially when it comes to education. By fair equality of opportunity, Rawls means that those with similar life abilities and skills should have similar chances. None is an opportunity.

III.I. Opportunity

Richard Anderson (1989) and Gerald Cohen (1989, 85) define opportunity as a chance of getting a good if one seeks it. Explaining this further, Samuel Freeman (2007, 469-670) says that in Rawls's mind this requires that any inequalities in primary social goods permitted under the difference principle should be open to all under conditions of fair equality of opportunity. The question raised here is how this can be applied to society since there are many natural artificial and native abilities. To this Rawls maintains that the familiar methods of realizing this requirement are through education. Rawls further opines that school systems should be organized as to remove class barriers. Also, Rawls (1999,50) holds that the basic health care needs to be assured for all, which address

a further cause of unequal opportunity in this theory of justice, anticipate shortcomings from those who would use the family situation which offers different life chances because of the different backgrounds. Rawls (1971, 448) in this connection asks; Does justice require that the family be abolished? To this, he replies that once we take into account the economic clause of the second principle; the difference between different families should be sufficiently mitigated to avoid this conclusion. The economic clause states that systematic differences in wealth and income are justified only where they work to the advantage of the most deprived section of society (p. 65). This leads us to discuss the various kinds of fair equality of opportunity.

IV. TYPES OF FAIR EQUALITY OF OPPORTUNITY

Lesley A. Jacobs (2008, 13) suggests that equality of opportunity is an ideal for the normative regulation of competitions that distribute valuable opportunities in society. It is possible to distinguish three dimensions of fairness that might guide this regulation.

IV.I. Procedural Fairness

Procedural fairness is concerned with the basic rules of procedures that guide competition including the determination of the winners. This fairness is involved or seen at the beginning of whatever is for competition. Expanding further, Jacobs uses the example of boxing matches which are regulated by certain familiar rules - the Queensberry Rules. Some of these rules, like in other games such as football, reflect procedural fairness such as, not punching one's opponents below the waist, no head butting, no swinging after the bell goes to end the round, and so on. With fair matches, there is no agreed upon winner. Instead the winner is determined by the rules beforehand. Such rules involve; who wins by a knock-out or scores the most points in the case of a decision fight. From this perspective, taking procedural fairness to school set up would include the school regulations which maintain that no student be taken or given privileges that others do not have. Also within the school set up, marks should not be sold because not all students can buy or pay for it.

Procedural rules in school would be those that forbid selling of marks or sexually transmitted marks, no treatment of students based on family background. In fact here the treatment of the students should put into practice the Original Position Theory and the veil of ignorance which brackets, as it were, the influences that have nothing to do with the teaching and learning process, and which can lead to injustice and favoritism. In this respect, therefore, procedural justice demands that students are treated with fair equality. This means that all students are treated fairly. This leads us to consider another type of fairness, namely that based on background.

This is a laudable and doable thing within many systems, provided the authorities are people of integrity with a passion for excellence as well as proper delivery and clean marks. Clearly, cheating of any sort, for whatever reason, would produce certificated persons who lack learning, and, eventually, leave everyone in society at risk, when those employed as Doctors or nurses, or teachers, or drivers, or engineers, have the certificates without requisite knowledge. Rawls' appeal here is one that can help salvage not only educational systems but society as well.

IV.II. Background Fairness

In Jacob's (2008) estimation, background fairness reflects a concern that there is a level playing field for all competitors. In the match of boxing, there is still another rule. Jacobs (2004) holds that boxing matches obey another rule or another dimension of fairness. In a competition such as the Olympics, boxers are classified based on their body weight, and fight other boxers of the same category. Underlying this principle is the belief that there is something fundamentally unfair about a match between say a 125 pounds heavy-weight boxer and a 150pounds heavy-weight boxer. If the heavier-weight wins the match, it would be considered unfair even if the procedural rules were respected. In a classroom situation it is recommended that students are also classed according to their ages. This is because the older ones naturally should, and are expected to, reason better than the younger ones. Once this is done, then background fairness would have been respected. This does not in any way preclude those who are tender and yet can reason above their age limits. This second intimations, lead us to stake or goal fairness.

IV.III. Stake Fairness or Goal Fairness

In classical philosophical studies, this would be called the final cause, from the Aristotelian-thomistic philosophy of causality. That is the cause which gives the reason or the goal for something. It answers the "why question." This type focuses on the prizes, awards or rewards, or what is at stake in the competition. In a boxing match, it is the belt; in football, it is the trophy. In education, it is success in the exams and finally the ability to become wise and to grab a job given the qualification.

In the teaching and learning process, the clearest breaches of procedural fairness involve the exclusion of certain classes of students from gaining admission. This is seen in the case of students who cannot attend schools of their choice because of finances, because of race, because of culture and especially because of region. For example, financial success should not translate into better educational advantages; ability to pay fees or others should not affect the educational opportunities which an individual enjoys. At this point, the question is; when is infringement on the fair equality of opportunity justified? Or in other words, when can injustices be allowed in educational set ups? To this Rawls (1997) maintains that an infringement is justified when an inequality of opportunity must be enhanced the opportunities of those with lesser opportunity. This means that inequalities are only accepted to the extent that they favour the disadvantaged in society. Note should be taken here that this is a direct digression from the utilitarian principle which holds that what should be valorized when it satisfies the greater majority of people. In this light, Rawls (1999) at the beginning of his work says theory seems to offer an alternative systematic account of justice that is superior, or so I argue, to the dominant utilitarianism of the tradition. This view of Rawls is shared by Maclaren (2003, 186) who says that all attempts within pedagogy should share a broad objective of empowering the powerless and transform existing social inequalities and injustices.

The last part, namely, Stake or Goal Fairness, is very challenging and very difficult, if not impossible to attain, even by people with the best of intentions. As long as there is 'commercial education,' whose primary objective is profit; as long as governments do not live up to their duty of providing free education for their citizens but use it as a political tool; as long as the private sector are not

given the necessary assistance by the state to provide education for the citizens; problems will persist. Schools will become a commodity in the market. The best schools will charge for their services and select the best candidates; the richest will grab places in such establishments at the detriment of the poor. Rawls' is a call that can only begin to make sense if the government and its stakeholders take it seriously.

CONCLUSION

We set ourselves the task of discussing the Rawlsian perspective of social justice in school which is called *fair equality of opportunity*. In this paper our thesis stated that educational justice had to be taken seriously from the Rawlsian perspective if the teaching and learning process had to achieve their aim and stakes. This thesis has been the focal or controlling point of this work. At this point, we cannot end without considering the position of Kathy Hyllen and Silvia C. Bettez (2011) in this respect; they cite Beane and Apple (2007,7) to maintain that social justice is inherently a part of a democratic way of life. They maintain that democratic citizens value an open flow of ideas, regardless of their popularity have faith in their capacity to work collectively to create a better world, use critical reflections to analyze social problems and policies are always concerned with the welfare of others and work to promote the common good, fight for the rights and dignity of minorities and create institution and value systems that support a democratic way of life. We will end by asserting that if educational justice has to meet its objectives, then it must guarantee equality of opportunity which would ultimately lead to a democratic education which prepares the students to prepare for life.

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