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EDUCATIONAL JUSTICE
AS RESPECT EGALITARIANISM

This paper explores the relationship between equality and justice in formal education. More precisely, it addresses the following questions: which versions of egalitarianism correspond to the concept of educational justice (and why), and which educational inequalities are incompatible with the norms implied by this concept?

In the last two decades, three alternative versions of egalitarianism have been conceptually elaborated upon: luck egalitarianism, threshold (minimalist) egalitarianism, and respect egalitarianism. The latter is closely linked to the model of epistemic justice, a model recently subject to intensive, far reaching discussions in the field of philosophy of education. The following considerations will comparatively analyze these three approaches with respect to the primary questions of this paper. This should allow us to develop a conceptual tool for identifying unjust or morally wrong educational inequalities. The final part of this paper will offer clues about what kinds of pedagogies are required to overcome unjust educational inequalities.

Luck Egalitarianism: Educational Justice as a Redistribution of Resources in Favor of the Disadvantaged Students

Luck egalitarianism may be viewed as a label for the “classic” distributive-egalitarian model of justice. During the last decade, Harry Brighouse elaborately applied this model to topics of educational justice. According to Brighouse, because inequalities in education license inequalities in income, it is unjust when educational inequalities are caused by a family’s choices, background, or circumstances (Brighouse, 2003, pp. 473–475). Brighouse draws arguments from Rawls and Dworkin—probably the most prominent egalitarian theorists of distributive justice.

It is important to note that the mentioned authors are not arguing against inequalities of income and wealth in general, insofar as these inequalities reflect the choices made by individuals on the grounds of equal opportunity. Unequal distribution of rewards is just, provided that the competing individuals deserved this distribution, that is, if this distribution is due to their chosen actions they can be held responsible for them. However, individuals are certainly not responsible for their family background. Hence, a schooling practice is unjust if it reproduces the advantages and disadvantages of brute luck and transforms these advantages and disadvantages into unequal positions in a competition for rewards or statuses. The principle of equal opportunity to lead an autonomously chosen life presupposes the neutralization of the “brute bad luck” (Dworkin, 2000, pp. 285–287).

This neutralization appears to be primarily the domain of school education. So Rawls argues that a just society should spend more effort and resources on the early education of children disadvantaged by their family backgrounds, or by their health, or even by their talents, in order to equalize their opportunities to define and pursue

their own life prospects and competing for goods and employment positions with other individuals without these disadvantages (Rawls, 1999, pp. 86–87).

To sum up: Social justice presupposes equal education, understood as “*a positional good*, relative to the instrumental benefits it brings” (Brighouse, 2003, p. 475; emphasis in the original text). The equal distribution of this good presupposes a redistribution of educational efforts and resources in favor of disadvantaged children.

However, this claim for redistribution entails what Brighouse calls the “bottomless pit problem” (Brighouse 2003, pp. 477–478). Neutralizing disadvantages from family background alone would require an enormous amount of effort and resources since neutralization must target not only the unequal funding of schools but also the inequality of children’s pre-school socialization and upbringing. Moreover, the principles of luck egalitarianism in education seem to imply a neutralization of inequalities in the natural gifts of the children. Children are certainly not responsible for their level of talent. A complete equalization of opportunities between children with different natural gifts, for example between children with and without mental disabilities, seems to be an entirely utopian goal, thereby making the bottomless pit problem seemingly unsolvable.

Minimalist Egalitarianism as a Threshold Model of Educational Justice

A prominent strategy to eliminate the bottomless pit problem is to define a threshold of educational equality that should be reached by every child. From this perspective, inequalities above the threshold are deemed acceptable. I would like to call this approach minimalist egalitarianism.

Generally speaking, it is possible to distinguish between the two different approaches to define a threshold of educational equality. By the late 1980s, Amy Gutmann proposed a “democratic threshold principle” based on the concept of deliberative democracy (Gutmann 1987). More recently, Martha Nussbaum developed a different, anthropologically founded argument, according to which a threshold of basic human capabilities should be cultivated in every human being (Nussbaum 2006).

Gutmann’s threshold principle suggests that inequalities in the distribution of educational goods can be justified if – and only if – they do not limit the ability of every individual to effectively participate in the democratic process (Gutmann, 1987, p. 136). Gutmann understands this process as a practice of political deliberation, whose performance requires the ability to argumentatively evaluate different values and options of (and for) collective political action (Gutmann, 1987, p. 171). School education would be just if every child received an education that allows her to develop this ability, thereby enabling her to participate in the democratic process.

An obvious weakness of the concept is that it is limited to the political sphere, or more precisely, to the practice of political deliberation. But education concerns not only one’s ability to participate politically, but also to provide individuals with the capacity to define and pursue one’s own notion of a good life in society. As determined in the previous section, Rawls and Dworkin both endorsed this broader understanding of education. Education is not only about politics but also about social partic-

icipation in the broader sense of the term. Imagine that John received an education that provided him with the ability to deliberate but did not offer to him any of the high professional skills. When in competition with others who attended schools that offered sound training in these skills, he would be deprived of positions and offices. Should the education that John received be considered “just”? No, obviously it should not.

Martha Nussbaum’s threshold principle avoids Gutmann’s political reductionism. Nussbaum identifies central human capabilities implicit in the idea of a life led with dignity. Furthermore, she endorses the idea of a threshold level for each capability, “[b]eneath which it is held that truly human functioning is not available for citizens; the social goal should be understood in terms of getting citizens above this capability threshold” (Nussbaum, 2006, p. 71). Human functions should be understood according to the concept of human dignity; that implies “[t]hat the capabilities in question should be pursued for each and every person, treating each as an end and none as a mere tool of the ends of the others” (Nussbaum, 2006, p. 70). Nussbaum offers a list of ten central human capabilities (e.g. affiliation, bodily integrity, and control over one’s environment (political and material)) whose cultivation is a necessary condition for a dignified human existence (Nussbaum, 2006, pp. 76–78).

One may question whether all of those capabilities can claim universal validity. For example, it is difficult to deny that there may be large groups of human beings capable of leading a life of dignity without aiming to control their environment – both in the political sense of effective political participation or in the material sense of being able to hold property. However, this question is not crucial to this paper’s argument. Another question seems to be much more urgent for the theory of educational justice: are all inequalities above the threshold of central human capabilities irrelevant to educational justice?

The following example illustrates this point. Ian is from a wealthy middle class family and attended a well-financed, high-performing school. Mary is from an underprivileged family and attended a school in her low-income neighborhood. The material resources in Mary’s school are insufficient, there is permanent fluctuation among the underpaid teachers, and several students are confronting drug addiction and crime in their families. Despite this, the school manages to bring its students to the thresholds defined by Gutmann and Nussbaum. However, this is the maximum result that Mary’s school can achieve.

This is not the case in Ian’s school, which offers advanced classes in rhetoric, sciences, economics, and foreign languages. Mary’s school cannot afford these advanced courses. Additionally, because the majority of students at Ian’s school are middle class, the learning atmosphere is much comfortable than at Mary’s school. It is obvious that by the end of their respective schooling both Ian and Mary will be able to effectively participate in the democratic process and lead a dignified human life. However, Mary will be less equipped to handle competition in social positions and offices. Her disadvantages are the result of her poorer education due to her underprivileged family background.

Even if Mary manages to move beyond the capability threshold, enabling her to participate politically in her society and/or to live a life of dignity, I think that most of us would share the intuition that Mary’s educationally produced disadvantages are unjust. This paper claims that this intuition can be conceptually grasped and explicated through the approach of respect egalitarianism.

Unlike proponents of the threshold model, respect egalitarians describe justice and injustice in terms of complete equality: it is understood however as a moral equality instead of as distributive or competence oriented. According to respect egalitarians, formal education cannot be restricted to reaching the capability threshold by everyone. The principle of respect egalitarianism rather presupposes that educational practices of discrimination or unequal treatment of children are unjust, even when these practices do not interfere with the goal of moving all children above the capability threshold that is required for political participation and/or for leading a good human life.

Unlike luck egalitarians, respect egalitarians understand justice as an *inner dimension* of social relations and not primarily as an algorithm for a fair distribution of goods qua transferable *objects*. The underlying idea is that the development of individual autonomy (based on the development of self-respect) depends *immediately* and *primarily* on the quality of the social relations *themselves*. This refers to the social relations that the individuals are involved in and not the possession of distributable goods. Thus, justice presupposes overcoming certain forms of social relations, such as oppression and discrimination, rather than the distribution and redistribution of goods (Anderson, 2000; Gosepath, 2004). In other words, according to respect egalitarians, educational justice is not primarily a matter of the distribution and redistribution of educational resources but of the respectful treatment of all students. Thus, in the issue of educational justice, Birdhouse's bottomless pit problem loses its urgency. Respectful treatment is obviously not a distributive good. When a teacher "gives" respect to student A it does not imply that she "takes" this respect away from student B, nor does it mean that treating some students respectfully presupposes disrespectful treatment of other students.

What does it mean to treat (immature) persons with respect in educational contexts? Approximately fifty years ago, Richard S. Peters offered a description of respect in the field of education that remains unsurpassable in its semantic richness and analytic clarity.

In general respect for persons is the feeling awakened when another is regarded as a distinctive centre of consciousness, with peculiar feelings and purposes that crisscross his institutional roles. It is connected with the awareness one has that each man has his own aspirations, his own viewpoint on the world; that each man takes pride in his achievements, however idiosyncratic they may be. (Peters 1966, p. 59)

According to Peters, to respect someone implies recognizing her as possessing an "assertive point of view" and being capable of "judgments, appraisals, intentions, and decisions," or recognizing him as someone "[w]ho is capable of valuation and choice, and who has a point of view of his own about his own future and interests" (ibid., p. 210).

Thus, respect is the recognition of all features which constitute a person as a "distinctive centre of consciousness" – her feelings, purposes, aspirations, and achievements, as well as her capacity to make judgments. Now, the question is whether one can and should differentiate among those features and among the social and pedagogical relations that address them. This does seem necessary, especially in the context of school-

ing. Teachers cannot regard the judgments, feelings, or aspirations of children in the same way. While educators should seriously consider the feelings of a child in their actuality, they may not acknowledge a child's judgments as being fully true and justified. Educators should rather recognize the child's *potential* to develop the ability for true and justified judgments.

This difference, which seems to have enormous educational significance, may be best explained through Axel Honneth's distinction of two different forms of intersubjective recognition: empathy and cognitive respect. While the recognition form of empathy refers to the emotional needs and wishes of the individual, the recognition form of cognitive respect requires acknowledging the individual as a subject capable of moral autonomy. This capability manifests itself basically in deliberations about the legitimacy of norms. These deliberations presuppose a formal, universalistic moral perspective. Within the process of deliberation, the individual's ability to recognize others and herself as possessors of formal, universal, and equal rights is made evident (Honneth, 1992, pp. 173–185).

Hence, Honneth describes cognitive respect as more or less identical with juridical recognition (Honneth, 1992, pp. 173–196). In his view, to respect a person in that way means not discriminating against him by acknowledging that he has the same rights as every other human being. This recognition of individuals as bearers of rights presupposes the acknowledgement of individuals as morally accountable. It presupposes that they are endowed with practical reason – that is, that they are capable of taking the universal, moral point of view; taking responsibility for their own actions and decisions; and deliberating over moral and juristic norms vis-à-vis the moral point of view (ibid, pp. 173–185).

This conception of cognitive respect seems, at first glance, to have a restricted and/or only indirect applicability to education, for children obviously cannot yet be considered fully reasonable and morally responsible persons. The task of education is precisely to help children to become such persons. However, treating children with “prospective respect” (Curren, 2007, p. 47) is a necessary condition for this becoming. According to the concept of prospective respect, even if children cannot yet be considered fully reasonable, adults (especially teachers and parents) should nonetheless recognize them as having the *potential* to become reasonable persons endowed with moral autonomy.¹ This claim fits very well with Honneth's understanding of a future oriented dimension of intersubjective recognition. According to that future oriented dimension, persons can develop particular abilities given that significant individuals in their lives recognize (in advance) their potential to develop these abilities (Honneth, 1992, p. 110).

While cognitive respect concerns children's futures, empathy addresses children's actuality. To be empathic with children requires co-experience with their experiences – to feel their feelings as caused by their experiences and to understand their needs and ideals. Empathy means recognizing others as they are in their actual subjectivity and emotionally supporting them as they are in their present inner and outer life (Honneth, 1992, pp. 153–154).

Given that differentiation, in discussing respect egalitarianism, it is necessary to address both equality of empathy and equality of cognitive acknowledgement.

¹ As Harvey Siegel persuasively suggests, the most significant justification for fostering rationality and reason, as intended by the educational program of critical thinking, is to treat schoolchildren with respect (Siegel, 2012, p. 192).

Equality of empathy does not necessarily imply that every teacher should equally love all pupils. It is important to remember that norms of justice in general and egalitarianism in particular address in first instance institutional arrangements and not acts of individual behavior. The

demand for egalitarian empathy does not imply an appeal for teachers to equally love their pupils. Rather, it requires modes of teaching and re-structuring curricula, including the needs, ideals, and experiences of all school children in the classroom, and treating these needs, ideals, and experiences as the point of departure for all teaching activities and learning processes.

On the other hand, cognitive respect, as indicated above, means recognizing the child's potential for rationality, that is, for grasping concepts, understanding, and constructing arguments.

Now, when we try to think empathy and cognitive respect together in the context of school education, we will be heading to a notion of just pedagogies. These pedagogies focus affirmatively on both dimensions: the feelings and ideals of *all children* on one the hand and the potential of *all children* to articulate these ideals, feelings, and experiences conceptually on the other. Moreover, teachers who are engaged in this kind of pedagogy will actively initiate and support all children's efforts to articulate themselves in conceptual and argumentative ways.

Schools today – even in the most democratic countries – are still far away from implementing thus sketched norms of just pedagogies. These schools permanently generate what Miranda Fricker calls “testimonial” and “hermeneutical” injustices (Fricker, 2007, p. 1). These forms of epistemic injustices embody a lack of empathy and cognitive disregard, clearly illustrating what empathy and cognitive respect in education are about.

Respect Egalitarianism and Epistemic Injustice

In a recent article, Ben Kotzee persuasively demonstrates that the conception of epistemic injustice, initially developed by Fricker, enables a deeper level of identification and analysis of forms of educational injustice: forms that are likely to have more devastating effects on the educational motivation and success of students than the unequal and/or unfair distribution of material resources in education (Kotzee, 2013, pp. 340–349). Epistemic injustice directly concerns (mis-)recognition of different forms of knowledge and access to publicly validated knowledge (ibid, 340). Since education is basically about the transmission and growth of knowledge, the concept of epistemic justice seems more suited to the specific domain of educational institutions than the approaches that focus on distribution and redistribution of material goods. Generally speaking, the distributive terminology appears to be, in principle, incompatible with the transmission and production of knowledge. Kotzee states, “Furthermore, unlike social goods such as money, food, or housing that are limited and that must be distributed according to certain priorities, there is no limit in principle on the number of people that can know any particular truth” (ibid, p. 343). One person's knowledge of a truth does not prevent another's access to that truth, such that “[p]reventing one person of knowing too much does not improve the quality of what someone else knows” (ibid, p. 343).

Hence, from the perspective of epistemic justice, the most crucial moral pathology in education is not the lack of redistribution of material resources in favor of the disadvantaged by bad brute luck. This pathology consists rather of two forms of

disrespect. Kotzee, following Fricker, calls these forms “testimonial injustice” and “hermeneutical injustice” (ibid, p. 344).

Now, it is important to stress in advance that both testimonial and hermeneutical injustice entail a lack of empathy *and* cognitive respect, however in slightly different ways. While testimonial injustice is characterized by a lack for sensitivity for the specific beliefs and truth claims of certain persons, hermeneutical injustice is basically about neglecting the efforts and needs of those individuals to articulate their beliefs and experiences using publicly recognized concepts; it also concerns the deficit of social semantic resources for that articulation. Testimonial injustice occurs in cases where credibility is assigned based on who individuals are and not what they (may) know. These are cases, in which less credibility is given to students of a lower social status, although they may have an equal ability to gain and produce knowledge as middle class students. So, for example, several empirical surveys from Germany illustrate the point that teachers regularly evaluate children from immigrant families with a lower social status as only being eligible for low-performance, non-academic secondary schools without a college track. This holds true even if these children reached the same level of knowledge-related abilities at the end of primary school as children from non-immigrant families who have gymnasium recommendations (Baumert, 2001, pp. 279–402). The main reason seems to be a particular pattern of thought that is apparently widely widespread among school teachers in Germany. According to the pattern, family socialization of every child as well as her “acculturation” determines the child’s learning ability and hence her knowledge-related credibility (Mannitz & Schiffauer, 2002, pp. 97–100). Thus, not only the level of a child’s knowledge but also the “quality” of her culture and socialization are subject to discriminatory evaluation when decisions are made concerning the kind of secondary school the child should attend in his formal education.

This case is a clear example of a lack of what Fricker calls testimonial sensitivity. This refers to both a lack of empathy to students’ beliefs and a respectful readiness to fully include those students in the space of shared information and argumentative discussion. As Fricker emphasizes, not including someone in that space means not recognizing e him as a ‘knower,’ and therefore hindering him to develop his potential as a knower (Fricker, 2007, p. 145).

The second form of epistemic injustice, the so called hermeneutical injustice, occurs when disrespect towards beliefs, intentions and achievements of certain people is embodied in the publicly (and educationally) validated language itself. This is the case particularly when there are no publicly recognized and developed concepts capable of adequately articulating the beliefs, experiences, aspirations, and achievements of members of marginalized groups (Fricker, 2007, pp. 5–7; pp. 147–152; Kotzee, 2013, pp. 344–345). So, it seems to be the case that in the “official” language of educational institutions in Germany, no concept exists to express the simultaneous self-identification of students from immigrant families with different ethnic cultures as well as their multi-lingual socialization as an achievement, although translating between different languages and cultural contexts is obviously a valuable skill that can serve as a basis for producing new and important knowledge. Instead, educational authorities still place these students in cultural boxes thus reducing the distinctive subjectivity of those students to manifestation of a single “foreign culture” which is seen as being “deficient” with regard to German “leading culture”. As some ethnographic studies suggest, it is very difficult for those students to find verbal means (in the form of publicly recognized concepts) to argue against their own subordination via these

constructed “cultures” and against the educational ignorance of their specific knowledge and abilities (Mannitz, 2003, pp. 319–320; Mannitz & Schiffauer, 2002, pp. 87–100).

This situation disregards the need and demand for recognizing moral equality and valuable achievements (lack of empathy), as well as lack of support for certain marginalized groups of students to make their experiences intelligible and so to participate in the process of knowledge production (lack of cognitive respect). Both of these deficits are the result of cultural domination, largely organized upon a homogeneous canon of traditional knowledge. This canon is not open to conceptual innovations, that is, to new concepts that articulate the experiences and achievements of marginalized groups.

It is not difficult to imagine educational institutions that are able to prevent testimonial injustice and hermeneutical injustice, lack of empathy and lack of cognitive respect. Such institutions would be characterized by an equal regard for different forms of knowledge and the knowledge related abilities of the students, regardless of their social status. Furthermore, within such educational institutions, the beliefs, ideals, and experiences of all students would be brought into the classroom. These beliefs, ideals, and experiences would be the focus and the departure point for teaching at schools claiming to be just. With regard to the issue of construction of school curricula this requires in first place that these curricula should be inclusive to the beliefs and experiences of all social groups and not restricted to the worldviews and values of the upper and middle classes and/or to cultural majorities. Second, the curricula should be flexible enough to enable teachers to use students’ experiences and beliefs – and not fixed “scientific truths” – as points of departure for their teaching.

Unfortunately, most schools are still ignorant of the experiences and beliefs of their students, as well as their potential to articulate these experiences and beliefs conceptually and transform them into knowledge. This is especially true with regard to students who do not belong to culturally and socially dominant groups. Instead, schools are still endorsing a top-down approach, focusing on fixed canonic truths that they attempt to transmit to the heads of the students. This is the main reason why contemporary school education remains unjust.

Which Educational Inequalities are (not) unjust?

The leading goal of this paper was to formulate and justify a normative principle that allows for differentiation between just and unjust inequalities in formal education. Thus far, it has been argued that the approaches of both luck egalitarianism and threshold egalitarianism fall short of this goal. Luck egalitarianism is associated with the bottomless pit problem, which seems conceptually and politically unsolvable. Besides, luck egalitarians tend to interpret education as a positional, distributive good with primarily extrinsic worth. This ignores the fact that education is essentially the growth of knowledge, which is a non-positional good with primarily intrinsic value. On the other hand, threshold egalitarians do not offer conceptual means of discriminating between just and unjust educational inequalities that lie above the capability threshold that every person needs to participate in the political life of his society and/or to live a life of dignity. In other words, simply reaching the capability threshold does not imply that all students have received an equally good education.

This leads us to a distinction that is crucial for developing a thorough account of educational justice. As John Calvert recently argued, one should strictly differentiate be-

tween “equal educational opportunities” and “equal education” (Galvert, 2014, p. 83). While at the talk about “equal educational opportunities” we face actually a notion of *social justice through education*, equal education regards justice *in education*, that is, *educational justice* in

the precise sense of the term. Justice in education is foremost about enabling the maximal growth of self- and world-knowledge for every student and enabling every student to participate in the processes of producing and transmitting knowledge in society. Justice in education is “only” in second place about the question of how this enabling of knowledge may affect student’s economic and social opportunities.

The approach of respect egalitarianism is best equipped to answer the question of how school education can enable the maximal growth of knowledge and participation in knowledge for every student. Let us recall the great insight of John Dewey that growth of knowledge is carried out by mediation between personal experiences and beliefs on the one hand and conceptual contents that claim universal validity on the other (Dewey, 1964, p. 344 ff.; p. 351). In order to initiate this mediation, school education has both to address the personal-subjective ideals, worldviews, needs and feelings of the students, *and* to provide the students with opportunities, pedagogical space and skills to articulate these self-building entities conceptually and argumentatively on the ground of students’ becoming fluent in mastering of academic subjects. Empathy is required to fulfil the former task, while the latter presupposes cognitive respect, culminating in students’ initiation into discursive practices of acquiring and justifying knowledge. We face educational injustice in the sense of respect egalitarianism when the beliefs and experiences of certain groups of students are not represented in the classroom or curricula; when certain students are labelled as not having the potential to grasp and apply conceptual content; or when students are not receiving sufficient support in their schools to become fluent in conceptual understanding and (self-) articulation.

The implementation of these norms of educational respect (i.e. empathy and cognitive respect) would not lead to an elimination of all inequalities between students’ levels of knowledge or between social and economic opportunities of high school absolvents. Levels of knowledge and social opportunities depend on several factors, many of which are largely beyond the scope of formal education, such as family care, upbringing, or peer groups. Educational institutions would nevertheless become just if they treated all students with equal respect; this means that they would not internally produce epistemic injustice.

These considerations should not be misunderstood to mean that distributive questions are irrelevant for educational justice in the respect approach. Educational injustice in the form of disrespect is closely linked to unfair distribution of material resources. When educational policymakers and teachers disregard the experiences and the knowledge ability of students with an underprivileged social and cultural status, they tend to spend less money and effort on disadvantaged students’ education as compared with students from wealthier circumstances who are situated in culturally mainstream families. It is ultimately this genetic link between unequal distribution of resources in education that neglects underprivileged children, and disrespect towards those children that makes this distribution unjust.

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