



Department of Political Science

Course of Political Philosophy

**John Rawls's Theory of Justice and Its Implications for
Educational Policy: An Examination of Foundations and
Applications**

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INTRODUCTION

1. Introduction to John Rawls's Theory of Justice as Fairness

The pursuit of a just society has long stood as a central aspiration of political philosophy.

In the latter half of the twentieth century, John Rawls, highly influential American political philosopher, profoundly reshaped this discourse by introducing the principle of “justice as fairness”, through his seminal work *A Theory of Justice* (1971).

Rawls set out to develop a picture of the best that a Democratic society could look like — a “realistic utopia”, as he himself puts it¹.

This powerful doctrine offers a compelling alternative to the two prevailing doctrines of the 20th century: utilitarianism, the dominant ethical and political theory, entailing that the morally right action or policy is the one that maximizes overall happiness or "utility" for the greatest number of people; and intuitionist approaches, which held that moral truths are known directly through intuition, without necessarily relying on a single, overarching principle or systematic theory.

Rawls's theory of justice posits that principles of justice for the basic structure of society — its major social, economic and political institutions — should be chosen under conditions of impartiality².

Rawls's doctrine is primarily underpinned by two fundamental principles; the first principle, the “*Liberty Principle*”, posits that “*Each person has an equal claim to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all; and in this scheme the equal political liberties, and only those liberties, are to be guaranteed their fair value*”³. With “*basic liberties*” is meant a specific set of fundamental rights and freedoms that are considered to be essential. This set of liberties is deemed vital for individuals to develop and exercise their “moral powers”, meaning their capacity for a sense of justice, alongside their capacity to form, revise and pursue a conception of the good life⁴. The aforementioned list includes:

- **Political liberties:** The right to vote, to hold public office and freedom of speech and assembly.

¹ Rawls 1971.

² Ibid.

³ Ibid.

⁴ Rawls 1971, 53–54.

- **Freedom of thought and conscience:** The right to hold and express one's own beliefs, including religious, philosophical and moral ones.
- **Freedom of the person:** This encompasses freedom from psychological oppression, physical assault and dismemberment (integrity of the person). It also includes the right to hold personal property.
- **Rights and liberties covered by the rule of law:** This ensures due process and protection from arbitrary arrest and seizure.

In essence, the Liberty Principle establishes a foundational floor of rights and freedoms that every individual in a just society must possess equally and these rights are given paramount importance, serving as a non-negotiable prerequisite for any further considerations of social and economic arrangements⁵.

The second principle, is subdivided in two parts, "*Fair Equality of Opportunity*" and "*The Difference Principle*"; it claims that "*Social and economic inequalities are to satisfy two conditions: first, they are to be attached to positions and offices open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least advantaged members of society, consistent with the just savings principle*"⁶.

Fair Equality of Opportunity entails that everyone with similar talents and willingness to use them should have genuinely equal chances to attain desirable positions, regardless of their social background; while the *Difference Principle* implies that any disparities in wealth or income are only justified if they ultimately improve the absolute well-being of those who are worst off in society⁷.

The second principle also includes a reference to the "*Just Savings Principle*".

This pivotal component of Rawls's Theory of "Justice as Fairness", addresses the question of intergenerational justice, meaning what previous generations own to future ones. It's often seen as a constraint on the Difference Principle, ensuring that the current generation doesn't exploit future generations for its own benefit.

The primary aim of the Just Savings Principle is to ensure that each generation saves an appropriate amount of *real capital* (which includes not just material wealth, but also knowledge, culture, techniques and skills) to establish and maintain just institutions over time. It's not simply about making future generations wealthier for wealth's sake, but about ensuring they inherit a societal structure capable of sustaining justice⁸.

In order to operationalize these principles, Rawls postulates the concept of the "*Original Position*", a hypothetical thought experiment designed to determine the principles of justice that rational individuals

⁵ Ibid., 55.

⁶ Ibid., 75–76.

⁷ Ibid., 76–77.

⁸ Ibid., 233.

would agree upon for the basic structure of their society⁹. Deliberating behind a “*Veil of Ignorance*”, individuals are deprived of knowledge about their own social standing, natural talents, or personal conceptions of the good. This ensures that the chosen principles are fair to all, as no one can tailor them to their own advantage¹⁰. Given the potential for any individual to occupy any social position, including the least advantaged, the parties would rationally select principles that safeguard the fundamental rights and welfare of all, with particular consideration for those in the most vulnerable circumstances. Thus, in a self-contained logic, Rawls precisely derives the two aforementioned principles from this experiment: the Liberty Principle and his Second Principle, comprising the Difference Principle and Fair Equality of Opportunity. This is owing to the fact that, according to the assumptions posited by the *Original Position*, the involved parties would naturally choose to construct a society founded upon the tenets of the aforementioned principles, being unaware of the position they will occupy once the *Veil of Ignorance* is lifted¹¹.

2. The Place of Education within Rawls’s Ideal Theory

While Rawls himself did not dedicate a standalone treatise to education, his theory of justice as fairness inherently imbues the educational system with a pivotal role.

Education, within a Rawlsian ideal theory, is not merely a means for individual advancement but a fundamental institution critical for realizing both fair equality of opportunity and for cultivating the civic virtues necessary for a stable and well-ordered society¹².

Rawls’s doctrine posits the educational system as a foundational element for his *Fair Equality of Opportunity Principle*, establishing it as the primary mechanism through which the arbitrary effects of social and natural contingencies can be mitigated, ensuring that individuals with similar talents and aspirations have genuinely equal life chances, irrespective of their social origins¹³. Indeed, the educational system proves to be one of the pillars upon which a social structure rests, being responsible for the formation of its future adult population.

Various studies conducted across the United States and England demonstrate how economic and social disparities, such as belonging to a particular ethnic group or growing up in a low-income family, among

⁹ Ibid., 136–137.

¹⁰ Rawls 1971, 138.

¹¹ Ibid., 138–139.

¹² Daniels 1996, 174–175.

¹³ Ibid.

others, account for a very large share of future inequality, despite being circumstances solely determined by chance.

For instance, as shown by the study “*Race and Economic Opportunity in the United States: An Intergenerational Perspective*” by Raj Chetty, Nathaniel Hendren, Maggie R. Jones, and Sonya R. Porter, conducted in the United States, Black children born to low-income parents have just a 2.5% chance of ending up in the richest fifth of household as adults. Conversely, for white children born into families with the same income the chances of reaching that level of household income as adults, are up to 4 times higher¹⁴. In the restructuring of the educational framework, Rawls underscores the paramount importance of the distinction between formal and substantial equality, asserting that the latter is crucial for genuinely securing the impartial cultivation of individual capacities, irrespective of underlying socio-economic disparities that bear no correlation to an individual’s innate talents and predispositions¹⁵.

Formal equality, indeed, which underpins the current educational system, among others, proves insufficient to mitigate or substantially diminish the influence of these factors, thereby yielding only ostensible equality of opportunity.

Adjusting the education system following a Rawlsian perspective, conversely, would entail undertaking the task of minimizing these differences, not solely by prohibiting overt discrimination against certain categories, as well as necessitating proactive intervention from the relevant institutions¹⁶.

Furthermore, a just educational system is instrumental in fostering the “sense of justice” and the capacity for “public reason” among citizens, enabling them to understand, endorse and uphold the principles of justice that govern their shared societal life.

Thus, examining education through the lens of Rawlsian justice offers a normative framework for assessing existing educational structures and proposing reforms aimed at greater equity and civic cohesion¹⁷.

3. Research question and Thesis Structure

This thesis undertakes a comprehensive exploration of the intricate relationship between John Rawls’s theory of justice as fairness and the aims and structure of educational systems.

¹⁴ Chetty et al. 2019

¹⁵ Daniels 1996, 176.

¹⁶ Ibid.

¹⁷ Ibid., 177.

The central research inquiry guiding this investigation is: *How do the principles of justice as fairness, particularly the concepts of fair equality of opportunity and the development of a sense of justice, inform the structure and aims of education?*

To address this question, this thesis is structured as follows:

- The first Chapter will delve into the foundational role of fair equality of opportunity within Rawls's framework, emphasizing the distinction between substantial and merely formal equality and providing evidence for the greater efficacy of the former at the expense of the latter, which, in practice, fails to cultivate fertile ground for egalitarian development, free from the influences of fundamental socio-economic factors arbitrarily determined at birth. It will critically analyze how educational barriers perpetuate inequalities and explore the practical implications for resource allocation and targeted intervention programs, such as robust early childhood education.
- Chapter 2 will focus on the main critiques to Rawls's Ideal Theory, providing a critical engagement with major philosophical challenges to Rawls's theory as they pertain to education. This includes left-wing critiques, ranging from socialist/Marxist and feminist groups, as well as right-wing and communitarian objections, presenting potential Rawlsian responses to each.
- In the third Chapter the focus will shift to the crucial role of education in fostering civic virtues, a sense of justice and public reason, examining practical pedagogical approaches while addressing the challenge of avoiding indoctrination in a pluralistic society.

At last, a Conclusion will synthesize the findings and reaffirm the strengths of a Rawlsian framework for education, offering policy recommendations and suggesting avenues for future research.

4. Research Objective and Significance of the Study

This study holds significant relevance for both theoretical and practical discussions surrounding education. Philosophically, it contributes to a deeper understanding of how a highly influential theory of justice can be applied to a vital social institution, bridging the gap between abstract principles and concrete policy implications. More broadly, this highlights that philosophy, particularly political philosophy, is not an entirely abstract discipline detached from reality, but rather a valuable tool that can serve as a foundational starting point or a guiding framework for improving our societal structures.

Practically, by grounding educational reform in a robust theory of justice, this thesis aims to provide a principled basis for advocating for more equitable and effective educational systems.

This thesis aims to show, with solid evidence, why an education system based on Rawls's Theory of Justice should be supported and encouraged. Such a system would not only create fairer and more equitable chances for social mobility and talent development in education, but also, through its wider impact, help build a more just, well-organized and civically active society, especially since schools are key to developing future citizens' skills.

In an era marked by persistent social inequalities and challenges to democratic cohesion, a Rawlsian perspective offers a powerful normative compass, guiding efforts to ensure that education truly serves as a cornerstone of a just and fair society for all its members.

CHAPTER 1

Fair Equality of Opportunity - Education as a Mechanism for Social Justice

1. The Priority of Fair Equality of Opportunity in Rawls's Principles of Justice

In John Rawls's comprehensive theory of justice, the principle of Fair Equality of Opportunity occupies a critical and lexically prior position within the Second Principle of Justice.

Rawls stipulates that social and economic inequalities are permissible only if they are “*attached to offices and positions open to all under conditions of fair equality of opportunity*” and are “*to the greatest benefit of the least advantaged members of society*”¹⁸.

For Rawls, economic justice is not only about ensuring that there is a fair competition for different positions, but about making sure that the “prizes” attached to those positions — income, wealth and social prestige — are likewise fairly distributed¹⁹.

The lexical priority of Fair Equality of Opportunity means that it must be satisfied before the Difference Principle can come into play, entailing that society cannot justify greater benefits for the least advantaged by compromising genuine equality of opportunity²⁰.

This prioritization underscores Rawls's conviction that opportunities should not be determined by morally arbitrary factors.

Rawls's core idea is that a just society should mitigate the influence of “morally arbitrary” factors on a person's life chances²¹. Both Natural Talents and Social Circumstances (like wealth and education level of parents) are arbitrary factors. However, the Fair Equality of Opportunity Principle only aims to neutralise the impact of these Social Contingencies. Natural talents, conversely, are not within the purview of Fair

¹⁸ Rawls 1971.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Rawls 1971.

Equality of Opportunity and cannot be equalized or standardized through state intervention, as such an endeavor would contradict the very essence of the Second Principle²².

As previously noted, there exist innumerable factors, attributable solely to chance —what has been referred to as Social Contingencies — which even today account for an extremely large share of future adult earnings, particularly for individuals within the richest and poorest social strata.

The factor which is primarily responsible for this gap in educational possibilities among “social classes” is indeed parental or family resources²³. There are plenty of ways to assess the impact of this factor in children’s future earnings, but the most widely used and readily available measure is indeed the relationship between parental income or earnings and what children are going on to earn as adults. This is what is generally referred to as “social mobility” or, to be precise, “intergenerational income mobility”²⁴.

As mentioned earlier, Intergenerational Income Mobility refers to the extent to which a person’s economic status in adulthood is influenced by the economic status of their parents or family during childhood²⁵. A high social mobility suggests that individuals have a greater chance to achieve economic success based on their own talents and efforts, rather than being constrained by their family background. Conversely, low mobility implies that an individual’s economic outcomes are strongly tied to their parents’ economic standing²⁶.

In a society with perfect equality of opportunity, we would expect to see a weak relationship between parental resources and children’s future earnings. Children from rich and poor backgrounds would benefit from the same kind of schooling, have access to the same universities, compete for the same kind of jobs and hence end up with similar pay. As a result, we would expect high levels of social mobility, meaning a child born into a poor family would have a similar chance of ending up rich as a child born into a rich family would have of ending up poor²⁷.

A just society, therefore, must strive to mitigate the influence of these arbitrary factors, ensuring that individuals with similar abilities and aspirations have genuinely equal life chances, regardless of their social origins. *Fai Equality of Opportunity* is thus a cornerstone for achieving a meritocracy in the most robust sense, where success is genuinely tied to effort and talent rather than inherited advantage.

²² Chandler 2023.

²³ Sun 2023.

²⁴ Lampl 2012.

²⁵ Chetty et al. 2019.

²⁶ Ibid.

²⁷ Heckman et al. 2010.

2. Distinguishing Formal Equality from Fair Equality of Opportunity in Education

The distinction between Formal Equality of Opportunity and Fair Equality of Opportunity is crucial, particularly in the context of education.

Formal Equality of Opportunity — often termed “careers open to talents” — is the most basic and common understanding of equal opportunity. It means that positions of advantage (like jobs, educational institutions, or offices) are legally and formally open to all, entailing official elimination of all legal barriers geared towards overt discrimination against specific categories²⁸.

This means that, in principle, everyone has the right to compete for any position and discrimination based on race, gender, religion, or social origin is prohibited.

However, this type of equality entirely fails to mitigate the intrinsic distinctions among various social classes or to implement methods for reducing bias among recruiters or the population more generally, thereby providing only apparent, or indeed “formal”, equality and equal opportunities²⁹.

Thus, Rawls posits that this type of equality is incapable of securing authentic justice. As previously noted, while *Formal Equality of Opportunity* removes overt discrimination, it doesn’t account for the starting point of individuals. If people begin the race of life from vastly different positions due to their social circumstances, merely opening the gates doesn’t make the race fair.

Fair Equality of Opportunity, on the other hand, demands significantly more.

It recognizes that merely removing legal barriers is insufficient if individuals from disadvantaged backgrounds lack the actual capacity to compete effectively, as even without explicit discrimination, social and economic factors can profoundly influence an individual’s life chances³⁰.

It is for this very reason that Rawls positions this concept as a cornerstone of his Second Principle, a concept so closely aligned in theory yet so radically divergent in practice from its counterpart — *Formal Equality of Opportunity*³¹.

²⁸ Rawls 2001.

²⁹ Chandler 2023, 1–432.

³⁰ Daniels 1996.

³¹ Chandler 2023.

Fair Equality of Opportunity demands that individuals who have the same natural talents and abilities and the same willingness to use them (*ambition*) should have roughly equal prospects of success, regardless of their social class, family background, or inherited cultural capital.

Fair Equality of Opportunity requires society to actively compensate for “*Social Contingencies*” – the arbitrary circumstances of one’s birth. It requires to take proactive steps to level the playing field, rather than merely outlaw unmistakably discriminatory attitudes³².

In the educational sphere, this translates into a mandate for institutions to actively compensate for social contingencies. It implies that the state must ensure that educational opportunities are not just formally open, but genuinely accessible and effective for all, irrespective of their family’s income, social class, or cultural capital.

Specifically, it is imperative that every student be assured access to high-quality education from early childhood, thereby ensuring that children from disadvantaged backgrounds are provided with the requisite resources and support to cultivate their innate capacities³³. Thus, this principle is not solely tasked with mitigating economic disparities among the populace by ensuring all students have access to high-quality education; it furthermore aims to support students who commence their schooling at an academic disadvantage, through programs and funding models specifically designed to offset the effects of poverty, adverse neighborhood environments, or a lack of cultural capital³⁴.

The aim is to cultivate an environment where individuals of comparable inherent ability, irrespective of their socio-economic origins, are provided with genuinely equivalent prospects for academic and professional advancement³⁵.

Without *Fair Equality of Opportunity*, Formal Equality can become a hollow promise, where the race for advantage is fair only in name, but not in actual starting conditions.

3. Educational Barriers and Social Contingencies: A Rawlsian Critique

³² Owings & Kaplan 2024.

³³ Baker 2021.

³⁴ Stevens & Schaller 2011.

³⁵ Ibid.

John Rawls's theory provides a sharp critique of existing educational systems, particularly those prevalent in many liberal democracies.

His core criticism precisely stems from the arguments outlined in the foregoing discussion: the distinction between *Formal Equality of Opportunity* and *Fair Equality of Opportunity*.

This Rawlsian critique of existing educational systems elucidates the persistent pervasiveness of educational barriers and social contingencies within current educational frameworks and demonstrates how the principle of Formal Equality of Opportunity, which is the prevalent form of equality in many liberal democracies, has proven inadequate in addressing and mitigating such inequalities, thereby undermining effective Fair Equality of Opportunity³⁶.

These barriers are not merely the result of overt discrimination but stem from deep-seated structural inequalities. The existing educational systems, while perhaps formally open, fail to address those deeper, structural inequalities, which, even today, represent the principal source of disparity in the future academic and professional prospects of students³⁷. Factors such as family socio-economic status, neighborhood quality, access to quality early childhood development, parental education levels and inherited cultural capital all significantly impact a child's educational trajectory³⁸.

Existing educational systems often perpetuate inequalities rather than ameliorating them. Children from affluent backgrounds benefit from superior schooling, enriched home environments and access to extracurricular activities. Conversely, children from disadvantaged backgrounds frequently attend underfunded schools, have limited resources and face additional challenges outside the classroom — namely poverty, related health issues or unstable home environments³⁹.

These disparities mean that two individuals with identical natural talents may have vastly different educational outcomes simply due to the arbitrary circumstances of their birth.

Many current funding models for education — those relying heavily on local property taxes — are a direct consequence of this flawed system, that further exacerbate inequalities, leading to thriving schools in wealthier areas, while those in poorer areas struggle⁴⁰.

³⁶ Chandler 2023.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Chandler 2023.

⁴⁰ Daniels 1996.

From a Rawlsian perspective, current systems fail to adopt the necessary compensatory measures. Remedial programs and additional funding for low-income schools are often seen as charity rather than a requirement of justice⁴¹.

Rawls criticizes existing educational systems for failing to move beyond a superficial understanding of equality, thus failing to perceive the inherent injustice that characterizes the current educational model, which reflects unearned advantages or disadvantages rather than genuine merit or effort⁴².

4. Funding Models and Educational Inequality: The Systemic Challenges of Tax-Dependent Resource Allocation

To recognize how financing for public schools can lead to inequality, it is essential to understand how funding works in the first place.

Public Education in the United States is funded by a mix of *local* (44%, mainly property taxes), *state* (48%, e.g., income/sales taxes) and *federal* (8%, e.g., grants like Title I) sources⁴³.

Local funding is typically regressive, meaning districts with higher property values raise significantly more funds, leading to large disparities based on socioeconomic status. State funding methodologies often attempt to be more *progressive* to correct this, and federal funding is also generally progressive, targeting low-income students. However, even with state and federal aid, local property taxes remain a dominant funding source, perpetuating *per-pupil expenditure* disparities⁴⁴.

According to *Chingos & Blagg (2017)*, nonpoor students are enrolled in districts that receive over \$3,000 more in local funding than their poor counterparts⁴⁵.

Due to this disparity of funding between districts, schools are more segregated than at any point in recent history. In her study, “School Funding: Inequality in District Funding and the Disparate Impact on Urban Migrant School Children”, Dr. Rachel R. Ostrander highlights a complementary dimension of this problem:

⁴¹ Chetty et al. 2019.

⁴² Sun 2023.

⁴³ Ostrander 2015.

⁴⁴ Ibid.

⁴⁵ Chingos et al. 2017.

specifically, the difficulties and disadvantages faced by students from immigrant families in the United States⁴⁶.

Dr. Ostrander posits that the increasing population of Latino and Black children in schools has coincided with their heightened segregation into underfunded districts, pointing once again to the strong correlation between educational and residential segregation⁴⁷.

Under-funded and underachieving schools suffer from a lack of resources, which deters experienced and well-credentialed teachers from working there, causing talent to gravitate towards better-funded districts. This unequal distribution of resources directly questions whether children are receiving an adequate education, forcing pupils in underfunded schools to undertake a considerably more challenging and strenuous path to become productive members of society. The cycle perpetuates as inadequately educated individuals remain in low-property-value areas, sending their children to similarly underfunded schools⁴⁸.

The article also criticizes the contemporary focus on educational outputs and standardized testing — like Common Core, following No Child Left Behind — as measures of adequacy. This outcomes-based assessment, which links funding to performance, exacerbates existing inequalities. Schools with fewer resources often lack the technology and quality educators required to achieve high test scores, leading to a self-perpetuating cycle where low-performing schools — often with predominant urban and migrant demographics — lose funding, making it even harder for them to improve⁴⁹. “Teaching to the test” replaces genuine understanding and punishing already disadvantaged schools by withholding funds is highly counterproductive. Furthermore, these tests often fail to account for the divergent backgrounds and language barriers of urban and migrant children⁵⁰.

Now more than ever, forceful federal legislative intervention is requisite to engender profound transformation within the educational system and to bring an end to this perpetual cycle of intergenerational disparity. Drawing a crucial lesson from the desegregation era, Dr. Ostrander notes that meaningful change only occurs when court decisions are backed by statutory law. The decentralized nature of U.S. public education policy, with accountability spread across federal, state and local levels, currently hinders progress.

⁴⁶ Ostrander 2015.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Lampl 2012.

Even though courts have already begun to see the pressing need for change, without legislative follow-up, court decisions alone cannot achieve genuine equality of opportunity for all school children⁵¹.

It is now more imperative than ever to fundamentally revise the underlying premises of the education funding system. The subsequent discussion will precisely address this imperative, aiming to propose an alternative capable of promoting a more equitable distribution of funds, thereby guaranteeing a quality education for all students.

5. Funding Models and Disadvantaged Schools

The commitment to *Fair Equality of Opportunity* carries significant implications for resource allocation within the educational system.

A growing body of high quality economics of education research concludes that if we want public schools to serve all children well, we must provide them with adequate and equitable funding⁵². Educational policies that ensure sufficient funding and resources for student instruction (adequacy), alongside fiscal fairness that accounts for diverse student learning needs (equity), can serve as significant catalysts for fostering upward social mobility and mitigating adult income disparities over the long term⁵³.

To genuinely level the playing field, a just society must adopt compensatory measures.

In order to operationalize the conclusions derived above, I endeavor to foster the adoption of a relatively new and evolving conceptual framework that extends the principles of *Critical Theory* (CT) and other related approaches, particularly in the context of analyzing and addressing inequities in the distribution and allocation of resources: *Critical Resource Theory* (CReT)⁵⁴.

In their book “*Equity Audits and School Resource Allocation: Applying Critical Resource Theory to Increase Equal Opportunity in Schools*”, Drs. William A. Owings and Leslie S. Kaplan, aim to employ *Critical Resource Theory* (CReT) as both a conceptual lens and an analytical framework to address the pervasive issue of inequality within American education⁵⁵.

⁵¹ Ostrander 2015.

⁵² Owings and Kaplan 2024.

⁵³ Daniels 1996.

⁵⁴ Owings and Kaplan 2024.

⁵⁵ Ibid.

As mentioned above, *Critical Resource Theory* (CReT) builds heavily on *Critical Theory*, which originated with the Frankfurt School. *Critical Theory* aims to critique and transform society by analyzing systemic power relations. It argues that knowledge, social structures and institutions are often shaped by power dynamics between dominant and oppressed groups and it seeks to expose and challenge these dynamics to achieve human emancipation⁵⁶.

A further foundational element of *Critical Resource Theory* is *Resource Dependence Theory*, focusing on how organizations secure the resources they need to survive and thrive and how this dependence creates power imbalances. CReT draws on this to analyze how powerful groups control and allocate resources⁵⁷.

Ultimately, *Critical Resource Theory* is largely informed by *Critical Race Theory*, that examines how race and racism have shaped legal systems and societal structures, often leading to systemic inequalities. CReT integrates this focus to understand how racial biases influence resource distribution.

Critical Resource Theory posits that throughout history, influential groups — those with economic, political and social power — actively shaped societal norms, policies, institutions and practices in ways that primarily benefit themselves and their allies, often at the expense of disadvantaged or marginalized groups. It argues that resource inequities are not accidental but are often the product of deliberate choices and systemic biases embedded within public funding policies and resource allocation mechanisms⁵⁸.

Critical Resource Theory avails itself of data, including quantitative analyses of public funding, to empirically identify, diagnose and document these inequities. This evidence is then used to inform policy and advocate for more equitable outcomes.

A key goal of CReT is to make resource inequities transparent, bringing them to public attention and informing decision-making processes. It serves as a tool for scholars, policymakers and advocates to argue for reforms that lead to fairer distribution; it is not just about understanding inequities but about actively working towards their transformation. It seeks to challenge existing power structures and generate more equitable opportunities and outcomes, particularly for underserved populations⁵⁹.

In education, CReT is used as a conceptual lens to examine how school funding policies and resource allocations create or perpetuate disparities among schools and students. For instance, it can reveal how reliance on local property taxes for school funding can inherently disadvantage schools in low-income communities.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

It supports research that uncovers funding disparities, analyzes their impact on student outcomes and then proposes policy solutions that prioritize equity, such as progressive funding formulas or targeted interventions for disadvantaged schools and students⁶⁰.

Inequality is context dependent: it may mean different things to different people in different places and at different times. More than simply a measure of income and buying power, inequality is impacted by distinct yet overlapping factors.

Disparities in student achievement often correlate with socio-economic background rather than student effort or talent⁶¹.

The study at hand critiques the normalization of these inequities and argues that current funding models often perpetuate them.

In the United States, a continuous rise in income inequality is evident from 1979 to the present, a trend similarly observed in Western Europe. The study argues that inequality is fundamentally a social construct, rather than a natural economic phenomenon. It asserts that inequality arises from human thought and interaction, sustained by collective agreement and is shaped by power dynamics⁶².

Complicity additionally contributes to the perpetuation of inequality, inasmuch as individuals frequently derive benefit from, or normalize, inequitable systems, even if inadvertently. However, being a social construct, inequality is inherently reversible and subject to alteration, frequently catalyzed by major societal shocks like social movements or crises. Despite resistance from elite groups who profit from the prevailing order, the increasing focus on social justice indicates a continuous movement toward greater equality⁶³.

CReT advances its ideas and application through case studies – rich empirical descriptions of particular instances of a phenomenon typically based on a variety of data sources⁶⁴.

The authors, *Owings* and *Kaplan*, utilized case study research to identify three key patterns that generate serious funding inequities in public schools, particularly affecting low-income communities:

1. **Inadequate and Inequitable Funding Allocation:** Taxpayer dollars are often distributed in ways that systematically favour wealthier students, leaving low-income communities with fewer resources —

⁶⁰ Ibid.

⁶¹ Chetty et al. 2019.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Owings and Kaplan 2024.

money, staff, programs, materials. This results in schools that are both inadequately funded to educate children and unfairly resourced to meet individual student needs. The *Economic Policy Institute* (EPI) report from 2017–2018, shows high-poverty districts receive significantly less per-student revenue and spending compared to low-poverty districts, highlighting a national trend⁶⁵.

2. **Lack of Transparency in Resource Allocation Decisions:** Funding decisions, often tied to local property taxes, are frequently complex and lack public scrutiny. This opacity allows political bargaining and shrewd negotiations over tax exemptions and burdens to create and perpetuate inequities without challenge. This process can disproportionately increase the tax burden on less wealthy, less politically connected groups⁶⁶.
3. **Normalization of Inadequate and Inequitable Funding:** The general public often accepts and rationalizes these funding disparities as simply “the way it is”, operating under unconscious assumptions. This normalization prevents people from seeing such injustices as societal failures that deny equal opportunity, reflecting a broader acceptance of poverty and assumptions about the performance of low-income children in school⁶⁷.

Critical Resource Theory combines a conceptual framework to identify inequities in public funding policies and practices with the methodological tools to collect, analyze and communicate actual numerical data in ways that can inform public policy decisions. The framework allows comparisons of resource allocations among schools and among classrooms within schools⁶⁸. The approach’s five steps are:

1. **Question existing policies and practices:** Challenging the status quo in resource allocation⁶⁹.
2. **Gather and organize relevant data:** Collecting comprehensive quantitative and qualitative data on student demographics, per-pupil expenditures, teacher quality, program equity and student outcomes⁷⁰.
3. **Construct easily understood comparisons for analysis:** Presenting complex data in accessible formats (e.g., "dollars and cents" ratios) to make inequities clear⁷¹.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Owings and Kaplan 2024.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Ibid.

4. **Communicate findings to stakeholders:** Sharing audit results with educators, parents, community members and policymakers in a transparent and compelling manner⁷².
5. **Advocate for more equitable resources:** Using the data to inform policy decisions and push for changes that increase fairness and provide sufficient resources to all students, especially those who are underserved⁷³.

Because problems within the state funding models fundamentally cause educational inequality, solutions must be pursued on the policy-wide level.

To address these challenges, states may proactively engage in the diversification of their financing methodologies, including the implementation of outcomes-based funding models and the establishment of additional financial assistance services, such as state voucher initiatives⁷⁴.

For instance, outcomes-based accountability can serve as a check on school funding systems. The fundamental idea is to shift the focus from inputs — how much money is spent per student — to outputs — what students are actually learning and achieving. It serves as a mechanism to ensure accountability within school funding systems and to guarantee that schools are providing a high-quality education. States would use student achievement data (e.g., test scores, graduation rates, progress metrics) to assess the effectiveness of schools. Instead of enforcing a uniform minimum spending per student across all districts, the system acknowledges that some districts — typically those with higher-needs students — require more financial support. For school districts that fall short of established academic standards, the state would provide additional funding. This funding would be specifically tied to how well the school district can improve their student achievement outcomes. This means the additional funds are conditional on demonstrating progress⁷⁵. In addition to outcomes-based funding, states can provide financial assistance services through voucher programs to help channel resources into areas of higher need.

These programs provide public money — either through direct payments or tax credits — to parents, which they can then use to help pay for tuition at private schools. The underlying idea is to give parents of students in areas with low-quality public schools the option to send their children to private schools, which are perceived to offer a higher quality of education. This approach can offer high-need students access to better educational environments⁷⁶.

⁷² Ibid.

⁷³ Owings and Kaplan 2024.

⁷⁴ Ibid.

⁷⁵ Sun 2023.

⁷⁶ Ibid.

However, it's not enough to simply provide more money to schools; the funds must be strategically invested in specific services, programs and resources that have a proven track record of leading to higher quality education and better student results. The idea is to ensure efficiency and impact of financial reforms. Educational resources associated with improved outcomes include:

- *Smaller class sizes*: Reducing the number of students per teacher allows for more individualized attention, better classroom management and a more tailored learning experience for each student⁷⁷.
- *Additional instructional support*: This refers to providing extra help and resources beyond the standard classroom instruction. This could include tutoring, specialized programs for students with learning difficulties, or supplementary materials⁷⁸.
- *More competitive teacher compensation*: A teacher is the single most important in-school factor influencing a student's academic performance. By offering competitive salaries and benefits, school districts can:
 - *Recruit High-Quality Teachers*: Attract talented and well-qualified educators to their schools.
 - *Retain High-Quality Teachers*: Prevent skilled teachers from leaving for better-paying districts or other professions.
 - *Create Stability*: Less teacher turnover leads to a more consistent and stable educational environment for students, which is beneficial for their learning and overall experience⁷⁹.

By channeling financial resources into these specific, outcome-improving areas, the aim is to raise the overall quality of education, particularly for students in low-income districts who often lack access to these essential resources, thereby addressing the root causes of educational inequality.

6. Early Childhood Education and Intervention Programs

The importance of *Early Childhood Education* and intervention programs is particularly salient from a Rawlsian perspective on *Fair Equality of Opportunity*.

The phase designated as “*early years*” education, which scholarly research identifies as synonymous with *Early Childhood Education*, typically encompasses the initial five years of a child's life.

⁷⁷ Owings and Kaplan 2024.

⁷⁸ Ibid.

⁷⁹ Ibid.

Research consistently demonstrates that the early years of a child's life are critical for cognitive, social and emotional development, making *Early Childhood Education* a cornerstone of lifelong development⁸⁰.

However, socio-economic disparities pose a significant challenge to achieving equitable educational opportunities for all children.

Prominent factors, such as socioeconomic status, disparities in educational quality, systemic and policy-driven elements and parental background along with inequities in the home learning environment, collectively account for a substantial proportion of the inequality observed among preschool-aged children⁸¹.

Parents with higher levels of education are often more aware of the benefits of *Early Childhood Education* and better equipped to support their child's learning at home. Low-income parents, on the other hand, may face significant economic stress, multiple jobs, or lack of flexible work hours, limiting their ability to engage in their child's early education or provide extensive home learning opportunities. Differences in the richness of the language and literacy environment at home can also account for further early cognitive gaps⁸².

"Short-Run Effects of Parental Job Loss on Children's Academic Achievement", a study conducted by Drs. Ann Huff Stevens and Jessamyn Schaller, shows that parental job loss increases the probability of children's grade retention by 0.8 percentage points, which translates to around 15 percent⁸³.

Likewise, *"Social Mobility and Education Gaps in the Four Major Anglophone Countries: Research Findings for the Social Mobility Summit London"*, a report published by *The Sutton Trust*, designed to examine the state of social mobility and educational inequality in four major English-speaking countries — Australia, Canada, the UK (England specifically) and the US — highlights significant disparities in university access based on social class⁸⁴.

It notes that in England and the USA, students from the highest social class groups are respectively three and two times as likely to enter university as those from the lowest social class groups. The study also finds significant "school readiness gaps" among 4 and 5-year-olds when starting school, with children from the poorest homes in the US and UK being many months behind their wealthier peers in vocabulary tests — nearly *22 months* in the US, *19 months* in the UK. These inequalities among very young children are largely driven by their experiences at home⁸⁵.

⁸⁰ Stevens and Schaller 2011.

⁸¹ Chandler 2023.

⁸² Stevens and Schaller 2011.

⁸³ Ibid.

⁸⁴ Lampl 2012.

⁸⁵ Ibid.

One of the earliest and best-designed studies to demonstrate the potential of early years of education is the Perry Preschool Project, a study conducted from 1962 to 1967 in Ypsilanti, Michigan, by psychologist David Weikart and the HighScope Educational Research Foundation.

The study aims to investigate the long-term effects of preschool education on disadvantaged African American children who were considered at risk of failing in school. The study was conducted on a target group of 123 African American children from low-income families, aged 3 and 4 years old. Children were randomly assigned to either a program group (receiving preschool) or a control group (no formal preschool). This rigorous design allowed researchers to isolate the program's effects.

Participants attended daily 2.5-hour morning preschool sessions. The curriculum was cognitively oriented, emphasizing “active learning” where children engaged in decision-making and problem-solving activities with adult support. The child-teacher ratio was low (around 6:1) and teachers were certified with at least a bachelor's degree. Additionally, teachers conducted 1.5-hour weekly home visits with each mother and child. These visits aimed to involve mothers in the educational process and extend the preschool curriculum into the home environment, teaching parents how to support their child's development. Semi-monthly meetings were held as well for parents to facilitate idea exchange and further involvement⁸⁶.

While initial IQ gains often “faded out” over time, the project demonstrated profound and lasting non-cognitive and life-course benefits:

- *Educational Attainment*: Program participants were significantly more likely to graduate from high school (e.g., 65% vs. 45% in one analysis) and achieve a basic level of achievement at age 14⁸⁷.
- *Economic Performance*: By age 40, participants had higher median annual earnings and were more likely to be employed (76% vs. 62%). They also had more stable dwelling arrangements and were more likely to own their homes and cars⁸⁸.
- *Crime Prevention*: One of the most significant and economically impactful findings was a substantial reduction in criminal activity. Program participants had significantly fewer lifetime arrests, including for violent, property and drug crimes, and spent fewer months in prison or jail. These effects were particularly strong for males⁸⁹.

⁸⁶ Wilson 2000.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Ibid.

- *Health and Well-being*: Participants showed improved health outcomes and healthier behaviors (e.g., lower rates of substance use)⁹⁰.
- *Social Responsibility*: They had better attitudes toward school, more stable family lives (including more stable marriages and a greater likelihood of providing two-parent homes for their children)⁹¹.

The Perry Preschool Project has been widely cited for its impressive *return on investment (ROI)*. Cost-benefit analyses consistently show that for every dollar invested in the program, there are substantial returns to both the participants themselves and to society at large — through increased tax revenues from higher earnings, reduced criminal justice costs and lower welfare expenditures. Estimates often range from 7-10% annual social rates of return, translating to a return of multiple dollars for every dollar invested over the participants' lifetimes⁹².

The Project is considered groundbreaking because it was one of the first rigorous longitudinal studies to provide strong evidence for the long-term human and financial benefits of high-quality early childhood education for disadvantaged children. It underscored that investments in early childhood development are critical for fostering social mobility and breaking cycles of poverty across generations, influencing subsequent policy and research in *Early Childhood Education* worldwide⁹³.

⁹⁰ Wilson 2000.

⁹¹Ibid.

⁹² Heckman et al. 2010.

⁹³ Wilson 2000.

CHAPTER 2

Critiques and Confutations: Examining Rawls's Educational Philosophy

1. Left-Wing Critiques: Insufficiency of Egalitarianism

Having established the foundational importance of *Fair Equality of Opportunity* within John Rawls's theory of justice as fairness and its direct implications for educational policy in the preceding chapter, this chapter shifts focus to a critical engagement with prominent philosophical challenges leveled against Rawls's framework.

It will delve into how these critiques, stemming from both left-wing and right-wing perspectives, bear upon the educational dimensions of his theory. The aim is not merely to enumerate objections but to explore the robustness of Rawlsian thought in the face of these challenges, presenting potential confutations and highlighting the enduring relevance of his educational philosophy⁹⁴.

On the right, classical liberals and libertarians have attacked Rawls for his strong commitment to equality and his willingness to intervene in markets. On the left, socialists have often dismissed him as yet another liberal apologist for private property and capitalism⁹⁵.

As previously mentioned, this chapter will address the criticisms directed at Rawls's doctrine, originating from both the political right and left. The initial focus will be on critiques from the left, which frequently center on his perceived acceptance of the capitalist status quo, his emphasis on abstract principles over tangible social conditions and his individualistic approach to justice⁹⁶.

The subsequent paragraphs will specifically analyze the critiques advanced by socialist and Marxist doctrines, detailing their content and rationale, to then present a counter-thesis in support of Rawls's doctrine.

⁹⁴ Chandler 2023.

⁹⁵ Daniels 1996.

⁹⁶ Cohen 1992.

1.2 Socialist and Marxist Critiques: Limitations of the Difference Principle

Rawls's egalitarian liberalism obviously puts him at odds with many thinkers on the right. And yet his theory has often been regarded with scepticism on the left too, especially by those who look to the socialist and marxist traditions for inspiration⁹⁷.

One of the most incisive left-wing critiques comes from analytical Marxists, notably G.A. Cohen, a prominent Marxist political philosopher.

Cohen argues that Rawls's *Difference Principle*, which permits social and economic inequalities if they benefit the least advantaged, implicitly condones excessive inequalities⁹⁸.

Rawls and his followers often argue that paying higher wages to talented or highly productive individuals (incentives) is necessary to motivate them to work in a way that ultimately benefits the poor. Cohen argues that this “*incentives argument*” reveals a deep inconsistency in Rawls's theory. If a just society is one where individuals are committed to the principles of justice, then talented people should not need extra incentives to contribute to the well-being of the least advantaged. They should be motivated by a sense of justice and community. Cohen claims that by accommodating the selfish demands of the talented, Rawls's theory compromises its own egalitarian ideals. He argues that the *Difference Principle* is not a true principle of justice, but rather a “principle of regulation” that makes concessions to human selfishness⁹⁹.

Cohen also criticized Rawls on a more meta-ethical level. He argued that Rawls's principles of justice are “fact-dependent”, meaning they are constructed based on certain facts about human nature and society — such as the need for incentives. Cohen, in contrast, argued that the ultimate principles of justice should be “fact-insensitive” and universal. For Cohen, justice is a pure, uncompromised ideal of equality. The fact that humans may be selfish is a practical constraint on achieving justice, but it does not change what justice fundamentally is. He believes that Rawls's constructivism mistakenly conflates justice with what is feasible or efficient, rather than what is truly right.¹⁰⁰

Socialists, for their part, put forward a very similar argument to the Marxist one, stating that Rawls's theory, despite its redistributive elements, is ultimately an attempt to justify and stabilize the capitalist system. Socialists argue that true justice cannot exist within a framework that allows for private ownership of the

⁹⁷ Thomas 2016.

⁹⁸ Chandler 2023.

⁹⁹ Cohen 1992.

¹⁰⁰ Piketty and Sandel 2025.

means of production and the inherent class divisions that result. They see his theory as patching up the problems of capitalism rather than offering a genuine alternative¹⁰¹.

Furthermore, Rawls's theory primarily focuses on the fair *distribution* of goods and opportunities. Socialists, on the other hand, argue that the root of injustice lies in the sphere of *production* — who owns and controls the economy. They believe that without changing the fundamental structures of ownership and production, any attempt at redistribution will be superficial and ultimately unsustainable.

From an educational standpoint, this critique implies that if a Rawlsian system still allows for significant disparities in educational outcomes or resource distribution, even if justified by the *Difference Principle*, it falls short of a truly egalitarian ideal. Cohen might argue that a society genuinely committed to *Fair Equality of Opportunity* should strive for a more radical equalization of educational opportunities and outcomes, rather than merely mitigating the effects of social contingencies. He questions whether a society that permits substantial income and wealth disparities can ever truly achieve *Fair Equality of Opportunity*, as these disparities inevitably translate into advantages in educational investments (e.g. private schooling, tutoring, enriched home environments) that undermine the “*fair*” aspect of opportunity.

2. Rawlsian Responses to Left-Wing Critiques

Rawls and his proponents offer several responses to these critiques.

As mentioned in the previous paragraph, some of this skepticism from left-wing political doctrines reflects a common misunderstanding of Rawls's ideas, which are often seen as a justification for contemporary inequalities, or even a “*philosophical version of trickle-down theory*”¹⁰².

Although the *Difference Principle* shares with trickle-down theory the idea that inequalities can, under certain conditions, work to everyone's advantage, the similarities end there. Advocates for trickle-down theory have typically justified tax cuts for the rich on the basis that some of the benefits will make their way to those at the bottom; but the *Difference Principle* is radically more egalitarian calling on us to organize our economy as to maximize the life chances of the least well off¹⁰³.

¹⁰¹ Chandler 2023.

¹⁰² Ibid.

¹⁰³ Rawls 1971.

Regarding criticisms that Rawls's theory justifies the welfare-state capitalism seen in Western democracies, it's important to note that while his early work was ambiguous, in his later works — particularly *Justice as Fairness: A Restatement* — Rawls explicitly rejected “welfare state capitalism”, advocating for a “*property-owning democracy*” or “*liberal socialism*” as the institutional background for his principles, rather than a welfare state¹⁰⁴. He argued that a fair economy cannot be achieved through redistribution alone. The Difference Principle, in fact, addresses not only income and wealth but also inequalities of economic power, control and opportunities for self-respect. This broader perspective highlights the limitations of the welfare state and brings issues like meaningful work and workplace democracy to the forefront of the discussion¹⁰⁵. A *property-owning democracy* aims to disperse ownership of wealth and capital, preventing concentrations of power and ensuring that all citizens, especially the least advantaged, have sufficient productive assets and human capital (including education) to participate as free and equal citizens. This institutional ideal suggests a far more robust commitment to economic and educational equality than critics like Cohen often attribute to him¹⁰⁶.

Rawls emphasizes the “*basic structure of society*” as the primary subject of justice. His principles apply to the fundamental institutions that shape individuals' life prospects, not to every individual choice or personal ethos. While Cohen demands an egalitarian ethos from individuals, Rawls focuses on designing institutions that are just, regardless of individuals' maximal adherence to an egalitarian ethos¹⁰⁷. The educational system, as a core part of this basic structure, is thus obligated to uphold *Fair Equality of Opportunity* through its design and resource allocation, aiming to neutralize the arbitrary effects of social background. The compensatory measures discussed in Chapter 1 are precisely what a property-owning democracy would implement to ensure that educational opportunities are genuinely fair, not just formally open¹⁰⁸.

Hoping to impose a single morality, no matter how noble, on all citizens of a state is at odds with the very idea of democracy if it is enforced. It also risks remaining a noble intention if its implementation is left to the goodwill of individuals.

Rawls's doctrine does not aim to impose a unified morality on all citizens. Instead, it offers a concrete solution so that, regardless of individual moralities, the noble egalitarian goal can be realized without

¹⁰⁴ Rawls 2001.

¹⁰⁵ Ibid.

¹⁰⁶ Cohen 2008.

¹⁰⁷ Thomas 2016, 68–94.

¹⁰⁸ Daniels 1996.

imposing anything on anyone. This approach ensures that all citizens are genuinely offered the same opportunities, independent of external and random factors¹⁰⁹.

3. Right-Wing and Communitarian Critiques: Objections to Liberalism's Premises

Right-wing and communitarian critiques, on the other hand, often challenge the very foundations of Rawlsian liberalism, particularly its emphasis on individual rights, state intervention and its conception of the self.

In the following paragraphs, I will review the critiques of Rawls's doctrine from two of the main political schools of thought from the last century's right-wing political spectrum: communitarian and libertarian critiques.

Specifically, the next paragraph will address the criticisms from the libertarian school, with the most famous right-wing critique coming from philosopher Robert Nozick in his book *Anarchy, State, and Utopia*.

In the paragraph following that, I will discuss the criticisms from the communitarian school, particularly those advanced by influential philosophers such as Alasdair MacIntyre, Charles Taylor and Michael Sandel.

Communitarian critics argue that John Rawls's theory of justice is built on a flawed understanding of human nature. They reject his idea of the individual as an "*unencumbered self*" — a rational agent who exists prior to and independently of their social and cultural ties. For communitarians, our identities, values and sense of justice are fundamentally shaped by the communities we belong to¹¹⁰.

While these criticisms have mostly come from academics, they have obvious counterparts in mainstream political debates about liberalism. Therefore, addressing these critiques head-on is essential for laying the foundation for a transformative politics grounded in Rawls's ideas. Doing so ultimately serves to bring out the remarkable depth and resilience of Rawls's thought and the way it cuts across conventional political and philosophical dividing lines.

3.1 Libertarian Critiques: Robert Nozick

¹⁰⁹ Chandler 2023, 200–202.

¹¹⁰ Sandel 2009.

A defining feature of “*classical*” liberalism is the principle that individuals possess a fundamental right to free exchange and to the unrestricted use of their property, with minimal state interference in these economic freedoms¹¹¹.

This intellectual framework provided the foundation for the rise of neoliberalism in the 1980s, which profoundly reshaped public discourse on the state’s role and contributed to a sense of irreconcilable conflict between the values of *freedom* and *equality*.

These ideas continue to influence contemporary politics, where policies aimed at promoting equality — such as progressive taxation or public spending on social services — are frequently criticized from the right as a threat to “freedom” or as a form of “*socialism*”, implying authoritarianism¹¹².

Perhaps the clearest articulation of this perspective and the one most directly challenging Rawls, comes from the philosopher Robert Nozick, one of Rawls’s contemporaries at Harvard. Nozick is widely recognized as the most important philosophical proponent of right wing liberalism, or “*libertarianism*”, in the 20th century and his ideas have been an inspiration to many on the right.

In his book *Anarchy, State and Utopia*, Nozick offers a powerful critique of John Rawls’s theory of justice. Nozick’s central argument is that Rawls’s theory, particularly his *Difference Principle*, violates fundamental individual rights, especially the right to property and self-ownership¹¹³.

For this purpose, he developed an alternative theory of justice which puts *property rights* front and center and which justified a radically different vision of society to what Rawls had in mind.

At the core of Nozick’s theory is the principle that individuals possess a natural and absolute right to self-ownership and to the unencumbered use of their property, as long as the rights of other individuals to do the same are respected in turn. The role of the state, Nozick argues, is to protect these rights: “*only a minimal state, limited to the narrow functions of protection against force, theft, fraud, enforcement of contracts, and so on, is justified*” and “*any more extensive state will violate persons’ right not to be forced to do certain things, and is unjustified*”¹¹⁴. Nozick referred to this as the “night-watchman state” and insisted that the state could tax citizens only to pay for public goods that are necessary for a protection of property, such as a police force, an army and a basic legal and bureaucratic infrastructure for enforcing contracts¹¹⁵. He was a

¹¹¹ Rawls 1971.

¹¹² Ibid.

¹¹³ Nozick 2018, 25–30.

¹¹⁴ Ibid., 50–55.

¹¹⁵ Ibid., 60–65.

firm opponent of anti-discrimination laws, arguing that employers should have the autonomy to hire whom they choose. He contended that compelling the wealthy to pay taxes to fund equal educational opportunities or alleviate poverty was “*on a par with forced labor*”¹¹⁶.

Nozick did not simply argue that the Rawls’s *Difference Principle* was too egalitarian, he rejected the whole idea that justice is about trying to bring about a fairer or more equal distribution of resources. For him, justice isn’t about fairness or equality, but about *protecting property rights*. He vehemently rejects patterned principles of distribution, such as Rawls’s Difference Principle, as they necessitate continuous state intervention to redistribute wealth, which he views as a violation of individual property rights and freedom¹¹⁷.

Nozick argues that a distribution of holdings is just if it arises from a series of just acquisitions and voluntary transfers. The focus is on the historical process of how people came to possess what they have, not on the final “pattern” of wealth distribution. The three principles of this theory are:

- 1) *Justice in acquisition* (how unowned things are first acquired)
- 2) *Justice in transfer* (how things are voluntarily transferred)
- 3) *Rectification of injustice* (how to correct past wrongs)¹¹⁸

To illustrate his point, Nozick uses the famous *Wilt Chamberlain* example. Nozick invites us to consider a society where holdings are initially distributed according to a favored “pattern” of justice, such as Rawls’s Difference Principle. A renowned basketball player, Wilt Chamberlain, then negotiates a contract entitling him to twenty-five cents from each ticket sold to his games. Over a season, a million people voluntarily pay to see him play and he ends up with a vast amount of wealth.

Nozick argues that this new distribution, though unequal, is perfectly just. The reason why, is because it arose from a series of voluntary transactions. No one was forced to pay the extra quarter. Nozick concludes that any attempt by the state to redistribute this wealth to fit the original pattern would be an unjust interference with people’s free choices¹¹⁹. This example highlights his central claim that *liberty disrupts patterns of distribution*.

¹¹⁶ Ibid., 80–85.

¹¹⁷ Ibid., 100–105.

¹¹⁸ Nozick 2018.

¹¹⁹ Ibid., 195–198.

Likewise, from a Nozickian perspective, any state-mandated compensatory educational programs or progressive funding formulas — as advocated by *Fair Equality of Opportunity* — would be unjust, as they involve coercive taxation to redistribute resources justly acquired by others. Education, in this view, would primarily be a matter of private choice and market mechanisms, with minimal state involvement beyond enforcing contracts and protecting rights. Similarly, the notion that public education is financed through a system that is itself deemed unfair is a central concern of this philosophical critique. Since public education is funded through taxes, Nozick might critique it as a form of involuntary redistribution, perceiving it therefore as inherently wrongful. He would argue that funding education through voluntary means (e.g., private schools, charitable contributions) respects individual property rights more fully.

Furthermore, Nozick would be concerned that state involvement in education can lead to an overreach of authority, potentially imposing a particular set of values or ideological perspectives that may not align with all individuals' beliefs, thereby infringing on pluralism and personal autonomy.

Moreover, from a libertarian perspective, public education may be criticized for being inefficient and limiting choice. Without competition, public schools may lack incentives to improve and individuals are restricted to a government-run system rather than choosing alternatives that might better suit their needs.

Concerns about “meritocracy” also arise here; libertarians might argue that if individuals earn their positions through their talents and efforts in a free market, then the resulting inequalities, including educational ones, are just and state intervention to “level the playing field” undermines legitimate merit¹²⁰.

3.2 Communitarian Critiques: The “Unencumbered Self”

Communitarian critics, like Michael Sandel or Alasdair MacIntyre, challenge Rawls's conception of the “*unencumbered self*” — the idea that individuals can choose their life plans and conceptions of the good independent of their social and communal attachments.

Broadly speaking, one of the most persistent criticisms of liberalism collectively is that it rests on an attractive and frankly unrealistic conception of people as fundamentally selfish and individualistic and that this in turn is the source of a wider indifference or even hostility towards “*community*” of various kinds — family, local community, religion, the nation and so on. Communitarian critique, as it is often loosely referred to, has become a familiar reference point among those on both the left and the right who argue that there is something rotten at the heart of the liberal ideal¹²¹.

¹²⁰ Ibid., 250–255.

¹²¹ MacIntyre 1981.

This is not merely a philosophical debate about human nature; communitarians contend that the liberal emphasis on individual choice has given rise to an excessively individualistic culture. They argue that this culture is, at least in part, responsible for social issues ranging from the decline of civic and religious associations to an epidemic of loneliness. These criticisms have also fostered the perception that liberalism primarily appeals to individuals with a cosmopolitan or secular worldview and offers little to those whose identities are more closely tied to a particular place or religion¹²².

These critique makes the most sense when is directed towards neoliberalism, whose proponents have often championed crude individualism and the pursuit of self-interest, with little concerned for the consequences of this might have for family or community life¹²³.

Although the liberalism advocated by Rawls is grounded in an ideal of reciprocity rather than self-interest and takes very seriously the importance of family, religion and other forms of community, his doctrine of justice, in turn, does not escape *Communitarian criticism*.

As previously mentioned, critics tend to focus on the *Original Position* thought experiment, which appears to encapsulate everything that communitarians think is wrong with liberalism. The parties in the *Original Position* are represented as self-interested, in the sense that they choose the principles for organizing society that would be *best for them*. Furthermore, the individuals depicted seem to be a mere imitation of real people, detached from the values and social commitments that truly define us. The philosopher Michael Sandel has famously claimed that Rawls's theory rests on a psychologically incoherent conception of the "*unencumbered self*", according to which people simply "choose their values as if from a menu". Even the political scientist Francis Fukuyama accused Rawls of "the absolutization of autonomy and the elevation of choice over all other human goods"¹²⁴. A closely related criticism is that Rawls failed to recognize that values and beliefs are shaped by social context and that many people have commitments they simply cannot imagine themselves without. These commitments — such as a sense of duty toward family or deeply held religious beliefs — are "constitutive" of who they are¹²⁵.

From an educational perspective, communitarians argue that liberal education, with its focus on fostering independent, critical individuals within a neutral moral framework, can neglect the importance of cultivating a sense of belonging, social responsibility and moral commitments that are essential for cohesive

¹²² Ibid.

¹²³ Harvey 2005.

¹²⁴ Fukuyama 1989, 3–18.

¹²⁵ Ibid.

communities. They contend that a Rawlsian focus on individual opportunity and the neutrality of “public reason” — the shared moral and political values that citizens use to justify laws in a pluralistic society — can lead to an education system that is too abstract, detached from specific communal traditions and potentially undermines the transmission of particular moral virtues or cultural heritage.

Communitarians argue that education should primarily serve to cultivate citizens deeply embedded in their communities, fostering particular virtues and a shared understanding of the good, rather than merely preparing individuals for fair competition in a liberal society¹²⁶. They contend that education should not only prepare individuals to participate in a pluralistic society but also help them internalize the moral virtues and shared values that sustain those communities.

Without this communal dimension, liberal education risks producing citizens who are highly autonomous but perhaps lacking in a sense of moral rootedness, social cohesion, or an understanding of the particular virtues that underpin a healthy community.

4. Rawlsian Responses to Right-Wing and Communitarian Critiques

A core tenet of Rawlsian liberalism is a profound commitment to equality, articulated through the *Difference Principle*. This principle posits that economic arrangements should be structured to maximize the well-being of the least advantaged, a position that places it in direct opposition to the ideals of many right-wing thinkers. Rawls, however, provides robust counter-arguments to both libertarian and communitarian objections to his theory.

The strength of Nozick’s argument lies in his correct assertion that if any right is absolute, it is the right to control one’s body. His theory is intuitively appealing because it connects economic freedoms directly to the ability to live freely.

But economic freedom is not “all or nothing” and the choice is not between giving it absolute priority in all its forms and abandoning it entirely.

One of Rawls’s most important contributions was to distinguish the economic freedoms that are truly essential from those that are not. As mentioned earlier, the key idea is that some freedoms are labeled as *basic liberties*, necessary for individuals to pursue a good life and function as equal citizens. These are given a “*lexical priority*”, meaning they cannot be sacrificed for economic gain or other social benefits. Some

¹²⁶ Rawls 1999, 137–164.

economic freedoms, such as *Freedom of Occupational Choice* and the *Right to own Personal Property*, are considered *basic liberties* because — just like *Freedom of Speech* and *Religion* — are really necessary for individuals to develop their moral capacities as citizens and to pursue their goals in life¹²⁷. Other freedoms, which he considered non-essential, are secondary and can be limited if it benefits the least advantaged members of society¹²⁸. Economic freedoms that fall under this category include the *Right to own Capital or the Means of Production*, *Complete Freedom of Contract* and *Unlimited Freedom to Accumulate Wealth*¹²⁹. Unlimited accumulation of wealth is not a prerequisite for individuals to lead a dignified life. Furthermore, the ability to hire labor on any terms we desire is not necessary for the perception of living freely.

The utilitarian rationale suggesting that low taxes and a minimal state will generally promote economic growth — thereby maximizing overall social “*utility*” or *welfare* —relies on a flawed assumption: that the economic benefits generated will automatically benefit those at the lower end of the socio-economic spectrum. In reality, this type of economic policy often results in the further concentration of wealth and capital among those who already possess significant resources. There is no inherent guarantee that the improved well-being of the wealthy will translate into better conditions for the less fortunate members of society¹³⁰.

The growth in a country’s overall wealth might give the false impression of a general improvement in well-being, but this is often not the case¹³¹. At best, the conditions of the poor remain the same. More often, they get worse, as their situation fails to keep up with the general, nationwide improvements.

In fact, the very same utilitarian logic has been used to make the case for large-scale redistribution, on the basis that for those with fewer financial resources, an increase in money can lead to a significant boost in happiness or well-being, often called “*Utility*”. This effect is less pronounced for people who are already wealthy. This concept is known as the *Diminishing Marginal Utility of Wealth*¹³².

Genuine freedom requires more than merely formal rights; it requires the “*worth of liberty*”, meaning that individuals must have sufficient means to actually exercise their liberties. Without *Fair Equality of Opportunity*, the basic liberties (including political liberties) become hollow for those from disadvantaged backgrounds.

¹²⁷ Rawls 1971.

¹²⁸ Ibid.

¹²⁹ Ibid.

¹³⁰ Ibid.

¹³¹ Sen 1999.

¹³² Ibid.

Furthermore, Rawls emphasizes that the benefits of social cooperation, which produce the wealth that libertarians wish to protect, are themselves contingent on a just basic structure that ensures fair terms of cooperation. Taxation for public goods like education is not a violation of rights but a necessary condition for a just society that benefits everyone¹³³.

As mentioned earlier regarding the educational system, many right-wing thinkers are staunch defenders of the meritocratic ideal. They believe that this core principle of the modern Western education system — that people deserve what they earn in a free market — is valid as long as everyone has equal opportunities and a fair start. From this perspective, taxes that promote equality are unfair because they end up taking money from people who deserve it and redistribute it to those who don't¹³⁴.

The idea that we deserve our market earnings rests on the belief that they are down to our own effort and hard work, which is true to some extent. But those earnings are also — perhaps mostly — the product of luck: of being born with specific talents that are highly valued by society, or into a family with the resources to set you up for success¹³⁵. This includes the ability to pay for better education and allow you to pursue your studies without the financial burden of having to support the family.

Regarding Communitarian arguments, Rawls clarifies that his theory of justice is “*political, not metaphysical*”.

It does not prescribe a comprehensive moral doctrine or a particular way of life, but rather seeks to establish fair terms of cooperation among citizens who hold diverse, reasonable comprehensive doctrines.

Far from ignoring communitarian concerns, Rawls devoted a lengthy section in “*A Theory of Justice*” to explaining how, in a society organized according to his principles, “the values of community are not only essential but realizable”¹³⁶. The *basic liberties* — freedom of speech, conscience and association — guarantee our freedom to create communities of all kinds; while the *Difference Principle* ensures that everyone receives a fair share of resources, which they can then use to participate fully in family and community life. Concurrently, these principles protect against the negative aspects of community. They ensure that individuals, such as gay people, have the freedom and resources to leave a family or religious group that rejects them while still being able to support themselves¹³⁷.

¹³³ Rawls 1971.

¹³⁴ Young 1958.

¹³⁵ Wilkinson and Pickett 2009.

¹³⁶ Rawls 1971.

¹³⁷ Ibid.

Rawls's Communitarian critics often attribute to him positions that he explicitly rejected. The source of this confusion is a tendency to misinterpret the description of the parties in the *Original Position* as an account of human psychology or of the metaphysical nature of the self.

Rawls, aware that these thought experiment might give rise to these sorts of misunderstandings, did his best to pre-empt them, stating explicitly that the original position was not an account of human psychology but a "*purely hypothetical situation*" designed with the specific aim of helping us to identify basic political principles for a diverse and democratic society¹³⁸.

The description of the parties in the Original Position is not grounded in empirical claims about human psychology but in moral claims about the kinds of reasons that are relevant when it comes to selecting such principles. John Rawls likened the *Original Position* to a form of role-playing, explaining that when individuals simulate being in this state, their reasoning does not commit them to a specific metaphysical doctrine about the self any more than an actor playing a character like Macbeth or Lady Macbeth commits to genuinely being a king or queen.¹³⁹ If properly understood the *Original Position* embodies almost the opposite of what its critics claim. Far from being grounded in the idea that people are inherently egoistic, it assumes that people are motivated by a desire to live with others on terms that are both mutually beneficial and fair. It asks individuals to put themselves in others' shoes, consider their points of view and then choose principles that will be acceptable to everyone. The fact that the parties choose the principles that are best for them individually is just an analytical device to help work out this difficult problem. Although the parties in the Original Position imagine themselves to be without knowledge of their actual values and commitments, Rawls was aware that, in real life, these are shaped by social context. Indeed, he considered this to be a "*truism*", writing that "the social system shapes the wants and aspirations that its citizens come to have. It determines in part the sort of persons they want to be as well as the sort of persons they are"¹⁴⁰.

In the same vein, Rawls clearly acknowledges that individuals possess fundamental, "*constitutive*" commitments that they cannot realistically imagine abandoning. The ignorance of specific values and relationships by the parties in the "original position" thought experiment does not diminish their importance or suggest that real-life citizens can easily discard them. Quite the opposite. The point of these thought experiment is to remind us that everyone has deep and non-negotiable commitments and that, just as we would never want to live in a society that would force us to reject our religion or our loved ones, we should respect the fact that others will want the same for themselves¹⁴¹.

¹³⁸ Ibid.

¹³⁹ Rawls 1987.

¹⁴⁰ Ibid.

¹⁴¹ Rawls 1993.

Moreover, Rawls's theory inherently contains *communitarian aspects*. The “sense of justice” that citizens are expected to develop is cultivated within social institutions and communities. The shared commitment to justice as fairness itself forms a kind of political community¹⁴². Education, therefore, under Rawls, would aim to foster both individual autonomy (necessary for a just society) and the civic virtues that enable individuals to participate constructively in their shared political life, without imposing a single comprehensive good. The goal is to enable individuals to critically engage with their traditions and choose their own life paths, while also understanding their responsibilities as citizens in a just society¹⁴³.

¹⁴² Rawls 1971.

¹⁴³ Ibid.

CHAPTER 3

Education for Citizenship - Cultivating a Sense of Justice and Political Virtues

1. The Role of Education in a Well-Ordered Society

In a society grounded in Rawlsian principles, education serves as a fundamental institution that shapes citizens' sense of justice and their capacity to participate meaningfully in democratic life.

It is not merely about transmitting knowledge but about preparing individuals to be active, engaged and responsible citizens.

In John Rawls's influential work, "*A Theory of Justice*", a well-ordered society is one that achieves a harmonious integration of justice, stability and the acceptance of principles of justice by its members.

A Rawlsian well-ordered society is characterised by a shared and publicly recognized conception of justice — meaning that its fundamental principles are known, accepted and regarded as fair by its citizens. The aforementioned values guide social institutions and policies.

Not only are the precepts of justice known, but they are also internalized — citizens genuinely see them as fair and rightful. This internal acceptance means that individuals are motivated to act justly because they believe in the legitimacy of the principles, rather than simply following rules out of fear or coercion.

While Rawls mentions education mainly concerning resources for distributive justice or the development of a sense of justice, the latter — particularly the cultivation of political virtues — is central to political liberal education. The sense of justice is crucial because it underpins citizens' capacity to participate properly in a democratic society¹⁴⁴.

Despite Rawls' limited explicit commentary on education, many passages imply that political education is vital for a well-ordered society based on shared principles of justice. An example is provided where Rawls acknowledges the influence of social institutions — especially education system — on individuals'

¹⁴⁴ Podschwadek 2018.

development and ambitions. Schools and other educational institutions are viewed as part of the basic structure of society, which significantly influences citizens' moral and political character¹⁴⁵.

In *A Theory of Justice*, Rawls mentions education primarily in the context of distributive justice — that is, how educational resources and opportunities should be fairly allocated. He uses education as an example to illustrate the difference principle, which permits inequalities in societal goods if they benefit the least advantaged.

Rawls argues that a just educational policy does not aim for complete equality across all disadvantages but focuses on improving the long-term prospects of the least well-off. This suggests that policies should prioritize uplifting the worst-off rather than equalizing all disadvantages entirely. When distributing educational resources, Rawls emphasizes that the criterion should not only be based on maximizing productivity (i.e., how much a person can contribute to society) but also on enriching individuals who may not become highly productive. This is because feeling valued and having a sense of worth is, for Rawls, a primary good — something essential for a just society— and should be considered in resource distribution¹⁴⁶.

Beyond resource distribution, Rawls briefly discusses education as a societal institution. He touches on *paternalism* — the idea that institutions should protect individuals from their own irrationality, but not in ways that violate their autonomy or convictions. Schools, in this view, must respect children's autonomy and moral development. Rawls seems to suggest that educational methods should respect individual autonomy, although it remains unclear whether this normative stance is rooted in political liberalism or a broader ethical perspective¹⁴⁷.

There's an implication that the family, as part of the society's basic structure, also plays a role in moral development. Since families influence children's moral views, the constraints of political liberalism — focused on respecting autonomy and diversity — might also apply within familial settings¹⁴⁸.

Schools are one of many associations where children learn about social morality and develop an understanding that moral standards can depend on social roles and contexts. Other associations of this sort include families, neighborhoods and peer groups.

¹⁴⁵ Ibid.

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

2. Fostering a Sense of Justice and Public Reason in Educational Settings

Rawlsian theory underscores the importance of “*public reason*” — the idea that citizens should be able to justify their political decisions and beliefs to others in terms accessible to all citizens, particularly within a pluralistic society such as the one in which we currently live, citizens differ fundamentally in their conceptions of the good life and moral truths but still seek cooperation.

Rawls’s political liberalism was developed to address societies characterized by *reasonable pluralism* — a diversity of ethical, religious and philosophical worldviews.

In earlier works like “*A Theory of Justice*”, Rawls assumed citizens would endorse his conception of justice as true or right by virtue of its correctness. However, in a pluralistic society, this assumption isn’t tenable because citizens hold diverse and often incompatible views.

To foster stability, Rawls proposes a “*political*” conception of justice that is freestanding — independent of particular comprehensive doctrines — and capable of being supported by all reasonable citizens regardless of their diverse worldviews. This conception is designed to be acceptable across different moral and religious perspectives, thus serving as a common political foundation¹⁴⁹.

Rawls identifies the “*fact of pluralism*” as a fundamental feature of modern societies, where citizens adhere to a wide variety of comprehensive religious, philosophical and moral world views — collectively called “*comprehensive doctrines*”.

These doctrines serve as overarching frameworks that encompass and integrate major aspects of human life — religious beliefs, moral values and philosophical outlooks — in a coherent and consistent manner. They organize values so that they are compatible with each other and collectively present an understandable view of the world, while also highlighting which values are most significant.

Examples of comprehensive doctrines include religions, which are paradigmatic, but also extend to other metaphysical and secular philosophies. For instance, utilitarianism, Kantian ethics, Mill’s liberalism and secularist perspectives that emphasize atheism or scientific rationalism all qualify¹⁵⁰.

The diversity and persistence of these doctrines pose challenges for social and political stability. Since individuals in a pluralistic society will hold differing, often conflicting, comprehensive doctrines emphasizing distinct values, tensions can arise, threatening social cohesion and stability.

Given this pluralism, Rawls highlights three key facts that threaten the stability of such societies:

¹⁴⁹ Podschwadek 2018.

¹⁵⁰ Ibid.

- The diversity of reasonable comprehensive doctrines (religious, philosophical, moral) is a permanent feature of modern democracies¹⁵¹.
- Maintaining a shared understanding of a particular comprehensive doctrine would require oppressive use of state power — implying that forcing everyone to adhere to a single doctrine is neither feasible nor desirable¹⁵².
- A stable and enduring democratic society must be supported voluntarily and freely by a substantial majority of its active citizens. Without this voluntary support, social cohesion could break down, leading to division into conflicting religious or ideological groups¹⁵³.

From these premises, Rawls argues that a society based solely on a single comprehensive doctrine or on mere utilitarian interests (which are contingent on circumstances) is unstable in the long term. Instead, political liberalism must be based on a political conception of justice that is independent of any particular comprehensive doctrine.

Because reasonable disagreement about moral and religious values is inevitable, the shared political conception of justice cannot be derived directly from any single comprehensive doctrine. Instead, it must be justifiable from multiple perspectives —this is what Rawls calls the “*overlapping consensus*”.

Only if this consensus is rooted in moral reasoning acceptable to all reasonable doctrines can social stability be sustained over time. While individuals can cooperate pragmatically (for example, based on mutual interests or self-interest) without endorsing a shared political conception, such arrangements are fragile because their stability depends on circumstances remaining favorable.

Therefore, Rawls emphasizes that genuine stability derives from citizens endorsing the political conception of justice for moral reasons shared across different doctrines, rather than merely tolerating each other for prudential reasons. This moral foundation ensures that social cooperation is resilient and enduring, fostering a stable, just society¹⁵⁴.

Educational settings are the ideal venues for fostering this capacity. Within schools, students are not only acquiring factual knowledge but also learning essential social and ethical skills. By participating in deliberative practices — such as discussions, debates and collaborative problem-solving — students are encouraged to consider multiple perspectives, weight evidence carefully and articulate their reasoning clearly. These activities promote an understanding of fairness by highlighting the importance of treating

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ Ibid.

¹⁵⁴ Ibid.

others with respect and listening to diverse viewpoints. Moreover, engaging in reasoned argumentation helps students develop critical thinking skills and a sense of moral responsibility, fostering a deeper appreciation for justice as a fundamental value in society¹⁵⁵.

Curricula should therefore incorporate discussions on the principles of justice, civic responsibilities and the importance of public reason in democratic life. Classroom dialogues that challenge students to express their own views and to genuinely listen to and understand the perspectives of their peers help develop a shared language of justice — an understanding of what fairness and respect entail in a democratic context. These pedagogical approaches nurture essential moral virtues such as *tolerance* — the willingness to accept and understand differences; *humility* — the recognition of the limits of one’s own knowledge and biases; and *fairness* — the commitment to equitable treatment of others¹⁵⁶.

According to Rawls, cultivating these virtues within educational environments helps lay the foundation for a well-ordered society where citizens are capable of engaging in rational discourse, respecting the equality of others and making decisions that uphold justice collectively. In this way, education not only prepares students intellectually but also morally, equipping them to participate responsibly in democratic processes rooted in shared principles of public reason¹⁵⁷.

In essence, educational settings provide a nurturing environment where students can practice and internalize principles of fairness, respect and rational discourse, which are crucial for cultivating a just and equitable community.

3. Civic Education and the Development of Political Virtues

Rawls provides the most explicit and straightforward account of education within his political philosophy, which he terms “*minimal civic education*”.

Civic education, from a Rawlsian perspective, aims to develop *political virtues* — traits such as justice, civility and a sense of responsibility — that underpin democratic cooperation. Schools should serve as training grounds where students learn the importance of respecting constitutional principles, understanding their rights and duties and recognizing their role within a broader political community¹⁵⁸.

¹⁵⁵ Thompson 2015.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ Putnam 2000.

This account addresses how education should function within a society committed to a political conception of justice, especially in relation to citizens holding diverse comprehensive moral and religious beliefs.

Rawls suggests that education should ensure that children are knowledgeable about their constitutional and civic rights. For example, they should understand that liberty of conscience is protected and that apostasy (renouncing one's religion) is not a criminal offense. The goal is to prevent ignorance or fear of punishment from undermining their membership in society when they become adults.

Education should also prepare children to be cooperative members of society who are capable of supporting themselves financially¹⁵⁹.

Rawls emphasizes that political liberalism necessitates a less extensive educational framework compared to comprehensive or ethical liberalisms, such as Kantian or Millian liberalism. Consequently, there is no requirement to promote a comprehensive conception of autonomy or individualist life plans as inherently valuable. Additionally, education should refrain from teaching values that are not universally shared by all reasonable citizens. This approach reflects the core objective of political liberalism to maintain neutrality concerning moral and religious doctrines, focusing solely on the promotion of shared political values.

The minimal civic education articulated by Rawls can be delineated into two distinct components:

- First, *Factual Knowledge (Neutral)*: Citizens should acquire an understanding of legal facts, including their rights and protections, without being subjected to indoctrination with particular moral or religious values. The instruction regarding constitutional rights aims to convey factual information rather than to endorse specific moral or religious doctrines¹⁶⁰.
- Second, *Normative Educational Requirements*: This component encompasses the inculcation of values and virtues essential for effective political cooperation. These include the development of the capacity to function as a fully cooperating member of society, the ability to sustain oneself financially and the possession of political virtues such as respect for the rights of others, fairness and civic responsibility. While these normative standards are broadly characterized as moral or ethical in nature, within the framework of political liberalism, they are regarded as components of a political morality that is supported by all reasonable citizens, in contrast to comprehensive moral doctrines which are endorsed only by a subset of reasonable individuals¹⁶¹.

Rawls's *minimal civic education* aims to provide citizens with the basic knowledge of their rights and civic responsibilities, alongside fostering essential political virtues. This approach is designed to be neutral

¹⁵⁹ Podschwadek 2018.

¹⁶⁰ Ibid.

¹⁶¹ Ibid.

regarding moral values, ensuring that education supports a shared political morality that all reasonable citizens can endorse without imposing particular comprehensive ethical views. The expansion of these normative requirements clarifies their importance in maintaining a just and stable democratic society¹⁶².

Implementing service-learning projects, mock elections and community engagement initiatives can help students see themselves as active participants in civic life. These experiences reinforce the idea that justice is not merely a theoretical ideal but a practical goal that requires ongoing commitment and moral development. Simulating electoral processes provides students with firsthand experience of democratic participation. By organizing or taking part in student elections or mock government sessions, students grasp the importance of civic engagement, voting rights and political responsibility. These activities demonstrate how justice is linked to participation in democratic processes and how individual actions contribute to collective societal outcomes¹⁶³.

Service-learning projects might involve students actively engaging in community service that is directly connected to their academic coursework. For example, students might collaborate with local organizations to address issues such as homelessness, environmental sustainability, or education inequality. Through participation in these projects, students encounter real-world social challenges, which helps them gain a deeper understanding of the complexities of social justice. These experiences also foster the development of empathy and moral responsibility. Ultimately, students learn that justice is not merely an abstract principle but requires tangible actions to improve society¹⁶⁴.

Engaging directly with community members allows students to see the impact of civic participation, understand diverse perspectives and recognize their role in shaping a just society. It fosters a sense of moral obligation and personal investment in societal well-being.

4. Avoiding Indoctrination: The Limits of State Education in a Pluralistic Society

Moral education is broadly seen as essential for fostering responsible citizenship and social unity. However, beneath its educational purpose lies a significant ethical challenge: when does moral education become a form of indoctrination?

¹⁶² Thompson 2015.

¹⁶³ Carpini and Keeter 1997.

¹⁶⁴ Bringle and Hatcher 1996.

Indoctrination, unlike education, involves the uncritical imposition of a belief, often presented as incontestable truth. Indoctrination is the process of teaching or inculcating a set of beliefs, attitudes or viewpoints in a way that discourages critical thinking or questioning, often with the aim of promoting a specific ideology or doctrine. It typically involves imparting information in a manner that limits alternative perspectives, encouraging acceptance of certain ideas as unquestionable truths.

The distinction is not merely semantic, while education promotes critical engagement and intellectual freedom, indoctrination tends to prioritize conformity and acceptance of predetermined beliefs, often at the expense of independent thought¹⁶⁵.

A critical challenge in civic education is balancing the promotion of shared political virtues with respect for pluralism. Rawls advocates for a constitutional framework that guarantees freedom of conscience and prevents the state from imposing a singular moral or religious doctrine. Consequently, educational programs must avoid indoctrination by presenting multiple perspectives and fostering critical engagement.

Although this perspective on the educational system may appear to be in stark contrast with the earlier concept of “*indoctrination*”, even the “*Civic Education*” doctrine advocated by Rawls, if not delivered appropriately, risks similar implications.

Philosophically, indoctrination has often been defined in contrast to education.

However, in democratic societies, poorly executed initiatives aimed at fostering moral values may inadvertently perpetuate the very shortcomings they intend to prevent, as they often involve shaping narratives around key social issues¹⁶⁶.

While these initiatives are typically motivated by noble goals — such as fostering equality, respect and environmental responsibility — they can inadvertently lead to the emergence of moral absolutism if not carefully managed.

Anti-racism or *anti-bullying* programs aim to combat discrimination and promote respect. However, if they discourage dissenting opinions or critical discussions without providing space for dialogue, they risk suppressing legitimate debate. This can create an environment where certain perspectives are labeled as unacceptable, undermining open discourse¹⁶⁷.

The same holds true for *environmental ethics* or the *censorship of religious views*. While promoting sustainability is crucial, framing environmental responsibility as a moral dogma — without engaging in

¹⁶⁵ Sarrat, Isaac, and Phils 2025.

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

deliberative reasoning — may turn complex issues into rigid doctrines. This approach can hinder nuanced understanding and critical evaluation of different solutions or policies. Similarly, under the guise of secularism, some societies may restrict or marginalize religious expressions. While secularism aims to ensure neutrality and protect minority rights, excessive censorship can suppress genuine religious freedom, leading to a form of ideological control that limits pluralism¹⁶⁸.

While the intention behind these actions is to uphold important moral standards, the methods used can cross into indoctrination if they prioritize urgency or moral clarity over nuance and open debate. Sacrificing complexity for the sake of straightforward narratives risks creating an environment where dissenting voices are silenced and diverse perspectives are marginalized — undermining the core democratic value of pluralism and critical engagement.

Therefore, when designing or evaluating moral education, it is essential to differentiate between approaches that genuinely promote ethical understanding and those that veer into indoctrination. The following criteria serve as a guideline to help identify and uphold ethical standards in moral instruction:

- *Openness to Debate*: It encourages students to participate in open dialogue, present differing opinions and engage in constructive disagreement. This approach fosters critical thinking and helps students develop their own moral reasoning. In contrast, indoctrination suppresses dissenting views and discourages questioning or debate, which stifles intellectual growth and can lead to the dogmatic acceptance of a single perspective¹⁶⁹.
- *Multiplicity of Viewpoints*: Presents a variety of perspectives, exposing learners to diverse ethical frameworks and cultural understandings. This broadens their worldview and promotes tolerance. Conversely, indoctrination promotes a singular “truth”, discouraging exploration of alternative viewpoints. This can create an environment of conformity rather than critical engagement¹⁷⁰.
- *Critical Thinking and Respect for Autonomy*: Invites analysis, encourages questioning and supports individuals in forming their own moral judgments, respecting their autonomy. On the other hand, indoctrination Discourages skepticism, enforces conformity to specific beliefs and undermines personal moral development by pressuring learners to accept predetermined doctrines without question.
- *Transparency of Purpose*: Clearly articulates pedagogical goals, including fostering moral understanding and reasoning, without hidden agendas. Indoctrination instead makes use of obscures underlying

¹⁶⁸ Ibid.

¹⁶⁹ Sarrat, Isaac, and Phils 2025.

¹⁷⁰ Ibid.

ideological motives, often disguising indoctrination as education, which can manipulate learners under the guise of neutrality¹⁷¹.

Effective and ethical moral education seeks to cultivate critical thinking, respect for diverse perspectives and autonomous moral development. Conversely, indoctrination tends to suppress debate, promote uniformity of thought and conceal ideological motives, ultimately compromising the integrity of the educational process.

Approaching controversial issues can be an extremely challenging aspect of education if not handled properly; however moral education should not shy away from controversial topics as engaging with such issues is essential for developing students' ethical reasoning and critical thinking skills.

Topics like climate change, abortion, patriotism and historical injustices often involve complex moral, cultural and societal considerations. When addressed thoughtfully, these subjects provide valuable opportunities for students to explore diverse perspectives, question assumptions and deepen their understanding of morality and ethics¹⁷². Approaching controversial issues requires a careful and respectful methodology. Educators must demonstrate *intellectual humility*, acknowledging the limits of their own knowledge and remaining open to different viewpoints. They should promote *ethical pluralism*, recognizing that multiple moral frameworks may be valid and that disagreement can be constructive rather than divisive. Additionally, *pedagogical empathy* is vital — teachers should strive to understand students' backgrounds and perspectives, creating a safe space for honest dialogue¹⁷³.

Instead of instructing students to accept specific moral beliefs, moral education should focus on equipping them with the skills to analyze and deliberate about ethical issues independently. This approach encourages students to become active participants in moral reasoning, capable of making their own informed judgments¹⁷⁴.

State-funded education should emphasize the values of justice and civic virtues as accessible and acceptable to individuals of diverse backgrounds. The focus should be on cultivating capacities for public reason and moral reflection rather than prescribing specific moral or political beliefs, safeguarding individual autonomy and promoting social cohesion in a pluralistic society.

¹⁷¹ Ibid.

¹⁷² Siegel 2012.

¹⁷³ Ibid.

¹⁷⁴ Ibid.

Regardless, to establish such a fair, transparent and inclusive framework for moral education that upholds democratic values, it is essential to implement mechanisms for overseeing its functioning and implementation.

Institutional safeguard measures are essential to prevent any form of ideological manipulation or coercion, ensuring that moral education remains open and respectful of diverse perspectives¹⁷⁵.

One key safeguard is *curriculum oversight* by diverse, independent bodies. This involves establishing committees or organizations composed of individuals from various backgrounds — including teachers, ethicists, community leaders, parents and students — to review and approve curricula. The benefit of this approach is that such diversity ensures moral content reflects multiple viewpoints, thereby preventing dominance by any single ideology or interest group and fostering a culture of critical engagement¹⁷⁶.

Another vital measure is *teacher training in ethics and pedagogical neutrality*. Educators should receive professional development focused on ethical reasoning, cultural sensitivity and neutral teaching methods. Well-trained teachers are better equipped to facilitate open discussions, respect differing viewpoints and avoid promoting particular moral doctrines. This helps maintain an unbiased learning environment where students can explore moral ideas freely¹⁷⁷.

Student feedback mechanisms are also crucial. Implementing systems such as anonymous surveys, suggestion boxes, or student councils allows students to report concerns related to pressure, coercion, or biased instruction. These mechanisms enable institutions to detect and address instances where moral education might veer into indoctrination, thereby safeguarding students' rights to autonomous moral reasoning¹⁷⁸.

Finally, *parental and community involvement* in designing, reviewing and implementing moral education policies reinforces democratic principles. Engagement through consultations, participatory decision-making and shared oversight ensures that moral education respects local values and cultural diversity¹⁷⁹. This involvement promotes transparency, builds trust and ensures that moral education reflects the collective values of the society.

5. Practical Pedagogical Approaches for Rawlsian Civic Education

¹⁷⁵ Sarrat, Isaac, and Phils 2025.

¹⁷⁶ Ibid.

¹⁷⁷ Siegel 2012.

¹⁷⁸ Sarrat, Isaac, and Phils 2025.

¹⁷⁹ Ibid.

John Dewey, american philosopher and educator, traced the evolution of education from the 18th century onward, noting that states increasingly viewed education as a tool for maintaining and expanding political power. Historically, education aimed to produce citizens who prioritized the state's interests — such as military strength and economic dominance — shaping individuals primarily for service to the nation rather than for personal development.

However, Dewey argued that in a democracy, education should serve a different purpose. Democratic societies are characterized by diverse shared interests and ongoing social adaptation — what Dewey called “*progress*”. Therefore, education in such contexts should focus on nurturing personal growth and fostering full interaction among different social groups. This dual aim includes preparing individuals to be both good persons and good citizens, emphasizing civic education that promotes democratic participation¹⁸⁰. Dewey believed that schools themselves are ideal sites for practicing democracy. Creating a democratic culture within schools not only prepares students for active participation in political life but also models democratic relationships among students and between students and adults.

Dewey emphasized that real-world problems — not hypothetical or purely academic exercises — should be central to student learning. Students should engage in active inquiry and deliberate problem-solving about important issues affecting their communities, including their schools. Traditional teaching methods, which often involve passive listening and disconnected classroom discussions, tend to be ineffective because they do not connect with students' real experiences or capacities for participation¹⁸¹. He promoted the idea of an “*experiential continuum*” — learning that builds on prior experiences and fosters continuous growth. Dewey believed democratic social experiences offered the richest, most meaningful human development, surpassing other social or political arrangements¹⁸².

A practical application of Dewey's ideas was integrating school operations into the curriculum. Students could participate in decisions about discipline, school maintenance, addressing social issues like sexism or racism and managing conflicts. This involvement helps them develop skills in governance and decision-making. Dewey famously viewed schools as “*embryo communities*” — small-scale societies where children experience participation and contribution in community life. The goal was to give students real decision-making opportunities in their school environment, fostering democratic habits early on. Ironically, despite the importance Dewey placed on democracy, many schools lack genuine democratic practices, depriving students of opportunities to learn participatory skills.

¹⁸⁰ Crittenden and Levine 2007.

¹⁸¹ Ibid.

¹⁸² Ibid.

Engaging students in democratic decision-making within schools provides critical training for wider civic engagement. Learning cooperation and collective self-rule in school helps students develop a sense of agency and moderation — key qualities for active citizenship¹⁸³.

However, Dewey recognized that not all decisions should be made democratically by students — particularly those requiring specialized knowledge, like pedagogical choices, which should remain with teachers and administrators. Also, age and developmental stages matter; younger students may lack the capacity for certain democratic procedures, necessitating age-appropriate participation¹⁸⁴.

Nowadays, Dewey's theory can be observed in various practices that are increasingly prevalent in modern society, such as: increasingly common *student councils*, *student-run media* and *policies* that give students a voice in school decisions or school-supported *student-managed extracurricular activities*, like clubs or teams, which foster leadership, responsibility and civic engagement — factors linked to increased voting and participation later in life¹⁸⁵.

Additionally, effective pedagogical strategies encompass *dialogic teaching methods*, wherein students engage collaboratively to explore complex moral dilemmas and issues pertaining to justice; the utilization of *case-based learning approaches* that situate abstract ethical principles within tangible, real-world contexts; and *reflective exercises* designed to prompt students to critically examine their own values, beliefs and underlying assumptions. These approaches collectively foster a deeper understanding and critical engagement with moral and justice-related concepts.

The concept of *dialogic engagement* in the classroom has gained increasing attention for its potential to enhance cognitive development and learning outcomes. Although the idea that dialogue plays a vital role in shaping thought is not new — roots can be traced back to the Socratic tradition of using questioning to stimulate self-reflection and critical thinking — modern research has expanded and formalized this approach.

In the 1980s, scholars like D. J. Corson argued that children could achieve higher levels of formal operational thinking through regular opportunities for dialogue, emphasizing the mediational role of conversation in cognitive development. Dialogue involves both speaking and listening and research during this period, notably through the UK's *National Oracy Project*, demonstrated the educational importance of oral skills in children's development. These studies used transcripts of children's group discussions as

¹⁸³ Ibid.

¹⁸⁴ Crittenden and Levine 2007.

¹⁸⁵ Ibid.

evidence, showing that the quality of classroom talk significantly depends on how teachers design activities and foster collaborative interaction¹⁸⁶.

Dialogic teaching challenges traditional power hierarchies by promoting authentic questions, open responses and dynamic exchanges that influence the direction of the discussion. This approach involves creating an interactive classroom environment where students engage in meaningful dialogue about moral dilemmas and issues of justice. Instead of passively receiving information, students collaboratively discuss various perspectives, question assumptions and articulate their reasoning. This method fosters critical thinking, moral reasoning and the ability to understand complex social issues from multiple viewpoints. Through dialogue, students develop skills in respectful debate, empathy and nuanced understanding of ethical principles.

Professor Robin Alexander's international research on the matter emphasizes that dialogic teaching involves collective, reciprocal, supportive, cumulative and purposeful interactions — each fostering deeper understanding and engagement. Such practices make student knowledge a resource rather than a mere endpoint, encouraging pupils to ask questions, share viewpoints and collaboratively develop ideas¹⁸⁷.

Implementing dialogic teaching therefore requires shifts in pedagogical repertoire, including increased questioning and scaffolding, supported by ongoing professional development. Initiatives like England's "*Talk for Learning Project*" aim to embed dialogic practices across primary schools. Similarly, in science education, dialogue is used to elicit students' prior beliefs, confront misconceptions and model scientific reasoning, recognizing that goals may vary across disciplines¹⁸⁸.

Overall, dialogic engagement in classrooms represents a transformative approach that fosters deeper learning, critical thinking and social interaction. Although this field is still developing, current research advocates for its broader adoption, emphasizing that dialogic teaching not only enhances cognitive development but also promotes more equitable, participatory and meaningful educational experiences.

Case-Based Learning on the other hand, is a similar learning strategy that involves analyzing real-world or hypothetical cases that illustrate abstract moral principles or justice concepts. By examining concrete scenarios — such as *ethical dilemmas* faced by individuals or institutions — students can see how theoretical ideas play out in practical situations. Case-based learning helps bridge the gap between theory

¹⁸⁶ Lyle 2008.

¹⁸⁷ Ibid.

¹⁸⁸ Ibid.

and practice, encouraging students to apply their understanding to real-life contexts. It also promotes analytical skills, decision-making and the ability to weigh competing values and interests.

A case study carried out in Indonesia demonstrates its effectiveness in fostering a deeper understanding of human rights, promote democratic attitudes and reduce negative behaviors like violence and discrimination.

“The Improvement of Indonesia Students ‘Engagement in Civic Education through Case-Based Learning”” case-study conducted in a public Junior Secondary School in Jakarta, Indonesia by Dr. M. Japar, made use of qualitative research methods, including interviews, classroom observations and document analysis, focusing on how students engaged with case-based civics lessons about human rights. Participants included 15 students divided into groups, with lessons conducted over multiple sessions. Data collection involved observing classroom interactions, analyzing student reflections and conducting interviews to assess engagement, critical voice and understanding of human rights issues¹⁸⁹.

Findings show students actively participated in analysing and discussing the cases, demonstrating emotional and cognitive engagement. They showed increased motivation, felt comfortable expressing opinions and appreciated the collaborative environment fostered by the teacher. Engagement fostered positive emotions and relationships, reducing tension and discrimination. Students learned to articulate their opinions critically regarding human rights violations. They discussed issues like bullying, considering diverse perspectives and developing their own reasoning. This process fostered critical thinking and a sense of responsibility. Teachers reported that CBL transformed their teaching, making lessons more meaningful and interactive. They felt more confident and better able to understand students’ diverse characters. The approach encouraged teachers to facilitate discussions that promote critical analysis and active learning¹⁹⁰.

The study concludes that case-based learning enhances civics education by increasing student engagement and critical thinking about human rights issues. It challenges teachers to rethink teaching practices, moving towards more participatory and constructivist methods. Implementing such approaches requires professional development and support for teachers, emphasizing the importance of creating a conducive, respectful classroom atmosphere¹⁹¹.

The findings suggest that civics education using real cases, especially on sensitive topics like bullying, can foster a deeper understanding of human rights, promote democratic attitudes and reduce negative behaviors like violence and discrimination. Collaboration among educators, school management and policymakers is essential to embed case-based learning into curricula effectively. Teachers should be trained to handle

¹⁸⁹ Japar 2018.

¹⁹⁰ Ibid.

¹⁹¹ Ibid.

complex human rights topics and create environments where students feel valued and empowered to participate critically¹⁹².

Lastly, *Reflective Exercises* completano l'operato delle prime due strategies by prompting students to introspect about their own values, beliefs and assumptions. Through journaling, essays, or guided discussions, students examine how their personal backgrounds influence their moral judgments and how their perspectives might evolve through critical engagement. Reflection fosters moral self-awareness, encourages openness to diverse viewpoints and helps students develop a coherent moral identity. It also cultivates the habit of continual moral inquiry and personal growth.

Additionally, integrating *community-based projects* and *service learning* can help students connect classroom lessons to real-world civic engagement.

Service-learning is an educational approach that combines classroom instruction with active participation in community service. It aims to help students connect their academic experiences with real-world community issues. Ideally, students apply insights gained from service activities to enhance their academic research, discussions and understanding¹⁹³.

Research indicates that experiential education — learning through direct experience — significantly enhances civic understanding because it emotionally and sensorially engages students. As Dr. W. Damon (2001) notes students tend to have a superficial grasp of citizenship, mainly focusing on rights, which fosters passivity. To deepen their civic engagement, direct participation in political action is vital. Damon emphasizes that moral education is most effective when students actively participate and reflect on their actions¹⁹⁴. Service-learning also fosters social capital — the networks, norms and trust that facilitate cooperation for mutual benefit — crucial for healthy democracies. Since declining social interactions threaten democratic health, encouraging students to serve within their communities promotes reciprocal concern and active citizenship¹⁹⁵.

Community-based projects, on the other hand, are initiatives or activities carried out by individuals, groups or students that aim to directly address, improve or solve specific issues within their local community. These

¹⁹² Ibid.

¹⁹³ Crittenden and Levine 2007.

¹⁹⁴ Damon 2001.

¹⁹⁵ Crittenden and Levine 2007.

projects often involve active participation from community members and are designed to create tangible, positive changes in the community environment or social fabric.

Examples include designing and building bird nests, greening or planting trees in school yards, organizing recycling campaigns, improving safety in local streets or creating community gardens. The key features are that they focus on real-world problems, involve direct action and are rooted in the local context, encouraging participants to engage actively with their community and develop skills like cooperation, problem-solving and civic responsibility.

Civic participation extends beyond service and voting. It includes engaging in political meetings, organizing protests, rallying support, gathering signatures, serving on local boards, initiating or joining political clubs, debating social issues and pursuing careers that contribute to the public good¹⁹⁶.

The *National Action Civics Collaborative* (NACC), an American organization dedicated to promoting civic education and engagement among students, promotes youth involvement in civic action as a form of learning. While some practices occur within schools, many are more prevalent in community-based organizations. Youth organizing — mobilizing adolescents to participate in civic and political activities — is a widespread approach to fostering civic agency¹⁹⁷.

Teachers should serve as facilitators who guide students in developing their capacity for moral reasoning, emphasizing respect, open-mindedness and the importance of public justification — all consistent with Rawls's vision of an inclusive, justice-oriented civic education.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

CONCLUSIONS

Towards a Just Educational System in Light of Rawlsian Principles

1. From Theory to Practice: The Improvement of Indonesia Students “Engagement in Civic Education through Case-Based Learning”

In closing this thesis, it is both appropriate and essential to translate the theoretical insights previously elaborated into a concrete practical application. To this end, a case study will be presented to illustrate the feasibility and the positive outcomes associated with one of the practical methods for implementing Civic Education discussed in the preceding chapter: case-based learning.

The study titled “*The Improvement of Indonesian Students’ Engagement in Civic Education through Case-Based Learning*”, conducted by Dr. M. Japar and briefly referenced in the concluding paragraph of the previous chapter, will now be examined comprehensively. This examination will encompass the foundational premises, the methodological approach adopted for the research, and the results attained. The objective is to provide empirical validation — and potentially serve as a practical exemplification — of the theoretical concepts addressed earlier in this work, thereby fostering a more tangible connection between theory and practice.

This study investigates civics education within a public Junior Secondary School in Jakarta, Indonesia, emphasizing its crucial role in fostering students’ engagement with human rights issues and promoting active societal participation. Recognizing the importance of civics education, the Indonesian government has integrated it into school curricula, aiming to enhance students’ critical understanding of social and human rights realities.

The research makes use of a qualitative methodology, utilizing interviews and classroom observations involving 15 second-year students and their teacher across four sessions of 135 minutes each. The study highlights the implementation of active learning strategies, particularly case-based learning, which encourages discussion and reflection. This approach not only facilitates the transformation of knowledge but also fosters mutual respect between teachers and students. The findings demonstrate that civics education

through case-based learning enhances student engagement, cultivates a critical voice, and positively influences teachers' pedagogical practices¹⁹⁸.

Education constitutes a fundamental component in the development of future citizens, encompassing not only cognitive acquisition but also the cultivation of social learning, empathy, and critical thinking skills.

In Indonesia, civics education is rooted in the national ideology of Pancasila, the foundational philosophical theory and ideological principle of Indonesia. It consists of five core principles that serve as the guiding values for the nation's political, social, and cultural life. These principles are designed to promote unity, tolerance, democracy, social justice, and belief in one God. Pancasila was formally articulated during Indonesia's struggle for independence and has since become the official state ideology, shaping national policies, education, and societal norms.

Historically, civics education in Indonesia has faced challenges, including its use as a tool for regime maintenance, limited focus on democratic principles like freedom of expression, and indoctrination methods during the New Order era. Notable figures like Ki Hajar Dewantara emphasized character development and national cultural identity in education, advocating for a holistic approach.

In 2013, Indonesia revised its civics curriculum to promote the development of well-rounded citizens — intelligent, responsible and democratic — through innovative teaching models. Despite national policies prioritizing civics and human rights education, practical implementation often remains superficial, focusing on rote memorization rather than fostering critical thinking. Teachers tend to adopt teacher-centered methods, which limit student engagement and critical participation. There is a recognized need for pedagogical approaches that actively provoke students' societal engagement. The current Indonesian curriculum (2013) emphasizes character building, integrating core competencies such as spiritual and social attitudes, knowledge, and skills across subjects. Civics education in Indonesia covers interdisciplinary issues beyond constitutional articles, encompassing civic knowledge, skills, and dispositions. However, the effectiveness of current teaching methods remains underexplored.

This research explores the application of case-based learning (CBL), a method shown to improve problem-solving skills, critical thinking, and cognitive development in various educational contexts. Prior studies indicate that CBL can prepare students for real-life practice by linking theory to authentic cases. Specifically, in this study, Year 8 civics students engaged with case-based learning by analyzing examples of bullying,

¹⁹⁸ Japar 2018.

aiming to stimulate critical reflection on everyday social issues, particularly in the context of human rights¹⁹⁹.

The study adopts a qualitative research approach, focusing on in-depth data collection methods such as interviews, focus group discussions and classroom observations. The main research questions guiding the study were:

1. How does case-based learning (CBL) engage students in civic education?
2. How does CBL improve teaching competence?

The core focus is on understanding how CBL was implemented in the classroom and its impact on students' learning experiences.

The study in question utilizes a case study approach, which examines a phenomenon within its real-world context²⁰⁰. This approach is suitable for evaluating educational initiatives because it allows for a detailed exploration of complex issues in specific settings. The case study design serves multiple roles:

- Expressing and defending intentions: by studying a unique case (e.g., a specific classroom implementation).
- Evaluation: assessing the effectiveness of CBL as an instructional method.
- Informing broader program evaluations: providing insights that could influence similar initiatives or policies.

The cases selected involved topics related to human rights, specifically focusing on bullying among students, aligned with *Law No.39 of 1999, Articles 28-35*.

Law No.39 of 1999 is the Indonesian *Law on Human Rights*. *Articles 28 to 35* specifically address issues related to protection against discrimination, violence and the rights of individuals, including protections related to human dignity and personal safety. These articles are extremely relevant to this research because they provide the legal framework against bullying and other forms of violence among students, emphasizing that such acts violate human rights and are subject to legal sanctions.

The research was conducted over four meetings, each lasting 135 minutes. During these sessions teachers introduced the topic of human rights. The researcher observed the classroom activities, focusing on student engagement, interaction and understanding. Case-based learning activities involved analyzing real-world cases related to bullying, which had been incorporated into the lesson plan (e.g., cases from Jakarta in 2017 that shocked Indonesian society).

¹⁹⁹ Ibid.

²⁰⁰ Yin, 2009.

Two specific bullying cases from Jakarta in 2017 were integrated into classroom activities, chosen because they had a significant social impact, thus providing real-world relevance to the learning process. The use of these cases was deemed particularly appropriate due to their extensive media coverage nationwide, as they profoundly shook the entire country and highlighted the gravity of school violence and bullying.

Post-lesson, the researcher conducted semi-structured in-depth interviews, lasting approximately 20-30 minutes, with three students from each group, aiming to explore their understanding of bullying and human rights, their perceptions and feelings about the case discussions and their insights into the solutions and reflections on their learning experience. Teacher reflected on the learning outcomes after each session, assessing how well students engaged with the case material and understood the issues. The interviews aimed to gather students' perspectives on how CBL influenced their learning, awareness and attitudes toward civic issues²⁰¹.

To exemplify the type of case on which the work is based, the first case examined in this specific context is a case of Bullying in a Senior High School in Jakarta.

Ade Fauzan, a senior high school student, became a victim of violence inflicted by senior students from the 82nd class. The incident occurred when Ade attempted to retrieve his Geography book left in the senior class. It is widely understood among students that juniors are not allowed to pass through a specific corridor called the "Gaza Corridor", which is designated for seniors only. As Ade tried to pass through, he was immediately assaulted in the face by an unidentified senior student. Later that day, Ade was invited by a senior student to meet at Warung Taman (Wartam), a small shop about 50 meters from the school. Ade followed his friends, who watched from a distance. At the shop, the senior students applied hair gel to Ade's ears and hair. Subsequently, they summoned Ade's friends to beat him. However, the friends remained silent, which angered the senior students further. The senior students then began to poke and physically assault Ade. He attempted to defend himself and fight back, but around 30 senior students attacked him. Ade lost consciousness during the assault and later woke up in the emergency room at Pertamina Central Hospital (RSPP). The incident resulted in Ade being unconscious for about three hours. Afterward, Ade's friends took him to the hospital by taxi. During the incident, Ade was instructed by friends to deny that he was beaten by the senior students, claiming he had been hit by another student to avoid repercussions.

The research utilizes a case study approach to facilitate student learning. Students discussed the aforementioned cases in groups, with the teacher guiding them on expected actions and responses. During group discussions, students analyzed the incidents and proposed solutions, while the teacher provided

²⁰¹ Japar 2018.

opportunities for feedback and commentary. The instructor summarized and clarified the various group solutions to reach a comprehensive understanding. Data collection involved interviews, which were transcribed and analyzed through data reduction and triangulation techniques. The transcripts were organized into tables labeled with participant codes (S1–S15 for students and T1–T2 for teachers). Additionally, relevant scholarly articles were reviewed to support the analysis. The primary focus of the analysis was to assess the level of Indonesian students' engagement in understanding human rights through case-based civics education²⁰².

The study found that implementing case-based learning in civics education significantly enhanced student engagement, fostered their critical voices, and transformed teaching practices. By analyzing real-world cases related to human rights violations, students became more active, critical, and participative learners. The process also prompted teachers to adapt and improve their pedagogical approaches.

Students demonstrated high engagement by actively tackling challenging issues, such as bullying, which are relevant to their lives and society. Unlike traditional civics lessons that often focus on rote memorization, this approach encouraged deeper involvement. Engaged students exhibited positive emotions and a sense of empowerment. High engagement correlated with resilience in facing challenges, as supported by references to scholarly theories (Connell, 1990; Skinner & Belmont, 1993). Conversely, students with low engagement tended to be passive, bored, and prone to negative emotions like anger and denial.

Through interviews, Students expressed that discussing cases like bullying made them more caring and aware of human rights issues. For example, a student noted that engaging with case studies helped them understand the importance of caring for friends and stopping bullying.

Students also felt motivated when given opportunities to assist teachers, which made them feel valued and fostered positive relationships²⁰³.

Case-based learning stimulated students to voice their opinions critically, especially on issues like human rights violations. This was often challenging for students but was facilitated effectively through the cases.

Students reported that they could analyze issues from multiple perspectives, debate solutions, and relate cases to their own lives. For example, students discussed the importance of creating rules and systems of rewards and punishments to promote a good environment and uphold human rights.

The practice of discussing and analyzing cases helped develop initial critical thinking skills and made students more conscious of societal practices and values.

²⁰² Ibid.

²⁰³ Ibid.

The research highlighted that human-rights-based learning improves students' ability to express opinions and consider different societal practices, enhancing their critical voice. Students gained not only knowledge about human rights but also the ability to critically assess complex situations, such as bullying, and think about real-life applications.

The case-based approach led to a more active, critical, and socially responsible student body, while simultaneously prompting educators to adopt more dynamic and engaging teaching methods.

The study emphasizes that case-based learning in civics education encourages teachers to implement meaningful changes in their teaching methods, fostering greater student participation and engagement. Human-rights-based education, however, presents significant challenges for teachers, primarily due to the abstract and broad nature of the concept of human rights. Teachers often find it difficult to address these issues effectively because students initially show little interest or understanding, partly because of differing interpretations of human rights across scholars (Dembour, 2006).

Teachers encounter difficulties when introducing human rights lessons, as students tend to be indifferent or silent at first. The elusiveness of human rights concepts, which vary among scholars, complicates teaching and understanding. Despite these challenges, case-based learning offers a practical approach to providing clearer, contextualized understanding of human rights issues.

In Indonesia, human rights violations can occur anywhere, including schools, making civics education vital for raising awareness. Case-based learning allows students to develop an understanding of human rights by discussing real-world violations, such as bullying. Through discussions, students learn to accept human rights and articulate their opinions, fostering a sense of civic responsibility.

Teachers adopting case-based learning can better facilitate understanding of civics topics, including policy changes in different regions (Florida, Tennessee, Hawaii). Such methods help create a classroom environment where students are more engaged, reflective, and capable of analyzing complex social and political issues. In countries like Pakistan and Indonesia, civics education that incorporates case-based learning fosters creativity, critical analysis, and reflection, which are essential for cultivating good citizenship²⁰⁴.

Collaboration between educational institutions and cultural or civic organizations can reinforce civics learning through case-based methods. Improving understanding of human rights in schools can help reduce incidents like bullying, fostering a respectful and inclusive school climate. Case-based learning is

²⁰⁴ Japar 2018.

recommended as a model for civics education, promoting pedagogical growth among teachers who are trained to appreciate and respect students as active subjects of learning.

Case-based learning has proven to significantly improve student engagement, critical thinking, and democratic participation. It also empowers teachers to enhance their pedagogical practices and create a more inclusive, respectful classroom atmosphere.

To maximize these benefits, teachers need training focused on human rights issues and strategies to build a conducive learning environment²⁰⁵.

2. Reaffirming the Strengths of a Rawlsian Framework for Education

In a society grounded in Rawlsian principles, education is fundamental not only for transmitting knowledge but also for developing citizens' sense of justice and political virtues, which are essential for meaningful democratic participation. Rawls's conception of a well-ordered society emphasizes shared and internalized principles of justice that motivate individuals to act justly out of legitimacy rather than fear. Although Rawls primarily addresses education in terms of resource distribution and fairness, he also implies that political education and the cultivation of moral virtues are crucial for maintaining a just society.

Educational institutions play a crucial role in shaping moral and political development and should focus on promoting the well-being of the least advantaged, in accordance with the *Difference Principle*. Respecting individual autonomy is essential; policies should facilitate moral growth while safeguarding personal freedom. Furthermore, families and other social institutions also contribute significantly to moral character formation, highlighting the vital role of social context in nurturing justice and moral development.

Rawlsian theory highlights the importance of "*public reason*", where citizens justify their political beliefs in ways accessible to all, especially in pluralistic societies with diverse moral, religious, and philosophical worldviews. To accommodate this diversity, Rawls developed a form of political liberalism advocating for a "*political*" conception of justice that is independent of particular comprehensive doctrines, enabling all reasonable citizens to support it.

In modern societies, various comprehensive doctrines — such as religious beliefs, secular philosophies, utilitarianism, Kantian ethics, and others — shape individual values, but their diversity can threaten social stability. Rawls identifies three key facts: pluralism is permanent, enforcing conformity is oppressive and

²⁰⁵ Ibid.

social stability depends on voluntary support for shared principles. Consequently, society must rely on an “*overlapping consensus*”, where different doctrines agree on justice for moral reasons, ensuring stability rooted in shared reasoning rather than pragmatism or coercion.

Education plays a vital role in fostering this shared understanding through deliberative practices that promote virtues like tolerance, humility, and fairness. Such moral and civic education helps develop citizens capable of rational discourse and collective justice, laying the foundation for a stable, just society. Rawls’s concept of “*minimal civic education*” emphasizes developing political virtues — justice, civility, and responsibility — that underpin democratic cooperation. Schools should teach students about their constitutional rights, civic duties, and their societal role, ensuring they understand fundamental principles like freedom of conscience and legal protections without endorsing particular moral or religious values. This education comprises two main components: neutral factual knowledge about rights and legal facts, and the inculcation of shared political virtues supported by all reasonable citizens. Rawls stresses that civic education should be limited to these shared morals, avoiding the promotion of comprehensive moral doctrines.

Practical activities such as service projects, mock elections, and community engagement help students see justice as an active, ongoing pursuit. These experiences foster civic participation, empathy, and moral responsibility, reinforcing that justice requires tangible actions and personal commitment to societal well-being. The strengths of adopting a Rawlsian framework in education are numerous: it provides a normative basis for fairness and justice in classrooms; encourages policies that promote equitable participation and respect for diversity; and supports the development of moral and civic virtues essential for democratic citizenship. Rawlsian principles serve as adaptable guiding tools that can respond to evolving social landscapes, fostering inclusive and just educational environments.

Civic education, therefore, plays a pivotal role by fostering informed, active citizens capable of recognizing and addressing inequalities. The interplay between these elements underscores that a just educational system not only offers equal access but also cultivates civic virtues vital for maintaining a fair society. By integrating civic education with policies aimed at ensuring fair opportunities, societies can better realize Rawlsian ideals of justice.

3. Avenues for Future Research

Although significant progress has already been made in this field within academic circles, the potential for improvement remains vast and ongoing. Despite the numerous innovations, practices, and examples discussed in previous chapters, which culminated in the real-life example just presented, the areas that warrant further investigation or improvement are equally numerous, particularly in terms of practical application.

A recommendation for future research, and perhaps the most significant, could be to conduct a more in-depth examination of the practical application of Rawlsian principles across diverse cultural and socio-economic contexts, with the goal of promoting and rendering more feasible their implementation in real-world educational systems across the globe.

Further empirical studies, in addition to evaluating in greater detail and across a diverse range of contexts the impact of civic education initiatives on social cohesion and equality, could aim to test and investigate more thoroughly various models, particularly financial and economic ones, designed to facilitate and make possible the practical implementation of civic education in schools across all regions of the world, each according to its own unique needs, culture, and circumstances.

Furthermore, incorporating interdisciplinary approaches that combine philosophy, education policy, and sociology into the school curriculum can facilitate a deeper understanding of how justice theories can be translated into effective educational practices, fostering critical thinking and applicable moral principles that can be applied in everyday life, rather than simply representing a theoretical exercise.

Ultimately, given the increasing significance of technological tools in educational contexts, it would be an intriguing area of investigation to examine the intersection of Rawlsian justice with emerging technologies and digital learning environments. This could potentially uncover promising pathways for ensuring equity in the ever-changing educational landscape.

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