



# Leadership Education and Development for Justice Using the Canonical Framework of John Rawls's, *A Theory of Justice*

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## Introduction

Higher education that presupposes a specific conception of justice do well in preparing students to make claims of justice from specific perspectives or positions. However, civic leadership students with a strong background in specific conceptions of justice are often not equipped with necessary skills, dispositions, and habits to exercise leadership in ways that can manage political contestation associated with competing claims of justice. Marshall Ganz (2010) defines leadership as "...accepting responsibility to create conditions that enable others to achieve shared purpose in the face of uncertainty." (527) Ganz's definition of leadership points directly to the limitations of justice education that design leadership education and development around specific understandings of justice. Civic leadership for justice hinges on the ability to create conditions that can maintain and link public relationships to shared values. Maintaining a link between public relationships and shared values is what creates the possibility of an overlapping consensus to emerge around what is required of justice. Higher education that are anchored to a specific conception of justice promote a form of moral reasoning that is unable to resolve contestation and disagreement.

Civic leadership education and development, connected to specific conceptions of justice, often, consciously and unconsciously, encourage students to paint a vision of change that relies solely on simple forms of moral intuitionism. Moral intuitionism is a type of ethical and philosophical reasoning that is not guided by universalized principles, but instead "gut feelings," informed hypothesis, or individualized suspicions. Values connected to moral intuitions fail to produce conditions that support public relationships across disagreement, difference, and political contestation. (See Rawls 1999 for a complete critique of moral intuitionism.)

Moral intuitionism provides no mechanism to order conflicting conceptions of justice that emerge from the range of value systems, ideologies, cultures, religions, and political ideologies contained within a pluralistic society. Structuring,

coordinating, and managing public justifications become an essential component of avoiding the limitations of moral intuitionism. As a result, creating the conditions for public justification, in civic and public spaces, becomes an essential element of exercising civic leadership for justice. When claims of justice are made in civic and public spaces they are evaluated against a range of value systems, ideologies, cultures, religious doctrines, and political ideologies. Free and democratic society requires that public discussions are not anchored to a specific comprehensive doctrine. In a free society, public claims must be evaluated on terms that a reasonable person would accept and not on a unique belief system of the individual.

Public justification is the process that brings claims of justice into public. John Rawls (2002) refers to the process of justifying claims of justice to others in community as *public reason*. The subject of public reason is the "...political conception of justice required of society's basic structure of institutions, and of the purposes and ends they serve" (93). Civic values, public processes, communication, and general methods of public justification help overcome political contestation and build consensus around what is required of justice.

Civic leadership education and development needs to prepare not only justice identity development opportunities, but also space in which students can consider the role public justification has in exercising leadership for justice. Forms of justice education that fail to connect content, curriculum, and teaching methods to basic understandings of public reason open themselves to the critique that they are politically motivated attempts to advance a particular ideological perspective. This type of critique can be interpreted not as a general indictment of the justice education or leadership fields, but instead as a symptom associated with failing to prepare students to handle political contestation associated with exercising leadership to advance claims of justice.

*Social justice* education has become mistakenly associated with specific ideological leanings. Failing to teach students about political contestation and public reason has led many to associate social justice with ideological positions of the political left or an inherent liberal bias (deMarrais, 2006; Klein and Stern 2005; Rothman, Litether, and Nevitte 2005). Conflating contested understandings of justice with absolute requirements of justice is problematic. Educating and developing students to exercise civic leadership for justice involves cultivating the capacity of community to consider not only what justice requires, but find general consensus that link shared values to public relationships. Individuals exercise leadership around the following five core principles: building relationships committed to a common purpose; translating values into sources of motivation through narrative; turning resources into the capacity to achieve purpose by strategies; mobilizing and deploying resources as clear, measurable, and visible actions; and structuring authority so as to facilitate the effective distribution of leadership (Ganz 2010; 2014).

Making the study of public reason central to justice education will help civic leaders create infrastructure for community to consider what is required of justice. Justice education should avoid assertions of justice that rely on moral intuition and are open to explicit contestation. Instead, justice education should prepare students to exercise leadership by designing, creating, and evaluating spaces that support and cultivate public reason. Justice education ought to recognize and cultivate a "...duty of civility..." that prepares community to consider how to educate and inform the ways individuals "...explain to one another on those fundamental questions of how the principles of policies they advocate and vote can be supported by the political values of public reason" (Rawls 2002, 95-96). Public discussion in a pluralistic society requires a form of justification that separates the particular belief systems of an individual from the conditions that a willing and reasonable person would accept. Rejecting moral intuitionism shifts the focus of leadership for justice from asserting a particular position to creating the conditions in which community can publicly justify their understanding of what is required by justice. The spaces that are created will be able to manage and respond to associated contestation.

We propose a framework that helps educators prepare civic leadership students to recognize and manage political contestation associated with claims of justice through the lens of public reason. Our framework suggests that current forms of justice education fail to emphasize the appropriate content and curriculum associated with theories of justice, public narrative, and public deliberation. Justice education needs to prepare students to understand not only theoretical dimensions of how principles of justice are formulated, but also how to design teaching and learning spaces that prepare students to engage the public around issues of justice. We do not present a full theory of justice in this chapter, but demonstrate the current limitations of moral intuitionism. The chapter demonstrates an approach to public reason that is connected to the philosophical structure developed by John Rawls (1970/2005), that can better prepare students to exercise leadership for justice.

### **Context of Justice Education and Civic Leadership Development**

Relying solely on personal values that extend from one's culture, religion, politics, or moral intuition, limits the ability to achieve some degree of consensus and shared values around what is required of justice. There are many examples in the justice education literature that highlight how political polarization has created a context that encourages individuals to make claims of justice without recognizing associated political contestation and processes of public justification. We highlight a few examples that illustrate how common approaches to justice education fail to account for moral intuitionism and political contestation.

Approaches to justice education that encourage students to assert claims of justice fail to connect education to realities associated with exercising leadership in a pluralist society. As a result, justice education fails to prepare students to recognize the role public justification has in cultivating the capacity

of community to discuss issues of justice. For example, Nieto (2000) suggests that education that focuses on justice will be more likely to design curricula that advance the "... values, attitudes, and skills that teachers need to be fair and effective with all students" (183). We agree that fairness, as justice, is an appropriate starting point to begin to consider what is required of justice. However, determining a justice as fairness requirement, as a frame for justice education, fails to prepare civic leaders to cultivate the capacity of public reason in community that is necessary to overcome political contestation and make progress towards a more just society. Justice as fairness requirements cannot be a universalized principle and order competing claims of justice. For example, Nieto (2000) suggests that justice should be measured against standards of diversity and effectiveness. If the leadership education field were to accept these standards together there would be no way to order competing claims of justice when tensions emerge. For example, emerging online learning technology that adjust content and curriculum according to student background and performance might be highly effective, but might unfairly track students towards specific education groupings that arbitrarily impact their life chances. In this case, do we attach more weight to effectiveness or to the outcomes that might unfairly track students? As it currently stands, most justice education and civic leadership do not prepare graduates to order competing claims of justice without relying on their moral intuitions.

Bounding claims of justice around moral intuitionism is supported by how justice education is defined. For example, Butin (2007) defines the learning tied to justice-oriented education as being "...concerned most prominently with making visible that contingency of our present situation, that we are always-in-the-making of our beliefs, practices, and structures" (181). Along these lines, Bell (1997) suggests that justice education "...begins with peoples' lived experience and works to foster critical perspective action directed toward change" (14). Young (1990) stresses that the procedural elements and goals of justice education are to highlight how seemingly individualized forms of marginalization and oppression are really just one part of larger systems and institutions in society. Although assumptions and claims made in the justice education field can be supported with a range of ways of knowing and understanding, significant resistance still exists as claims of justice move toward practice. Each of these definitions of justice education provides no account of how they understand moral intuition, or how they account for political contestation, or the principles used to evaluate competing claims of justice. Failing to move beyond moral intuitionist claims of justice prevents civic leaders from creating the conditions where groups of people can act on shared values in the context of uncertainty.

Our goal is not to discredit justice education. Instead, we hope to provide an internal critique of justice education that will illuminate a path that will improve the field. Justice education orbits around critical issues of the 21st century. We feel it is desperately important that justice education cultivate the capacity of community to reconcile competing claims of justice through a public reason and justification frame.

### **Moving beyond Moral Intuitionism**

One of the larger limitations of justice education is that it does not provide civic and educational leaders a path beyond moral intuitionism. Intuitionists maintain, "...there exists no higher-order constructive criteria for determining the proper emphasis for the competing principles of justice" (Rawls 1999, 30). Intuitionist theories generally have two features that make it difficult to move beyond political contestation and articulate positions publicly. First, intuitionist theories "...consist of a plurality of first order principles which may conflict to give contrary directives in particular types of cases" (30). This is evident in the example made earlier that called for both diversity and effectiveness to be ordering principles of justice. Essentially, the maxims of intuitionists evolve with context and create contradictory understandings of justice in different situations. Second, intuitionist theories have "... no explicit method, no priority rules, for weighing these principles against one another: we are simply to strike a balance by intuition, by what seems to us most nearly right. Or if there are priority rules, these are thought to be more or less trivial and of no substantial assistance in reaching a judgment" (30). As a result, intuitionists often have no mechanism to resolve reasonable disagreement that attempts to determine the requirements of justice. Again, referring to Nieto (2000), there is no mechanism to prioritize claims of diversity and effectiveness when these claims of justice come into conflict. Moral intuitionism has no mechanism to single out specific principles of justice and no way to prioritize competing principles of justice that lead to conflicting requirements.

The features of moral intuitionism manifest in a range of ways in applied settings. The most common form found in justice education is common sense intuitionism. Common sense intuitionism, according to Rawls (1999), takes "...the form of groups applying to a particular problem of justice" (31). In the context of education, one group of precepts would apply to curriculum and instruction, another group to access, and others to racial diversity, public taxation, educational leadership, and so on. As the requirements of justice shift across different areas contradictory positions are accepted. The result is an unstable application of how the precepts of justice are applied in fields of education. The inability to point to specific principles of justice that would be universally accepted, and failing to prioritize conflicting understandings of justice, opens justice education to being critiqued as including a political bias. We suggest referring to Rawls's (1999) theory of justice to frame the content and curriculum of justice education around public reason and justification.

### **Rawls: A Theory of Justice**

Rawls's (1999) *A Theory of Justice* provides justice education a procedural approach and method to resolve political contestation associated with justice claims. Our goal is not to showcase Rawls as the only approach to justice thinking that moves beyond moral intuitionism. Instead we suggest that his theory of justice provides justice education an appropriate starting point to reconcile existing philosophical and practical challenges that currently limit the field. The framework described by Rawls offers leadership education space to

consider questions of public reason and political contestation. The framework is intended to move justice education from strictly observing moral intuitionism to more sophisticated accounts of public reason.

This section outlines the general Rawlsian (1999) framework of justice and highlights the three main levels of Rawls's theory: considered judgments (42), the original position (102), and the principles that define a well-ordered society (397). Rawls's theory has the potential to make two major contributions to justice education. First, the theory operates within the contract tradition and is intended to be a strict compliance theory. This means, opposed to partial compliance theories, this theory is a comprehensive ideal theory and provides universal principles that reasonable people will accept under the appropriate conditions of justice. Secondly, procedural and deliberative elements of this process ensure claims of justice are linked to public reason and justification. Rawls defines justice as "...the role of its principles in assigning rights and duties and in defining the appropriate division of advantages (9). The three levels of Rawls's theory point to areas justice education curriculum could include to improve the ability of education and civic leaders to absorb political contestation associated with claims of justice.

### Considered Judgments

Rawls (1999) designed the initial level of his theory around a series of assumptions associated with moral reflection and inclinations. Essentially, Rawls assumes that each person interested in defining the requirements of justice must constitute their good, and ultimately "...the system of ends which it is rational for him to pursue..." (16). Rawls argues that individuals start their moral reflection at the most general level in order to rule out arbitrary circumstance that advantage and disadvantage individuals. Individuals' sense of justice is considered and accounted for through considered judgments. Although this level of the theory does not solve issues associated with moral intuitionism, it helps frame the basic element of a more complex consideration of justice. Individuals understand that the public reason perspective will require them to justify their positions to others. As a result, moral reflection and inclination take on an outwardly public character. For example, Rawls often refers to how knowledge of one's wealth might influence judgments around just taxation. Wealthy people might find it rational to support principles that do not support welfare, whereas others who might benefit from welfare would support the opposite principle (Rawls 1999). Rawls attempts to remove degrees of bias from the process by designing a system in which individuals interested in justice evaluate what he calls *considered judgments* behind the *veil of ignorance* in the *original position*. Individuals interested in defining the requirements of justice take their initial moral reflections, or *considered judgments*, to the next level of Rawls's theory. The theory assumes bias and self-interest are the basis of political contestation. Rawlsian methods are designed to account for self-interest in ways that avoid opening discussions of justice to direct political contestation.

### Original Position

Rawls's (1999) theory is designed to define principles of justice that disinterested and reasonable individuals will accept behind the veil of ignorance in the original position. The veil of ignorance and original position can be thought of as a hypothetical thought exercise and method to ensure "... fundamental agreement reached in it are fair" (11). The veil of ignorance and original position creates a space that connects considerations of justice directly to deliberation. Abstracted self-interest becomes the standard by which rational decisions are measured. Free and equal citizens would not accept a principle of justice that would unfairly shape someone's life chances when their own position in society is unknown. The informational restraints and original position create the conditions for individuals to consider how principles of justice will satisfy the abstracted self-interest of others. The theory assumes that a principle of justice will be accepted if these conditions are met and each parameter of deliberation is accepted.

The first dimension of the deliberative framework associated with the original position is that the process will begin with "...widely accepted but weak premises" (16). The ultimate goal of this deliberative approach is to frame initial parameters around associated discussions of justice. It is to be hoped, from a leadership education perspective, that this approach will satisfy intuitionists' approaches to justice. The purpose of this initial stage of deliberation in the original position is to present possible principles regardless of their likelihood to be accepted. Unacceptable understandings of justice will be rejected through the deliberative process. The benefit of public reason is that rejection will correspond with justifications that reasonable, free, and equal persons would accept.

Once basic considered judgments have been made they can be evaluated behind the veil of ignorance. The veil of ignorance is a procedural attempt to remove information that is irrelevant to what is required of justice. Rawls's construction of the veil of ignorance is designed to "...nullify the effects of specific contingencies which put men at odds and tempt them to exploit and natural circumstances to their own advantage..." (118). In practice, this means individuals accepting the terms of the original position and veil of ignorance do not include certain types of information in their deliberation.

Rawls's theory carefully considers what information should not be included in deliberations related to justice. Rawls (1999) states:

First of all, no one knows his place in society, his class position or status; nor does he know his fortune in this distinction of natural assets and abilities, his intelligence and strength, and the like. Nor, again, does anyone know his conception of the good, the particulars of his rational plan of life, or even the special features of his psychology, such as his aversion to risk or liability to optimism or pessimism. More than this, we assume that the parties do not know the particular circumstances of their own society. (118)

The informational restraints of Rawls's original position are intended to move considerations of justice beyond moral intuitionism. However, over time, the literature around deliberative methods and the original position added different ways of knowing, understanding, and communicating. Young (2002) updated deliberative assumptions that informed the production and construction of gendered forms of communication. Nussbaum (2013) adjusted the assumptions of the original position to include forms of knowledge located in emotion. Sen (2011) and Rawls (2001) modified the procedural elements tied to the original position to include aspects that recognize pluralism and multiculturalism. The initial take of the original position also assumed certain types of ideal speech patterns associated with Habermasian theory. More recent iterations of deliberative civic engagement have attempted to expand the modes of communication accepted within the original position (Siu and Stanisevski 2012).

**Well-Ordered Society**

The deliberative process is designed to produce principles of justice that reasonable people will accept and recognize. Rawls (1999) asserts that accepting principles of justice behind the veil of ignorance in the original position is "...equivalent to saying that rational deliberation satisfying certain conditions and restrictions would reach certain conclusions" (120). The assumption being that the process and quality to achieve principles of justice are just as important, and no more, to coming to just conclusions. Rawls asserts that the methods of his theory will produce the following two principles:

First: each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties of others.

Second: social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all. (53)

The well-ordered society is the final stage of the theory and incorporates principles of justice to life. For purposes of justice education, a well-ordered society is intended, and will have a consequence of supporting certain types of moral development and learning. The deliberation process and assumptions around moral development ought to ground justice education.

**Moral Education, Deliberative Civic Engagement, and the Well-Ordered Society**

Constructing and measuring the well-ordered society against existing institutions is the final stage of the theory. It is a common misapplication of principles of justice to measure them against a specific issue. Instead, the principles of justice should be used to identify what is required of justice at an institutional level. Once the requirements of justice are determined at an institutional level, individuals can measure the gap between how an institution assigns rights and obligations and distributes advantages, and the outcomes that institutions ought to support. The focus of justice education is how best to teach students about exercising leadership to advance. Rawls (1999) describes a well-ordered society where "...everyone accepts and knows that others accept the same principles of justice, and the basic institutions satisfy and are known to satisfy these principles" (400). Justice education plays a central role in Rawls's theory and account of the well-ordered society. The moral development of individuals and engagement with justice is what determines corrective measures when an equilibrium of a systems or institution is disrupted. Rawls defines equilibrium as a system that "...has reached a state that persists indefinitely over time so long as no external forces impinge upon it" (400). The goal of the theory is to create stable and just institutions. Stability is achieved when enough strength exists to "return back to equilibrium" (400).

Table 1 | **Core Areas of Deliberative Civic Engagement and Public Reason that Should be Included in Justice and Civic Leadership Education**

Spaces of Deliberative Civic Engagement	Inclusive Modes of Deliberative Civic Engagement	Consequences of Deliberative Civic Engagement
<ul style="list-style-type: none"> <li>• Understanding of how to design, execute, and assess deliberative civic engagement forums</li> <li>• Facilitation skills; Understanding of facilitation teaching and learning</li> <li>• Understanding of public reason and public justification</li> </ul>	<ul style="list-style-type: none"> <li>• Strategies and pathways to engage unusual voices across class, race, gender, and ability</li> <li>• Ability to create spaces that allow for different ways of knowing, understanding, interpreting, and experiencing</li> </ul>	<ul style="list-style-type: none"> <li>• Understanding different positions and voices</li> <li>• Understanding collective action</li> <li>• Demonstrated understanding of movement building</li> <li>• Ability to coordinate broad-based policy interventions and advocacy</li> </ul>

## Conclusion

Rawls's theory illuminates toward a justice education curriculum that connects structured methods to practice deliberative techniques. Exercising civic leadership for justice is repositioned to create and improve the conditions necessary for community to consider what justice requires of it. To improve the conditions in which community can more meaningfully consider the requirements of justice through deliberative civic engagement needs to be a core component of leadership education and development. We suggest three core areas that civic leadership education and development include.

First, civic leadership education and development need to prepare students to design, execute, and assess public forums. This content should prepare students to engage questions of inclusion across modes of communication, class, race, and gender. Furthermore, students need to be prepared to manage contestation that moves to deeper levels of thought. Secondly, civic leadership education and development need to prepare students to engage unusual voices. A key feature of civic leadership is engaging communities that might have been historically marginalized and oppressed by the current systems and institutions. Creating the conditions in which a wide group of stakeholders are at the table is how civic leadership helps communities make progress on issues of justice. Thirdly, civic leadership education and development need to demonstrate strategies to make the results of public forums consequential. Deliberative civic engagement has instrumental value only when public discussion moves to action. Table 1 maps the core areas of deliberative civic engagement and public reason that should be included in justice and civic leadership education.

Public reason respects a path beyond moral intuitionism, and a mechanism to prepare civic leadership to reasoned to political contestation associated with justice. If higher education programs are to become sites of justice, the aim should be to develop basic curricular structures that cultivate the skills of abstract reasoning and a desire for justice. Rawls's theory illuminates a path toward a justice education curriculum that is anchored to philosophical methods and deliberation. Rawls's theoretical framework and a commitment to building the capacity of public reason can help civic leadership design more effective paths toward justice.

In closing, justice education has several challenges that need to be addressed in order to attract, retain, and graduate twenty-first-century learners. Educators must establish an educational curriculum that is grounded in a comprehensive theory that promotes justice and moral development as public reason, as opposed to moral intuitionism and political contestation. The Rawlsian (1999) framework of justice provides educators a starting point for critical engagement and reflection, and prepares students to engage in public discourse and seek solutions to complex problems with the aim to minimize charges of ideological leanings and liberal bias.



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