What is Equity? A Literature Review Informing California Administrator Performance Assessment Expectations

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The newly implemented California Administrator Performance Assessment (CalAPA) expects future administrators to create more equitable schools. The CalAPA's mandate toward equity creates an imperative to further explore what is meant by equity and how administrative candidates can become effective equity-minded leaders. This literature review explores models of equity (Nussbaum, 2011; Rawls, 1971 & 2001; Sen 2009) relevant to the CalAPA and, towards developing effective equity minded leaders, offers critique of the models, with suggestions of key principles equity minded leaders might apply in practice.

The newly implemented California Administrator Performance Assessment (CalAPA) forms both a process and a performance-based instrument for developing equity-minded educational leaders. The CalAPA consists of three main cycles, the first of which explicitly addresses the equity goals of this wholesale and systematic reform effort, "Leadership Cycle 1: Analyzing Data to Inform School Improvement and Promote Equity" (California Commission on Teacher Credentialing, 2018a). The directions for Cycle 1 thrice employ equity language within the first two sentences of the introduction, "Effective equity-driven educational leaders develop a collective vision through the use of multiple measures of data that focus on equitable access, opportunities, and outcomes for all students. Collaborative leadership skills related to developing a vision for equity …" (California Commission on Teacher Credentialing, 2018a, p. 1) The CalAPA stipulates that "equity gaps"–discrepancies between performances in academic achievement or well-being between various student demographic groups—be identified, addressed using research-based practices, and reduced or eliminated.

The goal of equitable access opportunities, and outcomes for diverse students, has long been a goal of educational reformers who see equity as a foundational moral imperative (Anderson, 1998; Apple, 2000; Ball, 1997; Foster, 1986; Ylimaki, 2011). The CalAPA seeks to systematically develop and assess this moral imperative through the CalAPA process. Equity appears over two dozen times across the writing templates for the three CalAPA cycles such as in Cycle 1, Step 1's requirement that candidates answer, "How does understanding the political, social, economic, legal, and/or cultural context(s) influence your ability to provide equity-driven leadership?" and Cycle 3, Step 4's requirement that the candidate "Reflect on and cite evidence of how effectively during this cycle of coaching and observation you maintained a high standard of professionalism, integrity, and equity during your coaching interactions with the volunteer teacher." (California Commission on Teacher Credentialing, 2018b)

Helpfully, the CalAPA support materials such as the Cycle 1 Assessment Guide (California Commission on Teacher Credentialing, 2018a) defines equity, within the parameters of "equity driven leadership," as the ability to:

1. conceptualize schools as complex organizations comprised of a network of dynamic and interdependent thinking components.
2. pursue school change and improvement through systemic change and capacity building, and
3. create and articulate a shared vision of a school as a place where all students are fully engaged, inspired, empowered, and their voices are heard.

Building on this definition of leadership, the same guide defines an "equity gap analysis," as encompassing "discrepancies," between improvement plan goals and actual student performance regarding "previously underserved students." In providing these definitions, the CalAPA provides candidates focus and clarity regarding the very real performance task they must complete to earn their Preliminary Administrative Services Credential and begin their administrative careers. Specifically, use of terms such as "equity gap," "shared," "all," and "previously understand," implies that "equity" means simply "equality."

While equity is a necessary and appropriate objective, particularly for the focused and immediate task of passing the CalAPA, the concept of "equity," as developed within the philosophical field of social justice, is neither clear cut nor simple (Nussbaum, 2011; Rawls, 1971 and 2001, Sen, 2009). Theories of justice recognize that the world is a very diverse and complicated place where even concepts like "justice" and "equity" are open to multiple interpretations that can be heavily influenced by multiple factors including gender, culture,

ethnicity, nationality, religion and more, that together compose each individual's identity. What is "just" for one may not be "just" for another. Indeed, depending on which identity factor is being examined, what is just for one aspect of an individual's identity may be unjust for another aspect of the same individual's identity. Navigating these complexities forms the key challenge in building a more just and equitable world.

The CalAPA as a state-mandated policy reform effort provides an impetus to revisit theories that may better equip future administrators to successfully navigate the turbulent waters of justice. The very fact that the state had to make equity an explicit and assessed instructional goal suggests the difficulty of addressing the topic, as does the lack of social justice leadership described in Ruich and Taylor's (2014) study of principal leadership. Asking the question, "What is equity?" forms a clear although deceptively simple starting point for this inquiry. I proceed to address the question through a literature review (Fisch & Block, 2018; Palmatier, Houston, & Holland, 2018) that first describes my systematic process for choosing relevant literature, then explores and critiques the literature's key concepts, and concludes with suggestions for application to educational administration preparation and practice.

Literature Review Process

As professors responsible for preparing our students for success on the CalAPA, success in their future administrative roles, and ultimately in fulfilling the moral imperative of developing a more just society, equipping our students with a more deeply grounded view of justice and equity becomes our own imperative. Discovering and developing the educational moral imperative drives this study. As a former practicing principal and assistant principal in diverse and comprehensive public high schools, I am also aware of the imperative to find theory that can be easily recalled and quickly applied to the myriad of problems and dilemmas administrators are called upon to address each working day.

In addressing this complex set of expectations, the CalAPA itself provides clues to an effective social justice starting point. The CalAPA not only requires equity as an outcome of the administrative process, but also defines three key sets of skills necessary to achieve these results: analyzing data, facilitating communities of practice, and coaching individual teachers. These skills can also be categorized as, "capabilities," or what a person is capable of actually doing or being.

The study of capabilities forms one significant strand of justice theory most recently promoted by Martha Nussbaum (2011) who suggested that entrenched social inequities can best be addressed by developing specific capabilities, of which specific skills such as those assessed on the CalAPA, could reasonably be part. Nussbaum, as shall be explored in more detail later, contributed to justice theory by providing specifics and definition to a broader capabilities approach as explained by Amartya Sen (2009). In turn, Sen's work on practical and measurable capabilities was a respectful but pointed critique of the more theoretical approaches taken in the seminal work of John Rawls (1971, 2001). While Sen focused on developing real skills or capabilities that could be measured in real life, Rawls focused on theoretical work revolving around hypothetical questions mostly involving institutions.

The works of Rawls, Sen, and Nussbaum therefore form a substantive strand of social justice theory that seems to inform the CalAPA's development. As such, this review focuses on their work by seeking first to understand and explain key concepts. While these three triumvirate authors are interrelated in their thinking and even critique one other, other works

that directly critique or comment upon their work is also explored in this article, particularly as they relate to practical application within a schooling setting.

Finally, social justice theory involves two foundational but opposing concepts. These two concepts are reflected in the selection of the literature reviewed to provide a balanced approach and because the literature itself addresses them. Deontological approaches argue that the morality or justice of a position is judged by the action's adherence to a rule or set of rules. In other words, justice is defined by the fulfillment of duty or obligation. Deontology contrasts with a teleological approach. Teleology takes a person's propensities and inclinations as they are given and seeks to fulfill them. Teleological approaches can be defined as seeking the "good" or the benefits for people while deontological seeks the "right" or the correct principle.

Sen (2009) illustrates the tension between these two views through the story of Arjuna and Krishna. In this Sanskrit epic, Arjuna and Krishna discuss a massive impending battle. Arjuna takes a deontological approach when he discusses the rightness of his army's cause. On the other hand, he also expresses doubt regarding the massive bloodshed that will accompany his duty to principle. In pondering the bloodshed, including the bloodshed of men whose only connection to the argument at hand are family ties to either side, Arjuna takes a teleological approach emphasizing human good over duty to principle.

Once I have referenced the relevant literature, I will proceed to summarize, synthesize, and critique the essential philosophy, goals, and means to achieve these goals.

Findings and Discussion

This section presents and discusses the key findings by first addressing diverse individual starting points and proceeding to present and critique the ideas of Rawls (1971, 2001), Sen (2009), and Nussbaum (2011) in building a more just society.

A Fair Start

Addressing the idea of an equitable beginning forms a key social justice challenge: the world is diverse, some start life with more privilege than others, and these inequities can be reinforced generationally (Brighouse and Swift, 2008). By asking, "what is a fair start?" Sandel (2011) neatly summarizes the concept of an equitable beginning as a key social justice concept. Sandel includes all income, wealth, honors, and access to privilege as subject to justice and suggests that the basis of the moral claim individuals have to these desirable outcomes is the defining beginning of justice. For example, the students in his Harvard class could argue that they occupy their seats through their own hard work and skill, a solid moral claim. However, a survey of the class revealed almost every student was also first born in their families, a fact not one student had any control over. Hence, did the students attend Harvard because of their own hard work and skill, talents over which they had agency, or did they have talents and skill because they were first born and these are traits typically associated with eldest children? If the latter is true, the students' moral claim to their merit of attending Harvard, something over which they had little or no agency, weakens the claim of justice.

Rawls (1971, 2001) takes a similar approach; indeed, Sandel even cites Rawls' concept of the "original position" in his example. In the "original position," Rawls hypothetically asks each person to imagine their existence but without any knowledge of their future gender, wealth, nationality, ethnicity, or any of the other categories we use to define and separate ourselves.

Rawls describes this hypothetical process as being, "behind the veil," where our future attributes are hidden from view. From this original position, any proposed law, policy, or practice can be assessed by simply asking how agreeable the proposal is to those behind the veil. If the proposal is agreeable to those hypothetically stripped of the standard identity-forming categorizations, then the proposal is likely just to all.

Sen (2009) and Nussbaum (2011) agree with Rawls, Sen going so far as to dedicate his book to his Harvard colleague, but he then stakes out a more practical approach. After acknowledging and critiquing that the "original position" can never actually be achieved in real life, Sen argues we should seek to advance but not necessarily perfect human experiences. Sen seeks capability that leads to the well-being of both the individual and others. Individuals should have the agency, that is the freedom and ability, to achieve those goals of well-being that are important to them.

I should share a note here on the difference between the way "freedom" and "ability" are being differentiated here, as both are necessary for agency. Freedom speaks to the *institutional* ability to act, whereas ability refers more to the individual's ability to act. For example, a prisoner who can read but is denied books has the ability to read but lacks the freedom to do so. Alternatively, a prisoner granted with a plethora of books, but who is illiterate, has the freedom to read but lacks ability. Sen's and Nussbaum's justice is founded on the capability – the combination of freedom and ability through agency – to actually do things. Nussbaum then takes the argument further by suggesting what those "things" might actually be, including: life, bodily integrity, bodily health, imagination, emotions, practical reason, affiliation, respect for other species, play (yes, as in child-like free time), and control over their environment.

Even this brief foray into the relatively simple question of what justice even is, not even how we go about achieving justice, reveals deep philosophic disagreement. Is justice defined by just institutions, just capabilities, or both? Nevertheless, some common language and concepts seem to emerge. Generally, justice is found in improving capabilities, opportunities, and freedom. Generally, people will choose more positive benefits such as income and prestige over less. Generally, people want a fair start and level playing field, in other words, the language of equity.

Building Justice: The Difference Principle

People will usually choose more opportunity over less, more freedom over less, and more benefits such as wealth, income, and prestige, over fewer benefits. The problems challenging, constraining, and even prohibiting the accomplishment of an idealistically just society are immense and relate to facts of nature: not everyone is born with the same abilities and societal circumstances, and not everyone has the freedom to discover, develop and utilize their abilities. These institutional constraints take varied forms but are often expressed through racial, ethnic, religious, class, and other sociological institutional constructions.

Rawls therefore focuses his efforts on defining and creating just institutions after acknowledging that accidents of natural endowment and contingencies of social expedience create injustice from the beginning. He addresses this beginning with the creation of the original condition wherein each hypothetical society member stands behind a veil of ignorance, blind to the natural and social endowments that await them beyond the veil in real society. Rawls suggests just institutions would be formed by such individuals behind the veil of ignorance as

justice would be found in the agreements they made in such a state. For example, creating a society in which men are all powerful and women are completely subservient is unlikely to occur behind the veil of ignorance. Each veiled participant would realize they had a fifty percent chance of being all-powerful, but also a fifty percent chance of having no power. No rational individual behind the veil would take such a risk and therefore no such society would be formed.

But what society would be formed? To answer this question, Rawls takes a deontological approach emphasizing commitment to principles encoded into constitutions, institutions, laws, policies, and practices. Rawls argues that behind the veil of ignorance, in the original position, individuals would agree to certain principles that would then constrain and guide their future construction of social institutions and the laws and policies those institutions in turn would create. In order, the principle of equal liberty and the difference principle (Rawls, 2001, p. 42) states:

- *Each person has the same indefeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all.*
- *Social and economic inequalities are to satisfy two conditions: first, they are to be attached to offices and positions 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.*

These two principles address the two fundamental constraints fighting against a just society, that is, unequal liberties and unequal access to resources.

I suggest the idea of basic liberties is already engrained in American society although not necessarily always fully realized. That individuals are entitled to certain liberties such as those of association, religion, and conscience is already widely viewed and accepted. Note that Rawls does limit one's rights to basic liberties when those rights infringe on another's rights.

But Rawls does not allow the essential equal liberties to be impugned by financial factors. The order of these two principles is important: the second principle addresses financial concerns, while the first addresses essential liberties. Rawls is unequivocally stating that financial concerns are of secondary importance to essential liberties. Put another way, no one should be forced to give up their freedom of conscience, for example, in order to facilitate someone else's access to wealth.

To explain why this is a significant change in social justice theory, and to begin the explanation of the importance of the second principle, I need to take a brief detour into philosophic history. Classical utilitarianism suggests that people come together in societies to protect and promote their individual and mutual interests. Put more bluntly, utilitarianism seeks to maximize an individual's happiness, pleasure, or some other definition of "utility." In this view, social institutions are arranged to maximize the weight of the sum of the expectations of a relevant, representative man (Rawls, 1971, p. 161). By emphasizing the sum of benefits, society can easily become distorted. For example, some could accrue benefits at the expense of other's liberty, such as in the institution of American slavery. Even if basic liberties were not violated, the sum of the benefits might be accrued in a manner that directly benefits a few but leaves others destitute. For example, wealth increased tremendously during the American Gilded Age of the late 1800s. However, most of the wealth accrued to a relatively small percentage of people. By only looking at the overall sum of new wealth in late 1800s America, one might assume the increase to be just. However, the overall sum hides destitutions of the poor flocking to America's new urban centers. Likewise, a similar argument might be made regarding the Information Age or globalization's impact on wealth in modern America.

Some address the issue of wealth inequality by arguing for equality. In such a view, all would have the same. Rawls' difference principle takes a different approach by changing the definition from a sum to a spread of society's wealth. As the principle states, inequality is clearly tolerated and even acceptable. But, that inequality is only acceptable to the extent that the beneficiary of the extra wealth benefits the least well-off. By this definition, then, slavery is clearly unjust as the slave owner benefits at the expense of, rather than the benefit of, the slave. Turning to another example, one might look at Bill Gates' enormous wealth gained through the development and deployment of a new operating system that played a significant role in opening computing power to the masses. Computing power has served as a transformational disruption in virtually every aspect of life typically resulting in better service. Arguably then, Gates' massive fortune is just as the source of his wealth derived from improving life for even the world's least well-off.

Finally, Rawls sees the equal liberty and difference principles as critical to the provision and maintenance of the primary goods necessary for a just society. He originally (Rawls, 1971) defines primary goods as those goods that one would both want and find useful. He later (Rawls, 2001) re-defines primary goods more specifically as those things needed by individuals to be fully participating citizens in a just society. These primary goods might include: basic rights and liberties such as freedom of conscience, freedom of movement and choice against a background of diverse opportunities, powers and prerogatives of offices and responsibilities, income and wealth, and the social bases of self-respect — those aspects of institutions essential to citizens having a lively sense of their worth as persons and advancing their ends with self-confidence (Rawls, 2001, p. 58).

Generally speaking, these noble aspirations and goods would be hard to argue against. However, Rawls' theory may be insufficient regarding education. Macleod (2010) suggests that Rawls' theory hinges on individuals with fully functioning capacity; developing children are therefore by definition not in possession of a fully mature agency. Others note that the primary goods theory lacks specifics. Brighouse and Unterhalter (2010) argue that education fails to make the Rawlsian list of primary goods. Indeed, they argue that Rawls neglects family and child development, and hence education, generally throughout his work. But even in their modest critique of Rawls, they recognize that including education as a primary good is itself philosophically challenging, mostly because primary goods look at the institutional inputs an individual receives, not at the outputs produced. Children, as we know, are diverse, with differing abilities and social backgrounds. Ensuring each child realizes the Rawlsian primary goods might require unequal inputs, a possibility not truly addressed. Capability theorists, led by Sen and Nussbaum, suggest an alternative, more specific, and more practical social justice theory.

Building Justice: A Capabilities Approach

Following a warm and generous review of his friend and colleague John Rawls' social justice work, Sen cuts to the heart of the matter by suggesting Rawls work is seriously deficient. "Rawls focuses on primary goods, but, true justice may lie not just with the primary good itself, but people's ability to convert that primary good into a good living" (Sen, 2009, p. 65). In a simple example, Sen notes that all people need nutrition, but a pregnant woman needs more nutrition. In the Rawlsian universe, this simple reality might be ignored. The primary good of wealth even moderated by the difference principle might be insufficient for the pregnant woman to realize her nutritional needs, even though theoretically she is living in a just society. Sen suggests this as a serious deficiency in Rawls' theory. Alternatively, Sen proposes theory focusing on primary goods with an actual assessment of real individual freedoms and capabilities. For Sen, Rawls' arguments for a perfect society compares to acknowledging that Mount Everest is the highest peak. Mount Everest is the perfect mountain just as Rawls' society is perfectly just. However, knowing Mount Everest is the highest peak does nothing to help a climber assess the relative heights of Mounts Kilimanjaro and McKinley. For Sen, a climber should be able to make these assessments and actually make the climb.

Therefore, Sen argues for a "capabilities approach" to social justice. In capabilities, justice is measured by a person's "capability to do things he or she has reason to value" (Sen, 2009, p. 231). Whereas Rawls took a strictly deontological view, Sen takes a much more teleological approach where the capability approach focuses on human life and not just on detached objects of convenience. In the previously discussed argument between Arjuna and Krishna, Rawls would certainly pursue the principle of the fight and heartily engage in battle. Sen would approach the battle from the impact on the human lives — the battle might not occur at all despite the principles at stake. I say, "might," because the capability approach points to the inequalities in human existence, but does not on its own propose any specific formula for policy decisions. The approach only seeks to increase the actual capabilities individuals have.

Sen's use of an ancient Sanskrit epic to illustrate his point exposes another deficiency in Rawls' arguments, or at least an expanded perspective in Sen's. Sen takes a global perspective in his work, thus recognizing the diversity of the global human community. In his opening, Sen argues, "the task of advancing, not perfecting, both global democracy and global justice can be seen as eminently understandable ideas that can plausibly inspire and influence practical actions across borders" (2009, p. xiii). Because Rawls' approach focuses on ideal institutions, and because there is no effective one-world government, justice on a global scale must be advanced incrementally and through the improved lives of individuals (Sen, 2009, p. 401).

Of course, this is precisely what the Capability Approach proposes. Further, Sen's critique of the original position reflects the complications arising from placing people behind the veil in a diverse global society. Differing societies have different perceptions of justice, and the closed impartiality of the original position can exclude those who do not belong to the focal group. This criticism assumes the participants in Rawls original position share similar views of what justice is; in a diverse globalized society, it is likely some views will be unjustly ignored. In other words, they will experience exclusionary neglect in the original position exercise. Secondly, the make-up of the original position focus group itself lends itself to inclusionary incoherence. Again, in a diverse global world, the make-up of the original position focus group could vary with differing compositions created by differing representatives creating contradictory definitions of "justice." Finally, procedural parochialism acknowledges that the

original position participants may show partiality toward shared biases that may not be shared by a more diverse group. These biases are unlikely to produce a truly just outcome. To illustrate these points, Sen refers to a hypothetical example where the perpetrators of the September 11, 2001 attacks were tried according to Sharia Law. Would a just outcome be produced?

Sen's critique assumes that the original position is an actual rather than a hypothetical exercise. The fact that such an exercise is unlikely to occur in either the hypothetical or real sense forms a further limitation of the original position. Sen's critique accomplishes another purpose. In connecting the language and practice of theoretical justice to the demands of a diverse global society, Sen conjoins social justice and the realities of globalization. In doing this, Sen provides a social justice path, through the Capabilities Approach, that utilizes the dominant efficiency discourse of globalization.

To do so, Sen begins with a deontological position, defining his theory of comparative justice in two principles (Sen, 2009, p. 410). In the first, justice should be assessed based on social realizations, that is, what actually happens. Put another way, there is no justice unless there is an actual realization of a new capability for a real person or persons. While Rawls might be satisfied with an institution of a school being built in a formerly school-free area, Sen wants to see formerly illiterate girls actually learning to read before he declares justice is done. Further, justice should focus on the comparative issues of enhancements of justice. Returning to our schooling example, it is not necessary, although it is desirable, for all girls in the region to learn to read for justice to be done. Rather, there simply needs to be an increase in the new reading capacity compared to the old capacity for justice to be served. Hence, while Sen starts from a deontological position composed of two primary principles, the principles themselves are deeply teleological in that they focus on the application of justice in real people's real lives.

From this teleological deontology, Sen derives five concepts to guide his theory of comparative justice. First, an approach to justice can be both theoretically acceptable and usable in practice. Second, an approach to justice does not necessarily have to conform to the demands of a perfectly just society or the exact nature of just institutions; instead, an increase in the comparative capacity is sufficiently just. Therefore, Sen is not perfectionistic as is Rawls, but much more realistic. Third, an approach to justice can include the understanding that different reasonable and impartial judges could sensibly differ on the identification of a transcendental alternative. Fourth, the approach to justice can allow that an individual may not be fully resolved on one alternative to the exclusion of others. Put simply, there may be multiple paths to justice. This concept also inherently recognizes Sen's belief that people occupy multiple and not just one identity. Justice must recognize that one person, for example, can identify as a married, white, male, religious, mountain biking fanatic and realize that different applications of justice can be both just and unjust to the same individual due to these multiple identifications. Finally, the fifth concept grants that reason may have not yet reached the point where every problem can be perfectly solved. Indeed, Sen concedes, "We go as far as we can." (p. 401)

Sen's comparative justice journeyed far beyond its institutionally focused foundation. It is not hard to see why the United Nations and social justice-oriented organizations around the world like his focus centering on people, acknowledging diversity, and raising comparative capabilities. Yet, as Sen himself acknowledges, the theory itself remains incomplete. Wolff (2008) agrees with Sen's identification of justice as people's "capability to function" (p. 23) but notes that Sen refrains from listing what those functionings should be. Additionally, because of the very diversity both in and among humans, Sen's pluralistic view makes it very difficult to understand what equality means or how to measure various functionings against each other.

Nevertheless, Wolff does agree that Sen's theory goes a long way toward neutralizing the effect of sheer luck – such as one's birth order, social standing, class, race, intelligence, etc. – and would contribute to a more relational or social equality. Similarly, Pogge (2010) and Kelly (2010) also argue the capabilities approach is too diffuse. The very diversity the capabilities approach seeks to address makes ranking welfare levels among people extremely difficult if not impossible. In an argument reflective of Rawls equality principle, Pogge therefore argues that certain capabilities must be guaranteed equally. In a corollary argument also containing shades of Rawls' difference principle, Pogge suggests a certain threshold for certain capabilities must be maintained. But what might these capabilities be?

Building Justice: The Capabilities Approach Refined

Nussbaum (2011) seeks to answer the question of what capabilities should be created. Working from a teleological approach similar to Sen, she asks the fundamental question, "What is each person able to do and be?" (p. 18). From the starting point of taking each person as an end, she offers her addition to the capability approach following several concepts. This first concept differs fundamentally from Rawls who saw the primary goods as the end of justice rather than the person, but is still in line with Sen's thinking. Furthermore, Nussbaum specifically argues that taking each person as an end means rejecting the neo-liberal, profit-driven discourse dominating so much of our policy conversation. She suggests that profits should be a means to capability, not the end of capability. Nussbaum also seeks an increased focus on choice or freedom along with a pluralist view of capability achievements. For example, a pregnant woman needs more calories; hence, the measure of justice here would be the pregnant woman receiving enough, not necessarily equal to a nonpregnant woman, calories to capably bear her child. Entrenched injustice and inequality must be addressed. Finally, Nussbaum differs from both Rawls and Sen by taking the social justice theory debate directly into the realm of policy. In fact, Nussbaum ascribes an urgent task to government to create public policy that improves the lives of all people as defined by their capabilities.

Equity-focused leadership should develop Nussbaum's ten basic capabilities: life, bodily health, bodily integrity, imagination, emotions, practical reason, affiliation, other species, play, and control over one's environment. In choosing which of these ten capabilities to address, any individual policy should of course keep in mind that each person, and not a profit, is the end. Furthermore, the policy should promote "fertile functionings" or address "corrosive disadvantages" among the capabilities. Fertile functionings are those capabilities that tend to promote additional capabilities. For example, "play" might seem an unusual inclusion on a list of basic capabilities but it actually serves as a fertile functioning. Women who are completely dependent on their husbands financially often find themselves trapped in less-than-ideal or even abusive situations. Due to the need to care for children coupled with the duty to care for a husband and often extended family such as elderly parents, women sometimes do not have time for rest and rejuvenation that play brings. Hence, by creating the capability of play, a policy might simultaneously be addressing issues of finance, improving women's' emotional health through play, and protecting bodily health as play often involves healthy physical movement. Alternatively, addressing corrosive disadvantages would minimize the lack of a capability's negative impact on other capabilities.

Nussbaum also differs from both Rawls and Sen in specifically and pointedly addressing educational policy as a potential means to produce fertile functionings. Nussbaum argues that

education addresses existing power imbalances that create inequalities and other disadvantages. For example, as women become educated, they acquire greater capability for financial independence. This growing capability shifts power dynamics in the household as a domineering husband may lessen his grip in the face of the potential loss of his spouse. As this happens, household work distributions may become fairer thus leading to more play or leisure time for women. This is but one example that is not without controversy. Because of the fertile functioning effect that education has, Nussbaum argues governments should not allow choice in education but instead require all children to develop certain capabilities. The development of capabilities in more people justifies, in Nussbaum's view, the governmental intervention. Nussbaum concludes, "We are living in an era dominated by the profit motive and anxiety over national economic achievements. Economic growth, however, while a part of wise public policy, is just a part, and a mere instrument at that. It is people who matter ultimately; profits are only instrumental means to human lives." (p. 185)

Conclusion

Justice is neither easy nor simple due to the world's tremendous diversity and the differing starting points from which each individual begins. The inequities of these starting points are often reinforced through the social constructs in which the individual lives. Rawls' contributions of the original position and the difference principle provide highly idealistic principles upon which to base fairness minded institutions. Yet, the very deontological idealism of Rawls' proposals makes their practical application difficult, and may result in significant inequities and unfairness even in a theoretically just society. Sen and Nussbaum move to fill this void through a teleological approach emphasizing the development of human capabilities. Some capabilities, the fertile functionings, act as leverage points essential to further capability development. Regardless of which capability a social justice-minded leader chooses to develop, success is measured by an increase in capabilities regardless of how small.

Perhaps because of the challenging reality of vast disparity, little attention is paid to direct equality. Rawls provides an exception through his principle of equality but limits that equality to basic fundamental liberties. Regarding economics, Rawls' difference principle allows certain degrees of inequality as long as that inequality is fairly earned with the rich accruing only so much as they contribute to the least well-off in society. Likewise, Sen and Nussbaum take a more fairness than equality approach by recognizing that not all capabilities are equal and may not be developed at equal rates. Still, the attempt at creating capabilities resulting in improvements no matter how small forms the essential course of justice-minded action.

The CalAPA takes a deontological approach by demanding commitment to equity. The CalAPA also takes a teleological approach by defining certain capabilities — analyzing data, facilitating communities of practice, and coaching individual teachers — as essential capabilities to achieve equity goals. While the CalAPA therefore provides an institutionalized and effective starting point for future administrators to pursue societal equity, these same future leaders might also be well served by changing an increasingly diverse world through:

- Committing to Rawls' principle of equality in that no policy should deprive basic fundamental liberties.
- Committing to assessing policies and practices through the lens of Rawls' "original position" by asking how those "behind the veil" would view the policy or practice.

- Committing to assessing any proposed policy within the context of the "difference principle." Any just policy would allow inequity only to the extent that inequity benefits the least well-off within the context of equal opportunity for all.
- Committing to a comparative justice approach. The world is not perfect; no policy will make it so. But policy can incrementally improve the lives of real people. In other words, things can be better.
- Committing to developing capabilities, especially fertile functionings. Creating capabilities ensures that people are actually better off than they were before. Finding the fertile functionings broadens the policy's potential impact.

Practicing these five functionings might develop our individual and collective capability to exist in a more equitable, fair, and just world.

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