WESTERN PHILOSOPHICAL CONCEPTIONS OF JUSTICE

Attempting to survey the various Western philosophical conceptions of justice leading up to recent educational theory within a few pages is a daunting endeavor, to put it mildly. To this end, we will embark on a very brief survey of several key philosophers within the Western tradition, emphasizing with broad brushstrokes the major themes that each have contributed to our current conceptions of social justice. Through this survey, we shall keep a special eye on points of intersection and divergence from a Christian conception of justice in the hope that we can enrich our own tradition with greater understanding and specificity.

Key Historical Figures

Plato

The Republic of Plato (360 BC) is aimed primarily at the question, "What is justice?" However, because it was written mainly in Socratic dialogue, it is difficult to pin down a single definition of justice that may be attributable to Plato himself. Rather, we hear various conceptions of justice being debated between various interlocutors. On the whole, however, Plato conveys the idea that justice is the ultimate virtue: that justice is a supreme "rightness" (the Greek is "dikaiosune," the same word that is translated "righteousness" in the New Testament) wherein all parts of a society are in perfect balance and aimed at the 'Good' (Plato's "Form of forms"). Society is, at large, what the just man is in miniature: as there are three parts to a man's soul (temperament, appetite, reason) that ought to be kept in proper balance if that man is to flourish, so also are there three parts to the "soul" of the *polis* (soldiers, merchants, and philosophers, each being distinguished by either the predominance of temperament, appetite, and reason, above) that must be kept in similar proportion. Plato's conception of justice, in the end, is utopic: the harmonic balance that characterizes both the just individual and the just society can be achieved if those who are ruled by reason ("philosopher-kings") are also those who rule society.

Aristotle

In his *Nicomachean Ethics* (350 BC/1999), Aristotle articulates more precisely the virtue- theory of justice that Plato had begun to explore (Slote, 2010). Similar to Plato, justice is for Aristotle an all-encompassing ethical idea: "justice often seems to be supreme among the virtues...in justice all virtue is summed up" (V.1.15; p. 69), and this conception will be repeated in the philosophical theology of Aquinas, below. For Aristotle, justice is distinctive for its social dimension: "justice is the only virtue that seems to be another person's good, because it is related to another; for it does what benefits another, either the ruler or the fellow member of the community" (V.1.17; p. 69). Thus, "just is whatever produces and maintains happiness and its parts for a political community" (V.1.13; p. 68).

This conception of justice, above, is what Aristotle distinguishes as "general justice", in that it reflects a "complete virtue" (V.1.15; p. 68). Aristotle then distinguishes it from "special justice", that, justice as manifest in particular ways and in particular situations. Under special justice, there is (1) distributive justice, where "it is possible for one member to have a share equal or unequal to another's" and (2) retributive justice, which "concerns rectification in transactions" (V.2.12; p. 71). He defines the "unjust" person as "unfair," and since the "fair" is, to Aristotle, a Golden Mean between excess and privation, it is possible for injustice to be an action in which there is *too much* or *too little* good. Therefore, "Distributions must accord with worth" and, hence, must be "proportionate" (V.3.7; p. 71).

Thus, the practice of justice inevitably leads to the development and use of currency within the economy of a community: community requires exchange, and justice requires equality of exchange, but not all transactions can be just in the sense that they will be equal*, simpliciter*. Professions are unequal in that the goods they each produce are of differing values, and so they must be equalized through transactions of goods in a way that is fair or proportionate. The rule of proportionate equality, then, requires currency within a highly developed economy (V.5; 74-76).

Aristotle refers to the unjust person as "an overreacher." That is, one who is concerned with only his own good and "without qualification" (Book V, Ch. 1, 9; p. 68). Aristotle distinguishes the unjust in terms of "lawless" and "unfair" (V.2.8; p. 70): one could be lawlessly unjust for failure to obey a law, or one could be unfairly unjust for failure to render to another his/her proper due, whether in accordance with law or not. One entailment of this is that what is lawful isn't always fair, and what is fair is not always lawful. Aristotle also distinguishes between doing/suffering something that *is* unjust (i.e., unequal), and *committing*/*suffering* injustice, such as someone being treated unequally (V.9.3; p. 81). One difference is that suffering injustice is not voluntary, whereas suffering something unjust is done willingly.

Augustine

Within the thought of Augustine, we see a similar principle of justice-as-proportionality at work, but with the distinctly Christian notion that justice must begin with a love of God that supersedes and subordinates our love for all other things. As he writes in the chapter entitled "The Order of Love" from *Christian Doctrine* (A.D. 397):

> Now he is a man of just and holy life who forms an unprejudiced estimate of things, and keeps his affections also under strict control, so that he neither loves what he ought not tolove, nor fails to love what he ought to love, nor loves that more which ought to be loved less, nor loves that equally which ought to be loved either less or more, nor loves that less or more which ought to be loved equally. No sinner is to be loved as a sinner; and every man is to be loved as a man for God's sake; but God is to be loved for His own sake. And if God is to be loved more than any man, each man ought to love God more than himself. Likewise we ought to love another man better than our own body, because all things are to be loved in reference to God, and another man can have fellowship with us in the enjoyment of God, whereas our body cannot; for the body only lives through the soul, and it is by the soul that we enjoy God.

Further on, Augustine describes how and to what extent we are to distribute justice to others:

> Further, all men are to be loved equally. But since you cannot do good to all, you are to pay special regard to those who, by the accidents of time, or place, or circumstance, are brought into closer connection with you. For, suppose that you had a great deal of some commodity, and felt bound to give it away to somebody who had none, and that it could not be given to more than one person; if two persons presented themselves, neither of whom had either from need or relationship a greater claim upon you than the other, you could do nothing fairer than choose by lot to which you would give what could not be given to both. Just so among men: since you cannot consult for the good of them all, you must take the matter as decided for you by a sort of lot, according as each man happens for the time being to be more closely connected with you.

The philosophy of Augustine would later become the leading theological influence on both Thomas Aquinas and the Protestant Reformation. Thus, it has helped form the Christian theory of justice in its broadest sense.

Thomas Aquinas

Like Aristotle, Aquinas defines justice as a *rendering-to-each-his-due*: "Now each man's own is that which is due to him according to equality of proportion. Therefore the proper act of justice is nothing else than to render to each one his own" (ST, SS, Q. 58, Art. 11). Aquinas names justice as a cardinal virtue, of which mercy, liberality, and pity are secondary in the sense that justice would encompass them all. He distinguishes between "commutative justice" from "distributive justice" in the following way: the former refers to the manner in which one individual interacts with another, privately, whereas the latter refers to the manner in which a community acts towards a single person in the way it distributes, proportionately, common goods, such as titles, resources, rights, opportunities (Q61, Art. 1). Aquinas goes on to argue that favoritism is opposed to distributive justice—that justice should be meted out according to the merits of a cause—and he illustrates this with the example of offering a professorship: it would be unjust to offer a position to someone simply because he is a particular man (e.g., Peter); rather, justice requires, by nature of the cause in question, that the position be offered on the merits of the person's knowledge.

Social Contract Theories

In stark contrast to the natural law of justice is the social contract theory of the British materialist Thomas Hobbes. In his famous work *The Leviathan* (1660), Hobbes argues that we find ourselves in a state of nature where "every man is enemy to every man" (Ch. XIII), and thus, we are forced by pure self-interest to lay aside some of our powers and inclinations in exchange for protection under a more powerful magistrate, who metes out "justice" and confers rights in accordance with the rules of a social-agreement. For the atheist Hobbes, "Justice, benevolence, friendship, and love are valued simply for their consequences (Holmes, 1997, p. 97), rather than for any transcendent moral value or intrinsic virtue they may possess.

However, Hobbes' social contract theory was superseded by that of John Locke (1690/1952), who also begins by describing the "state of nature" in which we find ourselves. As a Christian, Locke believed that we are endowed by God with certain natural *rights*, including life, liberty, and the pursuit of property. Here, Locke's theory of ownership bears on the question of justice insofar as justice asks, "To what are we entitled to claim as our own?" Locke most famously asserted that we may take ownership of something when, upon encountering some element or part of nature, we mix it with our labor (p. 17). However, according to Locke, this principle should not promote reckless acquisitiveness:

> The same law of nature that does by this means give us property does also bound that property, too. "God has given us all things richly" (I Tim. vi. 17)…But how far has he given it us? To enjoy. As much as any one can make use of to any advantage in life before it spoils, so much he may by his labor fix a property in; whatever is beyond this is more than his share and belongs to others. Nothing was made by God for man to spoil or destroy. (p. 19)

On the contrary, then, Locke's social contract theory is bound by the Christian principle to take care of one's neighbor in addition to oneself, not out of fear or the need to survive, but out of reverence for God's natural order:

> Every one, as he is bound to preserve himself…so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice to an offender, take away or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another. (p. 6)

Fellow British Empiricist David Hume held, like Aristotle, to a virtue theory—that justice is rooted in the passions or sentiments. However, he argues in *A Treatise on Human Nature* (1739) that the concept of "justice" only arises when we are faced with scarcity and we must answer the question of who will get what limited goods/resources are available,

and on what basis. Hypothetically, if resources and benevolence were universally abundant, then the concept of "justice" would not even exist. Contra Aristotle, justice is a social contract that is social constructed but without any theological or natural underpinnings. That is, justice is not discovered, but *invented*. Likewise, Hume's contemporary Francis Hutcheson, the eighteenth- century Scottish Enlightenment philosopher, shared the view that justice is founded on moral sentiment, and is therefore, a virtue (Slote, 2010). However, he disagreed with Hume's claim that justice was not a natural concept that arises only when human beings are faced with a scarcity of goods/resources. Rather, as a defender of natural law, Hutcheson roots justice sentiments/virtue in the natural order, giving him closer kinship to Aristotle. But even further, Hutcheson asserts Christian benevolence (love) as the cardinal virtue that best serves justice.

It is worth noting, at this point, the implications that one's metaphysical view of the world has on the construction and defense of a theory of justice: those worldviews which presuppose an objective, transcendent moral order (whether in Plato's realm of Forms, Aristotelian essences, or the God of Christian theism) have tended to produce, on the whole, cultures with more optimistic, stable, and compelling accounts of rights, obligations, and duties, historically (Sorokin, 1941; Pera, 2011). Indeed, perhaps the greatest western philosopher since Aristotle, Immanuel Kant, believed that God's existence was one of three necessary "postulates of practical reason": that the concept of justice was best founded upon the presumption that there exists an all-powerful, benevolent moral authority who will balance the scales of justice, if not in this life, but in the life to come. Only such a being can make sense of the kind of moral duty that justice requires.

Kant and the Categorical Imperative

Deontologists like Kant regard duty, and the freedom to fulfill duty for its own sake, as the foundation of ethics. This approach stands against "consequentialist" theories justice, such as hedonism and Hobbesianism, and later, utilitarianism. That is, if it is my duty to perform 'X', then I am just if, and only if, I perform 'X' for the sake of performing 'X' and not for some secondary, contingent reason. How, then, do we determine what it is our duty to fulfill? Kant (1785/1949) famously developed his Categorical Imperative to answer this question, and it states that we must "Always act according to that maxim whose universality as a law you can at the same time will" (p. 94). Thus, to determine whether or not one has a duty towards something, one must ask if we could consistently require it to be followed as law. Stealing, for example, would fail the test, since "thou shalt steal" cannot be universally practiced: property would be meaningless, and, therefore, one would not be able to follow the maxim to steal. Likewise, adultery, murder, and lying fail this strictly logical test. Thus, the ultimate test of whether or not one is fulfilling one's moral obligations is to ask whether or not one is acting out of "the good will."

Though Kant's philosophy has been accused of being too rationalistic in its approach (his Categorical Imperative is designed to be a strictly formal, logical test of ethical action), he leaves us with some important insights regarding the texture of morality and moral actions. For one, he states that we ought to "treat persons as ends, and not as means to some other end" (p. 87). That is, the goods of individuals—i.e., happiness and perfection—are intrinsic, rather than instrumental, to be pursued for their own sake. Further, Kant concludes: "Thus if it is the question of happiness, which is to be my duty to effect as an end, it must be the happiness of other men, whose (permitted) end I thus make my own also. It remains for them to decide what they reckon as belonging to their happiness; but it is open to me to decline much that they reckon to it…" (Kant, 1797/1949, p. 357). However, though it is the duty of each to pursue his own (moral) perfection, Kant regards the idea that one would have a duty to secure the perfection of another as contradictory, since such an enterprise is not under one's control. Perhaps more than any other philosopher before him or since, Kant stresses the importance of freedom as a metaphysical presupposition to moral duty: I can only be justly obligated to perform a duty unless I am free to do so, and my being free to do so is conditioned by my ability to perform it.

Utilitarianism

In stark contrast with Kant is the utilitarian approach to ethics, begun by Henry Sidgwick and Jeremy Bentham and developed in its most recognizable form by John Stuart Mill. Utilitarianism is a teleological (ends-oriented) ethical theory that seeks to maximize the greatest good for the greatest number. One criticism of many classical approaches to justice—or at least, to retributive justice—is that they are merely *backwards-looking*: they seek to correct some wrong that happened only after the fact. Utilitarianism, however, invokes a forward-looking principle: "It bids us maximize utility *now* for a *future* state of affairs" (Thomas, 1993, p. 79). Justice, then, would be what is most fair for the most people. More recently, it has become common for ethicists to further distinguish between *act* and *rule* utilitarianism. Act utilitarianism asks, "Will this action I am about to perform bring about a greater good for a greater number of people?" Rule utilitarianism asks, "Am I following a rule that, when applied universally, tends to bring about a greater good for a greater number of people?" The problem with act utilitarianism is at least three-fold: (1) I can't possibly know the future, and, therefore, I can't know what consequences my act (good or bad) will have; (2) even if we could know the immediate "total impact" of our action, we would be hard-pressed to define a limiting principle—how extensively, and how far into the future must I reckon?; (3) it is far too easy to justify an unjust action based on a "greater good" calculus—if what is right is right *in and of itself*, then ends don't justify means. In this way, Budziszewski (1997) asserts that utilitarianism rejects common sense and falsely equates the rules of justice with the rules of utility, which he takes to be merely rules of expediency. On the contrary: "If justice is the right and the expedient is the useful, then justice and expediency are two different things…For instance, it may be expedient to hang an innocent man in order to placate the mob and prevent a riot; but it cannot be just, and so it must not be done" (p. 162).

John Rawls

Social contract theories, the discussion of individual liberties and natural rights, and utilitarianism have all thrown into relief the famous "One vs. the Many" dilemma of philosophy as applied to ethics in general and justice in particular: should we put more emphasis on the rights of individuals or on the "happiness of all"? In the 20th century, this question has provoked perhaps the most influential treatise on justice to date, John Rawls' *A Theory of Justice* (1971). Therein, he has famously proposed two principles of justice. First, each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others. Second, social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all. (p. 60)

He defines injustice as "inequalities that are not to the benefit of all" (p. 62). Rawls argues his conception of justice by asking us to imagine what we would take to be the rational rules of conduct from a perfectly neutral "original position," where everyone assumes perfect equality, untainted by the knowledge of disparities of wealth, natural abilities, endowments, etc. As he believes that it is what every rational person would choose in "the original position," Rawls advocates an equality of both *liberty* and *opportunity*. Rawls's original position follows Kant's categorical imperative "in the sense that [the principles of justice] apply to us whatever in particular our aims are" (p. 253). In stipulating the priority of justice over efficiency, welfare, and "maximizing the sum of advantages" (p. 302), Rawls clarifies his position over and against utilitarianism.

Rawls's account of justice has been highly influential. In legal philosophy, the application of Rawls's Difference Principle mirrors the "Pareto Principle": "that advantage- taking is permissible only if it works to the long-term benefit of the exploited party" (Murphy & Coleman, 1990, p. 170). As we shall see later, Rawls's theory has also been absorbed into educational theory. However, Rawls's theory is not without its critics. Wallace Matson (1983), professor at Berkeley, has provided a typical critique. While Mattson approves of Rawls's commitment to liberty at the personal/local level, he sees a disconnect between this natural, "bottom-up" conception and Rawls's advocacy of a "top-down" (paternalistic)

approach to distributive justice, as this inevitably limits the practice of personal liberty and freedom. This is because the former is voluntary, whereas the latter is imposed artificially (usually by the government). He, therefore, accuses Rawls of misappropriating the word 'Justice' from its classical "rendering-each-his-due" conception and supplanting it with a "doling-out-pleasure- experiences-equally-all-around" (p. 686).

Feminist Theories

It bears mentioning that in more recent years, feminist ethicists, like Carol Gilligan (1982) and Nel Noddings (2003), have begun to critique the historically typical rationalistic "male" conception of ethics in favor of an "ethics of caring." In subjecting normative ethical questions—such as "What is justice?"—to formal analysis, where we look for the necessary and sufficient conditions under which "X performs some act P which is J" (where "J" is "just" or some other "good" state of affairs), we miss an essential component of what it means to *be* ethical, namely, the internal qualities of the moral agent that motivate and attend the moral act. Gilligan's philosophy marks what has been a fairly recent return to a virtue theory of ethics, and by extension, justice. This resurgence includes many highly influential philosophers who are also advocates for social justice, including G.E. M. Anscombe, Martha Nussbaum, and Christina Hoff Summers.

Summary

From the foregoing, we should note several distinctions within justice theory. First, there is the distinction between *retributive justice* (i.e., administering punishment that is proportionate to a crime) and *distributive justice* (i.e., everyone getting those goods to which they are entitled). We might also add the idea of *restorative* or *compensatory justice* (i.e., that justice which seeks not merely to punish injustice, but to *correct* such injury and amend circumstances to their original state by demanding some kind of repayment). From this, the concepts of *rights* (that to which one is entitled) and *obligations* (duties owed to another) must be acknowledged. Thus, we should keep in mind the differences between *individual* and *civic* justice (duties one has to others in one's community vs. duties the state has to its citizens) and *moral* and *legal* justice (following ethical principles vs. merely following the laws of the land). And finally, we should acknowledge that there are various kinds of goods that justice seeks: material goods (e.g., food, clothing, shelter) and non-material goods (e.g., liberty, equality, opportunity, recognition), instrumental goods (pursued for some greater end, e.g., currency, possessions) and intrinsic goods (pursued for their own sake, e.g., happiness, virtue).

NON-WESTERN CONCEPTIONS OF JUSTICE

As we turn to a brief survey of some non-Western conceptions of justice, two caveats are in order. First, asking what is the precise "African philosophy" or the "Chinese philosophy" of justice may be as ill-formed a question as asking, "What is the North American philosophy of justice?" Once again, we must keep in mind that we are using *extremely* broad brushstrokes, on the theory that to over-generalize is better than to overlook altogether. Second, Christians must listen to these various philosophical voices with discernment. While we may look for what Os Guinness (2010) calls "signs of transcendence" within non-Christian philosophies, we must also note that ethics are always developed alongside metaphysical, epistemological, and, ultimately, theological presuppositions, many of which are at fundamental odds with Christian theism. Though Hobbes and Hume, above, have their insights, we must soberly acknowledge that the denial of the existence of natural justice (e.g., as the Sophists, relativism, pragmatism, postmodernism do), mixed with atheism, has been typically and historically associated with tyranny and oppression (Budziszewski, 1997, p. 40-41). In our assessment of what follows, though we may affirm Confucianism's emphasis on love, we cannot accept the convictions of Confucius and later, Mencius, that humans are inherently *good,* and perhaps even *perfectible* by their own efforts (Chan, 1963); though we may see many Christian parallels to the African concept of *ubuntu*, we cannot embrace a theology which promotes such cultural-ideological openness that it minimizes the urgency of the gospel message; though Indian philosophy may direct us towards an ultimately divine end, we must not confuse its various (pan-)theisms with the God of the Bible.

African Philosophy

African philosophy has been generally characterized by communalism, though Bell (2002) notes that there has been a tendency by those in the West to assume (falsely) an "African *unanimism*" in this regard: that is, that African thought reflects a universal commitment to communitarian conceptions of justice to the extent that it precludes any expressions of individuality whatsoever. Though it is true that, over and against Western philosophy, African thought tends to view community as ontologically prior to individuality, as Battle (2009) explains, the African concept of personhood (*ubuntu*) is that "each individual's humanity is ideally expressed in relationship with others, and, in turn, individuality is truly expressed" (p. 3). Hence, John Mtibi's famous aphorism: "I am because we are: and since we are, therefore, I am" (Bell, 2002, p. 60). This metaphysical concept of the self, then, implies a reciprocal social justice: *ubuntu* means that "we act humanely and with respect towards others as a way of demanding the same from them. Similarly, law, to be worth its name and to command respect, must evince *ubuntu*" (Ramose, 2001).

Chinese Philosophy

Though we cannot reduce Chinese philosophy to the thought of Confucius alone, he holds a place of special distinction, much as Aristotle does in the West, as the apex of Chinese thought (Chan, 1963). Confucian philosophy does not concern itself primarily with the distribution or allocation of social goods (Fan, 2003). That is, "Confucian social justice first concerns the promotion of *right-relevant intrinsic goods*. . .[i.e.], individual rights and liberties, but it cannot include economic values like property and income" (p. 147). As opposed to a more recently Western view of "justice as equality" and the assertion of *rights,* Confucian philosophy conceives of justice as *harmony,* with the most important moral principle being that humans deserve love (p. 149). In this way, the Chinese conception of social justice actually has more in common with the virtue theory of Aristotle (which stresses *eudaimonia,* or "flourishing") and the teachings of Jesus. Confucian social justice, as in Aristotle, can tolerate inequality and asymmetry, even within the requirement to love, in the following way: though every human deserves love, not every human deserves love in the same proportion. For example, love for one's family should supersede one's love for strangers.

Indian Philosophy

Like African and Chinese philosophy above, Indian philosophy is extremely wide and varied. For over two millennia, Indian thought was dominated by an interest in the broader categories of metaphysics (the theory of reality) and epistemology (the theory of knowledge). In general, there have been three main "ways (*yoga*) of life" within Indian tradition, each informed by different literary/epic sources, and each with its own philosophical trajectory (Raju, 1971). These ethical codes are an attempt to synthesize all the various philosophies of India through the epics, (e.g., the *Mahabharata*, of which the *Bhagavad-gita* is a part) These ethical codes—the *dharmasastras* ("sciences of right action") are conveyed through story and song, and are situated in an all-encompassing religious/cosmic view of the universe. Though particular, socially/culturally contextualized rules of justice within Indian thought would require much further study within these vast epics, we may cite some general, representative principles that coincide with most of the other virtue traditions we have surveyed. For instance, Jainism prescribes certain bodily and mental virtues (*dharmas*) that seem to entail the recognition of social justice, among them forgiveness, humility, truthfulness, straightforwardness, cleanliness, self-restraint, and charitableness (p. 111). More recently, however, Indian philosophy has been left "fractured" by British colonialism (Raghuramaraju, 2006, p. 8), though not in an utterly destructive sense: the lingering effects of India's early (and continuing) encounters with Western (particularly British) philosophy have, if anything, created an even greater diversity of thought. Indeed, as "globalism" (perhaps a euphemism for "Westernization"/ "democratization") continues today, all the various world philosophies will continue to enjoy greater dialogue, if not greater agreement.

20TH CENTURY EDUCATIONAL PHILOSOPHY

Before moving forward with 20th century educational philosophy on justice, we wish to relay that although the journal is housed within a school of education, there is a sincere desire, within this journal, to hear from others outside of education. This section does little to share the vastness of educational thought within the 20th century. Rather, we wish to give some introduction and return to Aquinas (1225–1274) who believed, "Justice is a certain rectitude of mind whereby a man does what he ought to do in the circumstances confronting him." Justice, therefore, is an action to a situation, not a passion from the heart. Justice could only be rectified should it be placed within the common good for all people through equality through action, which then also involves the community.

The notion of community has been essential in Catholic doctrine, and we started to hear more of the concept of social justice as it relates to the poor when Pope Leo XIII wrote the encyclical Rerum Novarum on May 15, 1891. First, an encyclical from the Pope within the Catholic Church is a written document of importance given to the Bishops regarding a variety of issues. In Rerum Novarum (Papal encyclicals online, January 2008) Pope Leo was concerned with the conditions of the working poor during a time when the Pope believed the poor were being judged harshly under capitalism. Leo, through this encyclical, hoped to bring justice to the poor by pointing out that the poor were equal in God's eyes to the rich. He also stated without the working poor, society would fail due to the work that the poor provided. He challenged religious people who would use their faith as a means to support the oppression of the poor by using the Gospel message of Christ's teachings as a message to solve the problems of the mistreatment of the poor.

Leo also went on to claim that the working poor would need to be liberated so as to have the opportunity to own land and be freed from the greed of others. Pope Leo also sought to assist people wishing to accomplish such an undertaking for the poor by suggesting the establishment of institutions that would give financial assistance to help workers and their dependents. Leo went further by telling the working poor that they should stand up for their own rights, form unions (but not go on strike or riot), and demand fair wages so they may be able to be fed, clothed, and housed. By taking care of the working poor, Leo was advocating a return to Christian morals that he believed were deteriorating within a capitalistic mindset of looking out for oneself. Government, he believed, needed to be in place for the protection of community and its citizens. Leo still believed in the protection of private property and wrote that the government should secure this right while being able to take care of and ensure the freedom for all people whether they were rich or poor.

Some believe this encyclical was the beginning of the social justice movement of equal opportunity, economic egalitarianism and income redistribution. It needs to be understood that although Pope Leo XIII was in favor of providing for the poor, he was also a proponent of property rights and the right for any person to move up in terms of financial gain while working to provide working justice for others. Today, social justice as a doctrine is firmly planted within the Catholic Church and is being taught in Catholic secondary schools across the United States.

From the Catholic Church tackling the issue of justice or social justice for society, educators began to delve into similar ideas with various people, such as John Dewey at the turn of the 20th century. Dewey advocated for pragmatic ways to teach all children through his writings in *Democracy and Education* but also championed the rights of women and was part of the organizers of the National Association for the Advancement of Colored People. From Dewey sprang a multitude of secular educators and education theorists who closely examined how schools were being run, who was educated, whose children were being educated, and what action could be undertaken to enhance and promote social justice within schools.

The difficulty of this paper is to bring to light the many people who have contributed to the issue of social justice and to share the vision of justice in all segments of life, and not just in the field of education. Within education, people such as Paolo Freire with *Pedagogy of the Oppressed* (Freire, 2006) assisted greatly in the current understanding of not only

how education could enhance the lives of students, but also how education has been a "banking model" (p. 72) that compares the student to an empty vessel that is filled by teachers.

Freire, in opposition to this theory, proposed that the student could be a contributor to his or her own education. *Pedagogy of the Oppressed* also focused on how his own theories of literacy assisted sugarcane workers to read and write within two months and how the promotion of literacy development would bring power to individuals. This seminal book has been both praised for its contribution to rethink the current top-down trends of education but also criticized by conservatives who view Freire as a Marxist sympathizer and a person who favored an overthrow of capitalism due to his Christian belief of empowering the poor. However, his work has greatly influenced other secular work from current educational theorists, such as Henry Giroux, Peter McClaren, Joe Kincheloe, Jonathon Kozol and others. Through these and other writers, we continue a questioning within education of how justice is or is not being delivered in schools, which develops into a rise of different pedagogies, such as inclusion, multicultural education, feminist theories, and moral education.

Due to this openness of educational theories, educators such as Nicholas Burbules (2004) have examined "Jesus as Teacher" and the role of how morals are delivered within schools. Other topics of interest that secular theorists have developed through a social justice lens are the concepts of cultural capital and the hidden curriculum. Cultural capital, what a person brings with him/her to school, is important to understand and develop within a classroom setting whereas the hidden curriculum in basic terms is the understanding that "what is not being taught in schools is as important as what is being taught" (i.e., lack of women in history books tends to tell students that women may not be important contributors to society).

As with any such pedagogy or theory, there are those who will embrace such concepts and those that will oppose it based on ideological or political beliefs. What is clear, however, is that from Plato through Pope Leo XIII to current educators who follow justice as theory within schools, they maintain that their focus is on others. How do we as Christians create systems— such as education—to be a place where all students will be able to learn and excel? It is our intent, therefore, to show that through Biblical integration and the teachings of Jesus Christ that justice is to bring about support for all of God's people who are believers and non-believers.

THE SIMPLICITY OF JUSTICE

Perhaps the most encompassing definition of justice that resonates with both the biblical picture and the deepest, most universal, intuitions of the human heart is that *justice is that state in which everyone receives what is rightful and appropriate*. The distribution or restoration of good and the retribution of evil must be meted out according to some standard of *merit*. But this creates a puzzle for the Christian: If justice means getting what we deserve, mercy *not* getting what we deserve, and grace getting *more* than we deserve, then how is it that justice entails mercy, let alone grace, as Aquinas and other thinkers have asserted? The answer to this question must be couched within God's redemptive framework. As John Calvin (1536/1960) points out, following Augustine, above, when we are commanded to do good to all men (Hebrews 13:16), even though there is little within others that could be judged as meritorious, we do so in view of "the image of God in all men, to which we owe all honor and love" (p. 696). It is for this reason that Jesus also taught that whatever we have done "even for the least of these," we have so done it for him (Matthew 25:40). At minimum, justice demands that we honor God by honoring His image in others.

This principle is not merely a New Testament concept, but it reflects God's plan from the beginning. In his commentary on the Old Testament conception of justice, Bruce Birch (1991) asserts:

> It has not been possible to discuss the prophetic indictment of Israel without already noting the special prophetic concern for the weakest and most vulnerable members of the community…the poor, the needy, the widow, the orphan, the weak…were in need of advocates. The prophets became those advocates, and in so doing suggested that these most vulnerable and their welfare are the most adequate measure of justice and righteousness in the community…The prophetic ethic…seeks a societal order that values the worth of every person before God. Therefore, when any member of the community is denied the resources of full life and worth, the entire community is diminished and broken. (p. 268-269)

The Christian conception of justice, then, is captured in the Hebrew word *shalom*, which indicates "universal flourishing, wholeness, and delight—a rich state of affairs in which natural needs are satisfied and natural gifts fruitfully employed, a state of affairs that inspires joyful wonder as its Creator and Savior opens doors and welcomes the creatures in whom he delights" or, even more simply, "*the way things ought to be*" (Plantinga, 1995, p. 10). As Wolterstorff (1981) concludes, "Our work will always have the two dimensions of a struggle for justice and the pursuit of increased mastery of the world so as to enrich human life. Both are necessary if *shalom* is to be brought nearer" (p. 72). This kind of all-encompassing justice, required by a holy God, anticipated the coming work of Israel's messiah. As Inch (2010) points out, "the ultimate sacrifice is that of self. This embodies justice/mercy, along with other righteous attributes" (p. 96), this principle is embodied in our Lord and Savior Jesus Christ, who satisfied the justice of God by offering himself freely.

Thus, the Christian now stands before a just and holy God only on the merits of Christ's own righteousness that has been imputed to us through his shed blood for the forgiveness of sins. The righteous demands of the law—the legal expression of God's justice—were satisfied when Christ was put to death and suffered the torment of hell in our place. It is only on the basis of this transaction, the just for the unjust, that we can be granted mercy and grace. It is in light of this transaction that was freely offered to all that God demands from us a justice that is seasoned liberally with grace and mercy. To the one who is the recipient of mercy and grace, "rendering to each according to his due" now means something radically different than to one who has not received God's mercy: if the "new commandment" (John 13:34) is to "love your neighbor as you love yourself," (Luke 10:27; Romans 13:9; Galatians 5:14) then to regard others unmercifully when one has received mercy is to elevate oneself above them, and thus, to treat others unjustly.

This principle is illustrated in Christ's parable of the man who owed a great sum of money that was impossible to pay, and yet was forgiven when he begged for mercy (Matthew 18:23-35). This same man then turned around and demanded "justice" from his neighbor over a paltry sum of money. Justly, the king who had forgiven the first man's debt threw the wicked man in prison until he could pay back everything he had originally owed for failure to treat his fellow man with mercy just as he had been shown mercy. Though the mercy that should have been extended to the second debtor was in no way equal to the massive debt owed by the first debtor, the first debtor's ability to show "equal justice" was proportionate to that of the king: he had the opportunity to reflect the character of his king on a smaller, but corresponding scale. Thus, his failure to do so reflected a heart that had not truly internalized, and therefore not truly *received,* the grace and mercy that had been offered. His actions showed a crass disregard for carrying out the will or the favor of the king past his own selfish circumstances. This parable is a sober warning to all who would invoke the name of Christ and yet not regard their neighbors with a similar love. Rather, Romans 13:8 tells us that love fulfills the entire law, and so if Christ's love is working itself out in us, this is evidence that God's righteous law has been written on our hearts (Jeremiah 31:33), overflowing in mercy and justice.

While Christianity, by its nature, cannot assimilate completely all the many views of justice surveyed in this short piece, let alone that exist/have existed in the world, Christian theology affirms that there *is* a common, universal moral sense

within humanity which, though it is marred by sin, continues to manifest itself across time and culture. In *The Abolition of Man*,

C.S. Lewis (1944) provides an appendix to his brief treatise on morality that categorizes and catalogues various ethical norms from a wide variety of ancient sources. These include laws of general beneficence, laws of special beneficence, duties to parents, elders and ancestors, duties to children and posterity, the law of justice, the law of good faith and veracity, the law of mercy, and the law of magnanimity (p. 91-109). This list draws from Egyptian, Babylonian, Jewish, Greek, Roman, Christian, Anglo-Saxon, English, Chinese, Hindu, Norse, and (Australian) Aboriginal wisdom literature that spans millennia. What is striking is the degree of convergence towards, rather than a divergence from, a common ethical core of beliefs. As a Christian theology affirms that God's law embedded in (Romans 2:15: "written on") the human heart, regardless of one's national origin, ethnicity, or culture, we may happily survey non-Western traditions as illustrative that justice is a universal principle which all people groups recognize and presuppose.

So, we begin our travels within the Justice, Spirituality, and Education Journal. It is our prayer and hope that we, as a community, of many believers, occupations, and walks of life, that people may learn from one another how justice is being taught, implemented, and obtained throughout our academic halls, within society, and our world. Show us how, within your discipline or belief, how the two greatest commandments to love God, and your neighbor as yourself is being demonstrated to others.

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