Less-standard claims to justice through the lens of media debates on minority education

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Abstract
The coexistence, not always peaceful, of multiple and often rival, conceptions of justice in education policy and practice is well recognized and problematized in the academic literature. Relatively little is known, however, about what kind of justice-related considerations occupy the ‘public mind’ and/or inform what Nancy Fraser calls ‘folk paradigms of justice’. The current article seeks to shed light on the public construction of the ‘what’ of justice in the realm of education by analysing selected debates on minority education politics that occur in news and social media in five European countries. Fraser’s tripartite model of justice as redistribution, recognition and representation constituted the starting point of the investigation. The results of a qualitative analysis of selected media content show that while Fraser’s framework resonates well with the popular understandings of justice, the tripartite typology is not exhaustive in accounting for all justice claims evoked in the public domain. In the light of the debates analysed, three types of ‘alternative’ claims seem particularly relevant for theorizing justice in education and/or seeking legitimacy for education policy: claims that appeal to civil rights and liberties, claims that appeal to procedural justice and claims that appeal to epistemic justice.

Keywords
Epistemic justice, human rights, justice in education, media, Nancy Fraser, public discourse

Introduction
While in most countries of the Global North there is political consensus that social injustice in education needs addressing, there is no clarity as to what justice in education should entail or how it could be achieved (Blackmore, 2013; Clark, 2006; Francis et al., 2017). Education debates are permeated with a variety of alternative, often competing,
conceptions of justice that either focus on different facets of justice altogether or (implicitly) prioritize between the various forms of injustice suffered by different groups. At the same time, there is a growing consensus that a single conception of justice is insufficient (Blackmore, 2013; Cribb and Gewirtz, 2003; Francis et al., 2017). Various researchers explore, and modify, pluralist notions of justice, such as Fraser’s (2007, 2009) three-dimensional framework that distinguishes between intertwined facets of justice as redistribution, recognition and representation, or the capabilities approach developed by Sen (1999) and Nussbaum (2000). A good example is a study by Mills et al. (2016) that extends Fraser’s tripartite model with affective justice (Lynch, 2012) and contributive justice (Sayer, 2009) or work by Tikly and Barrett (2011) that builds upon the ideas of Fraser as well as the capabilities approach of Sen and Nussbaum. Such conceptual explorations reflect very much the spirit of Fraser’s theorizing and her calls for staying open and hermeneutically charitable to ‘non-standard views of the “what” of justice’ (Fraser, 2009: 58), especially in times of ‘abnormal justice’, when – as today – disputes about justice transverse ‘multiple discursive arenas, some formal, some informal, some mainstream, some subaltern’ (p. 52).

The coexistence, not always peaceful, of multiple and often rival conceptions of justice in education policy and practice is well recognized and, also, problematized in the academic literature, and especially more sociologically oriented studies of educational justice (e.g. Blackmore, 2013; Clark, 2006; Francis et al., 2017; Keddie, 2012). Relatively little is known, however, about what kind of justice-related considerations occupy the ‘public mind’ and/or inform what Fraser (2003) calls ‘folk paradigms of justice’, that is, ‘transpersonal normative discourses’ that constitute a ‘moral grammar’ drawn upon by various actors to evaluate social arrangements (p. 223). This is an important omission not only in terms of theorizing about justice (in education) (see, for example, Miller, 1999; Walzer, 1983) but also with respect to gaining an understanding of what kind of concerns might affect public evaluation of existing education policies in terms of justice. By setting the limits on what is politically feasible, public opinion plays an important role in the policy-making process (cf. Keating, 2008). It is generally believed to have a profound influence on the legitimacy of political (in)action with respect to allocation of collective resources between various groups of the population (cf. van Oorschot et al., 2017). While ‘public opinion’ does not determine whether a particular situation is ‘right’, ‘fair’ or ‘just’ (Zala et al., 2020), it is likely to determine policy responses to that situation. After all, ‘social problems’ do not exist independently as a set of objective social conditions that have intrinsically harmful effects but are ‘products of a process of collective definition’ (Blumer, 1971: 300; Hilgartner and Bosk, 1988). Education policy, too, seems to depend, among other things, on (publicly) shared assumptions about the meaning of justice and fairness in education (cf. Bøyum, 2014). Against this background, the current article seeks to shed light on the public construction of the ‘what’ of justice in education (i.e. the various conceptions of justice in education, such as redistribution, recognition and representation) by analysing selected debates on minority education politics that have been taking place in news and social media in five European countries.

The relationship between media discourse and public opinion is not necessarily straightforward. On the one hand, media, news media in particular, have been considered an important site of public pedagogy (Kelly, 2011; Piotrowski and Ruitenberg, 2016). By
creating, selecting, steering and shaping information for public consumption, news media generate points of view, influence perceptions, enhance aspirations, strengthen anxieties, feed moral panics, promote social agendas, frame problems and contribute to strengthening or undermining support for specific policies, practices and ideologies (Fitzgerald and Housley, 2016). Various authors draw attention to the entanglement of politics/policy making, public opinion and the media (e.g. Baroutsis, 2019). Through media, politics is able to direct public attention towards some and away from other objective or putative conditions and thus contribute to a specific rank-ordering of ‘social problems’ that demand public attention. Various stakeholders may also mobilize media, and/or public opinion via media, for strategic advantage, for example, during periods of important social reform. On the other hand, however, media – alternative media, in particular – often constitute an important outlet for popular discontent with existing policies and practices (Anderson, 2007), and thus provide thought-provoking clues about ‘non-standard’ visions of what is considered ‘just’ or ‘unjust’, to whom and by what kind of normative standards.

My primary aim in this article is to unravel the different ways in which justice in educational matters is conceptualized in news and social media in a selection of European countries, and thus to shed light on popular conceptions of justice. Media content is treated here as a constitutive element of public discourse and, while by no means a proxy for ‘folk paradigms’, an important source of information about shared norms and values (Peeters and d’Haenens, 2005). Such an approach builds on the presumption of a dialectical relationship between discourse and other elements of the social world (Fairclough, 2010). Conceptually, the study is anchored in Nancy Fraser’s framework of justice as redistribution, recognition and representation, which constituted the starting point of the investigation. The comprehensive, non-ideal and ‘context-sensitive’ nature of Fraser’s theorizing, responsive to real-world injustices, makes her model particularly useful as a conceptual social-theoretical scaffold for studying popular understandings of justice. Still, in this contribution, primary attention is given to three types of ‘alternative’ claims – procedural justice, justice understood in the spirit of rights and liberties, and epistemic justice – which do not exactly fit Fraser’s typology and/or run across the three facets of justice identified by her. By highlighting such alternative claims to justice, and discussing them through the prism of Fraser’s theorizing, the study seeks to further the dialogue about the meaning of justice in education.

Theoretical framework

Justice, often counted as one of the primary moral-political values (e.g. Rawls, 1999), takes on different meanings in different practical contexts (Miller, 2017; Walzer, 1983). In political philosophy, where justice is usually conceived in distributive terms, most debates revolve around which set of material and non-material goods (such as resources, opportunities, capabilities, rights and liberties, and other primary social goods) should be distributed and/or according to what distributive principles, such as merit/desert or equality (cf. Miller, 1999, 2017; Walzer, 1983; for an overview of the distributive theories influential in education, see Gilead, 2019). Common sense notions of justice also often revolve around a distributive framework (Young, 1990). However, critics of the
distributive approach draw attention to the fact that justice is not only about ‘having’ but also about ‘doing’ and ‘being’ (cf. Sen, 1999; Young, 1990). They emphasize that certain forms of injustice, such as disparagement in everyday life or marginalization in the public sphere and deliberative bodies, cannot be overcome by redistribution alone but require independent remedies of recognition (Fraser, 1998, 2009) and representation (Fraser, 2009; cf. Young, 1990); they also stress the relevance of contexts and (hierarchical) social relations that determine the standing of individuals vis-à-vis one another (Fraser, 1998, 2009; Sen, 1999; Young, 1990). In line with this critique, Nancy Fraser offers a comprehensive model of justice as parity of participation, which she defines as ‘the condition of being a peer, of being on a par with others, of interacting with them on an equal footing’ (Fraser, 2007: 28). In this multidimensional approach, redistribution, recognition and representation are treated as three primary, mutually irreducible (albeit in real life inextricably interwoven) aspects of justice that have broad independent applications in addressing real-world injustices (Fraser, 2009).

While redistribution, claims Fraser, touches on (in)justices rooted in the economic structure of society, resulting in class differentials, exploitation, inequality, economic marginalization and deprivation, injustice understood in recognitive terms takes place when institutionalized patterns of cultural value constitute some actors ‘as inferior, excluded, wholly other, or simply invisible – and hence as less than full partners in social interaction’ (Fraser, 2000: 113; cf. Fraser, 2007, 2009). Emphasizing the mutual irreducibility of status and class and the causal relations between them, Fraser (2007) makes a clear distinction between recognition claims that aim to overcome status subordination, which she endorses, and identitarian claims focused on valorizing group-specific attributes or identities, of which she is highly sceptical as ‘liable to devolve into repressive communitarianism’ and likely to displace, rather than strengthen, struggles for redistribution (p. 307). Finally, representative justice, which touches on being put on an equal footing in political participation, involves being included in a political community as well as being granted an equal democratic voice in matters that have impact on one’s life and in particular in decision making about justice claims (Fraser, 2009). In her theorizing, Fraser (2009) distinguishes between two different forms, or levels, of representative injustice: ordinary political misrepresentation – which concerns ‘procedures for staging and resolving contests’ around justice, defining who can make justice claims but also ‘how such claims are to be mooted and adjudicated’ (p. 17) – and misframing – which concerns how the boundaries of justice are set and who actually counts as a member of a political community, entitled to participate in its authorized contests over justice’ (p. 62). Fraser’s theorizing of political justice predominantly concerns macro-politics, by drawing attention to the importance of processes that establish ‘the criteria of social belonging’ and affect who ‘counts as a subject of justice’ (p. 22). However, according to Keddie (2012), it also sheds light on the processes of misframing at a more micro-political level, for example, when minority voices are ignored or missed out on the basis of their assumed otherness and alleged non-belonging, cultural or otherwise. Representative justice is thus closely related to, and in many cases contingent upon, recognition. This junction between recognition and representation is excellently captured by Spivak (1992) in her analysis of the complicity between political representation (‘speaking for, on behalf of’) and
re-presentation in the sense of ‘portraying’ (mimesis). This complicity – according to Spivak – precludes effective political representation of the marginalized.

In the realm of more sociologically oriented scholarship on education, redistributive justice is often evoked to denote equality of access to quality education (cf. Gewirtz, 2006; Tikly and Barret, 2011), to address the inequitable position of students in benefiting from the educational opportunities offered (cf. Keddie, 2012), and to draw attention to the impact educational inequalities exert on the life chances of children from various social backgrounds (cf. Keddie, 2012; Tikly and Barret, 2011). On the one hand, ‘just’ redistribution concerns differences in school infrastructure and the (re-)allocation of resources, both material and non-material, to schools serving different groups of students and especially schools/professionals serving socio-economically disadvantaged groups (cf. Gewirtz, 2006; Keddie, 2012). On the other hand, it concerns pedagogic approaches and educational practices which, through deficient understandings of and lowered or false expectations about learners from vulnerable groups, undermine their academic achievement, thus obstructing economic justice (cf. Gewirtz, 2006; Mills et al., 2016; Power, 2012). The latter example clearly shows how redistributive injustice intertwines with recognitive denials (Keddie, 2012). Rooted in the symbolic sphere, recognitive injustice is manifested either in blindness to cultural differences and rejection of the sensitivities and perspectives of culturally marginal groups or in the stigmatization of such differences and negative stereotyping of groups defined as ‘other’ (cf. Gewirtz, 2006). Recognitive injustice may thus reveal itself in the ‘constructed distinctiveness’ of individuals or groups, that is, in ascribing to them differences they themselves do not experience, in essentializing difference and/or in denying individuals the recognition of their concrete individuality, which may or may not encompass their minority status (cf. Keddie, 2012; Mills et al., 2016). Mis- or non-recognition also involves the implicit privileging of the dominant (White) culture and middle-class values, which then serve as the sole lens through which the experiences, including school performance, of culturally marginalized students are evaluated (Gewirtz, 2006; Keddie, 2012; Mills et al., 2016; Power, 2012). Finally, representative justice, which concerns on par participation in decisions which affect one’s life, should ideally take the form of incorporating student (or parental) voices in matters of relevance to their education (or the education of their children), such as curriculum, organization and management of schools, appointment of teachers and/or through securing a forum in which students (or parents) are able to express their opinions or challenge injustices (cf. Cribb and Gewirtz, 2003; Gewirtz, 2006; Keddie, 2012; Mills et al., 2016; Tikly and Barret, 2011).1 According to some researchers, representative justice may also be reflected in respecting parental choice of education for their children – not only in terms of quality or type of training, such as academic versus vocational, or preferred pedagogic approach (Gewirtz, 2006) – but also in terms of type of education that suits the cultural and religious sensitivity of the parents/family (cf. Keddie, 2012; Power, 2012; Power and Taylor, 2013). While the latter issue highlights the close relationship between representation and recognition, Keddie (2012), in line with Fraser’s theorizing, warns against simplistic and reductionist linking of representation to identity (cf. Spivak, 1992).

While useful as a lens in exploring the complexity of (in)justice claims, Fraser’s ideal of justice as participatory parity leaves room for additional normative and empirical
approaches to (in)justice. Fraser (2009) herself does not exclude the possibility of rival conceptions of justice and insists on staying alert for non-standard views of what constitutes (in)justice. In scholarship on educational justice, particularly valued is the capability approach (Nussbaum, 2000; Sen, 1999), which views justice through the lens of real opportunities, that is, capabilities, such as being well-nourished, being in good health, being literate and being able to hold a decent job, which are necessary for people to achieve well-being and lead lives they have reasons to value. Rooted in the distributive paradigm of justice, the capability approach takes into account the wide range of means that are necessary for people to have different capabilities; it also recognizes how individual opportunities and choices are historically, socio-economically and culturally determined (cf. Robeyns, 2006; cf. Walker and Unterhalter, 2007). Within education studies, the capabilities approach is often regarded as complementary to the ‘(human) rights framework’, which sees education as a universal and unconditional entitlement of all people (McCowan, 2011; Tikly and Barret, 2011). Recent research has also shown how alternative notions of justice can enhance Fraser’s model, for example, by giving more attention to relational and caring dimensions of schooling (affective justice; see, in particular, Lynch, 2012), and by viewing justice through the prism of what a person is allowed to contribute, which has an effect on their development and broadly understood well-being (contributive justice) (cf. Mills et al., 2016).

The current study builds on the tradition of social-educational research that puts Fraser’s framework under empirical scrutiny, testing its applicability to critically deconstruct education as a sphere of justice and/or to explore the plausibility of alternative claims to justice. Above all, however, by analysing debates on education that take place through and in news and social media, the study seeks to better comprehend popular understandings of justice, that is, Fraser’s ‘folk paradigms of justice’ to further enrich theorizing about justice in education. It thus aims to trace (1) how Fraser’s fundamental dimensions of justice – redistribution, recognition and representation – feature in public consciousness emanated in and through the media, and (2) what other conceptions of justice invigorate public debate. In addition, (3) the article explores how three such alternative claims to justice, in this case procedural justice, civil rights and liberties, and epistemic justice, resonate with Fraser’s theorizing.

Methodology and data

The current study is a part of a larger research project on justice in Europe. The analysis presented in this article constitutes a synthesis of findings from five country reports on media construction of justice and justice-related tensions in the realm of education. In each of the participating countries, researchers were requested to analyse a collection of carefully selected news items that related to recent or ongoing educational controversies or debates touching upon compulsory education, primary and secondary, and the ways (in)justice within formal educational system affects children and adolescents, including their futures. We focused in particular on tensions that arise in debates on justice for youth belonging to ethnic and cultural minorities. Those groups are more likely to be affected by school failure, school segregation and educational exclusion (cf. Pantea, 2015). These are also the groups for whom the negotiation of identities and manoeuvring between the
various value sets, definitions of ‘knowledge’ and standards according to which ‘aptitude’ and ‘excellence’ are evaluated might be most challenging. While such a thematic narrowing limits the scope of the issues analysed and does not allow capturing all the diffuse ideas about justice in education, it facilitates a comparison of debates that are grounded in very heterogeneous socio-political contexts and helps to identify claims that hold across different European societies. In Austria (Tiefenbacher and Perschy, 2019), the analysis focused on debates on the educational reform, designed and gradually implemented by the ÖVP-FPÖ (Österreichische Volkspartei-Freiheitliche Partei Österreichs) coalition government, concerning the normative underpinnings of the reform and the choice of structural measures necessary to realize it. These debates touched, among other things, upon the importance of academic performance, cultural otherness as a barrier to educational attainment and socio-economic background in determining access to education and shaping its success. In Hungary (Kende, 2019) and the Netherlands (Lepianka et al., 2019), the debates chosen for analysis revolved around the question of unequal access to quality education of two vulnerable groups: children of low socio-economic status (SES) and ethnic, religious and cultural minorities. The increasing selectivity within the school system was in both countries discussed in the context of freedom of educational choice, state support for religious or otherwise ‘specialist’ schools and the phenomenon of ‘white flight’. In Portugal (Bicas et al., 2019), the segregation of minority groups was approached via the analysis of debates about the invisibility of racial and ethnic minorities in the school system, exemplified by lack of ethnic monitoring, and absences, half-truths and omissions in the school curriculum. Finally, in the United Kingdom (Divald, 2019), the analysis focused on the Trojan Horse controversy that erupted in 2014 when an alleged plot by hard-line Islamists to ‘Islamicise’ schools in Birmingham was made public. The allegation, eventually declared false, resulted in heated media discussions around, among other things, truth and authenticity in public debates, the position of the Muslim community within and beyond the school system, the role of education for the attainment and passing on values, and questions of security and trust. A detailed description of the debates analysed can be found in Lepianka (2019).

While researchers were offered freedom to choose a debate that best reflected justice-related controversies, all were asked to follow a similar methodology in data selection and analysis. In all cases, the choice of news media was driven by the specificity of the media landscape in a given country, characterized, among other things, by (1) the level of media concentration, ownership, degree of pluralism and/or the breadth of the ideological spectrum of the mainstream media; (2) the popularity of specific outlets among the different sections of the population (with respect to SES); (3) the ideological profile (left–centre–right and independent); and (4) the format of the various media (traditional print and/or broadcast; exclusively digital, including outlets operating exclusively on social media platforms). In the selection process, balance was sought between media outlets representing different ideological stances, mainstream media and media addressing a specific target audience, and traditional media and social media. When sampling media items for analysis, attention was paid to their relevance to the debates and the presence of online comments. In each country between 23 and 52 news items were analysed, together with the accompanying hyperlinked material (such as video clips, tweets, etc.) and a selection of reader comments (between 63 and 272 per country study).
The analysis of the selected news items involved qualitative content analysis with elements of discourse analysis, where content analysis entailed systematic search for underlying meanings, patterns and processes and careful mapping of themes and arguments used to convey a specific vision of justice, and where ‘discourse analysis’ came to the fore in our specific attention to both explicit and implicit meanings conveyed not only by the texts, for example, via metaphors, allusions, similes, semantic and syntactic choices but also by omissions as well as our focus on the (broader) context of communication. In all countries, our analysis was guided by a set of questions about (1) discursive construction of (in)justice and descriptions of events that were interpreted by the content co-producers – authors of news items, sources quoted, commenting readers – through the lens of justice; (2) moral evaluations of actors, events, concepts as well as moral arguments evoked to back up specific standpoints, or to justify or question the normative rightness of claims; (3) justice-related conflicts and tensions, such as those between different moral principles, visions of justice, social groups or institutions deemed responsible for the realization of justice; (4) causal interpretations, explanations or attributions of responsibility for grievances; and (5) solutions advocated to address the grievances, resolve conflicts, and prevent or eliminate injustice and secure justice. More details on the criteria that informed the choice of media, the sampling procedure and the analytical strategy can be found in Lepianka (2019).

The current report focuses specifically on the ‘what’ of justice, that is, the dimensions along which the positioning of various groups and individual members of society is being compared. The justice conceptualizations discussed in this article emerged in the process of constant comparison and repeated re-reading and re-coding of the country findings in the case studies. The process of comparative analysis could be seen as moving from inductive to deductive: an initial reading of the reports allowed discovering patterns in the choice of themes and application of argumentative structures and led to developing a new framework that would best synthesize the multiplicity of justice claims evoked in public debates; the new framework was subsequently applied to re-code the reports (cf. Patton, 2015). Researchers engaged in country-level data collection and analysis verified the soundness of the (re-)classification of justice claims and interpretations offered.

Still, the study is very much explorative and the picture drawn is by no means comprehensive, able to capture all the intricacies of something as broad, complicated and heterogeneous as the ‘public mind’. Moreover, as often emphasized, various aspects of justice are intimately connected; the distinctions between them are often blurred and may even seem arbitrary (e.g. Fraser, 1998, 2007, 2009; Gewirtz, 2006). Fraser (2009) herself notes that in abnormal contexts, ‘even those who agree that the status quo is unjust disagree as to how to describe it’ (p. 53). It is thus helpful to view the different conceptualizations of justice discussed here as heuristic devices that help unravel the messy social reality and see through the rovings of the public mind.

**Results**

Despite differences between the socio-political and cultural contexts and the fact that in each country a different minority-related controversy was investigated, many of the
themes and arguments evoked in the debates proved rather similar, testifying to the universality of specific justice considerations and commonness of certain justice-related tensions, at least in educational matters. The analysis of the sampled material also shows that the way (social) media frame the various facets of justice in debates around educational issues overlaps, by and large, with how the various elements of Fraser’s framework are conceptualized by educational researchers, thus confirming the usefulness of her analytical lens in disentangling the various forms of injustice in the realm of education (cf. Keddie, 2012; Mills, 2013). It thus also shows how well her framework, developed in the spirit of ‘non-ideal, ‘context-sensitive’ theorizing, typical for the critical social theory tradition, resonates with the popular understandings of justice or ‘folk paradigms of justice’ (Fraser, 2003). However, current analysis also confirms assertions by other researchers (cf. Lynch, 2012; Mills et al., 2016) that Fraser’s tripartite typology is not necessarily exhaustive in accounting for all types of injustices in education. Alternative claims to justice such as claims based on civil rights and liberties, claims to procedural justice, epistemic justice, historical justice and recognition as redress, as well as claims that appeal to capabilities often run across the three ideal-typical facets of redistribution, recognition and representation. In the subsequent sections, I will briefly discuss how Fraser’s ideal types are reflected in the analysed media material and then move to a more in-depth discussion of claims which do not neatly fall within the Fraserian typology. For space considerations, I will limit the discussion to three very different types of claims: claims that appeal to procedural justice, which run across Fraser’s tripartite model; claims that appeal to civil rights and liberties, which represent a relatively tangible, legalistic thinking about justice; and the often less palpable claims that appeal to epistemic justice, understood as fair treatment in issues of knowledge, understanding and participation in practices of communication and deliberation. (Dis)connection between these alternative claims and Fraser’s theorizing are also discussed.

How is Fraser’s typology present?

In the news items analysed, redistributive claims to justice permeate discussions about access to quality education that is claimed to be affected by discriminatory school admission practices and education tracking systems, both of which bring about the within- or between-school segregation along the lines of ethnicity (in the Netherlands, Hungary, Portugal), culture and religion (in the Netherlands, Austria) or SES (in the Netherlands, Hungary), and the concentration of pupils from vulnerable groups in notoriously under-invested educational settings. This in turn results in unequal distribution of educational opportunities and negatively affects educational success and social mobility of students from weaker social milieus. Redistributive claims to justice are voiced particularly strongly in debates around the allocation of state resources among various types of schools and/or schools that accommodate different population groups. In the analysed debates, it is not only the choice of specific allocation principles, for example, achievement versus need versus ideological stance of school, that is contentious. There are also the consequences that the prioritization of specific types of schools (e.g. religious schools) or pupils (e.g. ethnic minorities) may have for the educational opportunities of other students. The claim that minority children are structurally disadvantaged in the
sphere of education is often contested, especially in more right-wing media outlets that claim to represent the majority. Striking in the light of the media content analysed is not only the rejection of the idea of their own privilege by the majority but also their sense of being victimized by the – in their eyes – ill-founded claims of minorities (Lepianka, 2019; cf. Choules, 2007).

**Recognitive injustices** are evoked particularly strongly in discussions about the assimilative agenda of schools. Left-wing media, and minority media in particular, draw attention to instances of colour blindness, absences and half-truths in school curricula and discrimination between ‘better’ and ‘lesser’ languages and cultures. Such practices are presented by (post-colonial) minority members, or those who claim to speak on their behalf, as a manifestation of continued oppression and/or misrecognition of minorities’ contribution to the nation’s (or broader: Europe’s) development and well-being. Recognitive grievances are reflected as well in complaints about labelling and ‘othering’ of ethnic minority members, their homogenization and the generalization of negative stereotypes. Such practices are believed to encourage, even if indirectly, micro-violence against minority students, prevent them from nourishing their own positive identity and enhance their social exclusion, by others or themselves; they are also claimed to impede the cultivation of social respect for ‘other-ness’ and ‘other-thinking’ among members of the ethnic, racial majority, thus further spinning the vicious circle of non- and misrecognition of minority groups. Also the biased administrative structure of schools is seen as detrimental to the self-image of minority children and their symbolic and/or actual position within society; in particular, the underrepresentation of ethnic or racial minorities among teachers is believed to convey the implicit message that pupils can learn only from *White* teachers. Nonetheless, recognitive grievances are not exclusive to minority groups. The injustice of misrecognition as experienced by the majority is linked, especially in the rightist media, to the alleged disdain with which ethnic, religious and/or cultural minorities treat supposedly majoritarian values and their way of life, the undue recognition of minority claims by state institutions and ‘misplaced’ and thus unjustified, in the eyes of the racial majority, accusations of racism (Lepianka, 2019).

In the media debates analysed for this study, representative claims to justice seem to be voiced rather sparingly and often indirectly. They most often come to the surface in complaints about insufficient inclusion of specific voices (parents, minorities) in specific issues such as curricula, educational core and admission policies, or demands for a more diverse teacher body. Such complaints touch on both the presence/absence of specific voices in the debate and the ‘value’ of specific voices, in terms of their importance, legitimacy and the scope of their influence. In some of the media analysed, particularly rightist, the incorporation of minority voices to co-determine the content of mainstream curricula, and the moral basis for doing so, is problematized on the grounds of the alleged incompatibility of minority values with the national normative ‘core’. Such voices clearly demonstrate how closely representative justice is related to, and in many cases, contingent upon, recognition, and illustrate the relevance of the Fraserian concept of misframing for the meso- and micro-processes of boundary drawing (cf. Keddie, 2012). In some of the debates analysed, attention is also drawn to the role of procedural irregularities and errors for the perceived legitimacy of the voices included in the debate. Such voices resonate with the Fraser’s concept of ordinary political misrepresentation that
focuses on the procedural aspects of representative and deliberative justice, but they, once more, also illustrate the entwined nature and mutual influence of various claims of justice and/or presence of justice claims that run across and beyond Fraser’s tripartite categorization.

Other notions of justice present in the debates

Procedural justice. Indeed, the way of ‘following the rules’ and the fair application of procedures are evoked in material analysed often falls outside Fraser’s framework of representative justice. Procedural grievances resonate, for example, in the critique of the apparently dubious, shifting standards that are applied by state institutions when evaluating the performance of various types of schools (e.g. Christian vs Muslim in the United Kingdom or the Netherlands) and/or the ‘unjust morals’ of the actors involved (Hungary, the United Kingdom). Furthermore, in the Netherlands, grievances about procedural injustice range from criticism of biased admission procedures, which allow schools to segregate between less and more desirable students and result in unequal access to, supposedly better, ‘White’ schools, to complaints about the biased treatment of children from weaker milieus, visible in stricter evaluation of their test results. These, in combination with early tracking systems, often limit their educational advancement and negatively affect their social mobility. Strong claims to procedural justice are also made in the Austrian debates around policies that promote clear, uniform standards, rules and procedures in evaluating individual educational achievements. This technocratic procedural strictness, aimed at securing ‘just’ outcomes on the basis of merit alone, is, however, criticized for its neglect of the needs of vulnerable groups, ethnic minorities and immigrant children in particular; the implicit favouritism towards the already privileged, autochthonous able-bodied Austrians; and the inequality of outcome it is likely to perpetuate (Tiefenbacher and Perschy, 2019). In essence, the Austrian debate touches on the gap between procedural fairness and substantive justice, an issue often raised in critical theory, also by Fraser (2007). It also shows how this gap is determined by a specific/preferred understanding of justice. It reflects what has been acknowledged in legal scholarship, namely, that fair, impartial procedures, review mechanisms, institutions and other instruments of administering justice serve substantive justice, that is, just outcomes/consequences, only to the extent that they are committed to the realization of substantive justice goals (Granger and Salát, 2020). If substantive justice goals are missing or dubious due to, for example, unclear definitions of or disagreements about the ‘what’ of justice, procedural instruments may in fact reinforce institutionalized injustices. As discussed in the subsequent sections, the way the ‘what’ of justice and thus also the substantive justice goals are approached in the media discourse often departs from Fraser’s tripartite conceptualization.

Civil rights and liberties. The notions of ‘freedom’ and ‘rights’ appear at the heart of the debates analysed, especially in the Netherlands and Hungary, where they are often evoked in relation to the parental right to choose the educational path for their children, on the one hand, and the limitation of minority rights to quality education that ensues from such freedom, on the other. In the education literature, the discourse of rights is predominantly used when discussing access to (quality) education, especially in the
Global South, and/or to consider the implications of the parental freedom in choosing ‘the kind of education that shall be given to their children’ (Universal Declaration of Human Rights, UDHR, Art. 26). The former issue, access, is mostly discussed in terms of distributive justice, such as (in)equality in the uptake and/or defence of the right to education.6 The latter, freedom of educational choice, is frequently seen as closely related to the Fraserian idea of representative justice (cf. Keddie, 2012; Power, 2012). Such reasoning, however, seems to overlook the fact that the right to education is in itself and also a freedom right, with a strong element of free choice and free exercise, and thus strongly related to both freedom of religion and freedom of expression (Salát, 2019). These connotations bring it close to recognitive justice, understood in the spirit of Fraser as absence of cultural domination. As current analysis shows, this ‘recognitive’ aspect of the ‘right to education’ is even more evident in the case of parental freedom to choose the education that is most suited for their children.

In the Dutch media, for example, freedom of education (and educational choice) is often construed as a core democratic value, a part of Dutch political history and national identity, deeply embedded in the Dutch poldermodel and the culture of consensus, which has been successful not only in securing political ‘harmony’ in a religiously divided Dutch society for more than a century but also in guaranteeing all citizens the freedom to be educated according to their own (religious) beliefs, protected from the ideology and politics of the state. As such, freedom of educational choice, even though wrapped in the typical vocabulary of political discourse, is imagined as going beyond representative justice understood in terms of an equal footing in political participation and an equal democratic voice. It touches upon the parental prerogative to choose the type of education that will instil in children the values and morals that correspond to parental convictions, that is, recognitive justice. The recognitive aspects of the freedom of educational choice are well illustrated in the arguments used by the proponents of religious education:

Denomination stays an important or even decisive element. Almost all parents are prepared to choose a school located farther away [from their homes], because of the school’s foundation. (Bruins, 2016)

Furthermore, the media items analysed highlight a fundamental conflict between the ‘right to educational choice’, a freedom right, and the ‘right to quality education’, a social right; a conflict entwined with distributive injustice. Here, attention is drawn to how freedom of educational choice, which is de facto contingent upon parental resources and/or (in)formal school admission practices, limits – through the educational segregation it reinforces – the educational opportunities and social mobility of the less privileged groups:

The freedom of school choice is relative and does not apply to everybody; I hear stories of [minority] parents who say they have been discouraged from [sending their kids] to schools with many ethnic Dutch. Even if you look at the school admission policy in Amsterdam [. . .] you see that the freedom of school choice is limited. (van Gelder, 2016)
The conflict exposes, quite in line with the Fraser’s (2009) theorizing on abnormal justice, a fundamental disagreement on the ‘what’ of justice. It shows as well how the language of rights and liberties, similarly to all the other notions of justice, can be used both to seek justice for the less privileged and to secure the status quo by defending privileged positions and interests (cf. Choules, 2007). It thus reveals that, even within the supposedly equalizing and non-discriminatory discourse of rights, as re-constructed in the Dutch media, the definition of what is just and unjust, and on what moral grounds, depends very much on the perspective taken, or the ‘who’ of justice. Strikingly, social cleavages that are supposed to underpin those differences are not always very clear and alliances for/against freedom of education are formed across ethnic and class boundaries. Still, the fact that the freedom to choose is put under public scrutiny as a mechanism that generates injustice is in itself significant. It indicates that, at least in the Netherlands and to certain extent in Hungary, the language of rights and liberties is used in public discourse to expose the dynamics of oppression, to problematize privilege and to openly challenge those in the position of privilege for their, perhaps unintended, role in perpetrating injustice through their individual and collective choices. The above examples clearly show how ‘rights and liberties’ are inextricably interwoven in the various facets of justice and cannot be reduced to any one of them.

Moreover, since ‘rights’ have both moral as well as legal connotations, discursively, the language of ‘rights’ infuses popular debates on education with the legal aspect of justice. This is highly relevant considering that Fraser’s framework has been criticized for overlooking ‘the nuances of modern law or rights’ (Scheuerman, 2017). The strong presence of the notion of ‘rights’ in the ‘folk paradigms of justice’ might be therefore yet another cue that Fraser’s model is insufficient to capture all the facets of justice that invigorate the public mind and thus potentially in need of amendment. The fact that ‘rights’ have become a primary legal vehicle for formulating and pursuing claims to justice (Douglas-Scott, 2017) is not without significance, either. Arguably, it might be the apparent ‘enforceability’ of ‘rights’, their tangibility as legal entitlements (right to education) or legally protected privileges (freedom of choice) that makes the discourse of rights relevant to popular justice debates. Indeed, despite some scholarly critiques of the sufficiency of a ‘rights framework’ for seeking justice and reservations about the potency of law and/or legal rights in securing ‘true’ justice (Choules, 2007; Robeyns, 2006), it has also been asserted that the formal codification of rights and the idea of a ‘duty-bearer’, such as the state, in the enforcement of rights, are essential additions of the ‘right’s framework’ to alternative models of justice (McCowan, 2011; cf. Choules, 2007; Tikly and Barret, 2011).

**Epistemic justice.** Another conception of justice that runs across the multiplicity of justice claims voiced in the educational debates in the media analysed is epistemic justice. While epistemic injustice can take various forms, it is usually evoked when someone is wronged in their capacity as knower or epistemic subject (Fricker, 2007, 2013). Fricker (2007) distinguishes between ‘testimonial injustice’ – which occurs when someone’s knowledge and/or credibility is ignored, rejected as false, treated as less relevant or deflated because that person is a member of a particular, usually marginalized, social group – and ‘hermeneutical injustice’ – which occurs when someone’s experience cannot be rendered intelligible, by
them or by others, because of the unavailability of sufficiently shared concepts that could adequately identify or explain that experience or because of the style of communication. Regardless of its form, epistemic injustice is believed to be generated by stereotypes and prejudices about marginalized groups and a derivative of unequal power relations. Thus, those who are considered credible as knowers are usually drawn from more privileged groups.

In the analysed media debates, claims to epistemic justice are most clearly present in discussions about curricula and, more specifically, omissions of the historical harms inflicted by the dominant group (in most countries analysed: White majority) and experienced by the ancestors of specific categories, such as Afro-descendants (Portugal) or Roma (Portugal and Hungary). In the Portuguese debates, some independent media draw attention to the lack of rhetorical space and means by which minority groups could contribute to the canonical Portuguese historiography with stories of exploitation, plundering, prosecution and extermination (testimonial injustice). Grievances of an epistemic nature resonate as well in complaints about the inculcation of the dominant historical narrative in minority groups, for example, through the relativization of the violence of colonialism and the trivialization and obliteration of racism. Illustrative is an example of a visual misrepresentation of racism in Portuguese schoolbooks denounced in the independent news outlet Fumaça:

an image of a slave subtitled ‘dancing on a festive day’ that gives an idea that slavery was not so bad and that they were even entitled to a day off and could hold their festivities and preserve their cultures. (Araújo, 2016)

In a similar vein, the media outlets analysed draw attention to the way the myth of the non-racism of the Portuguese is strengthened through associating racism with the Holocaust or apartheid in South Africa, but not colonialism (Bicas et al., 2019). Arguably, such instilling could be interpreted as a form of hermeneutical injustice, mainly due to how it restricts the repertoire of conceptual resources available to evaluate and understand the continued oppression of racialized minorities (cf. Fricker, 2007). It also resonates with the Spivak’s (1992) discussion of the effects of epistemic violence on the efficacy of subaltern political representation.

The analysed material also includes complaints about how the credibility of a minority member, including a child, tends to be evaluated through the lens of their social location and the generalization of negative stereotypes about the group they putatively belong to. Telling is a testimony of a former high school student in Portugal, who having scored a 10 in a history test had to wait for the grade until the next test:

That is, she [the teacher] wanted to see if the 10 was actually mine. Since I was a black, she needed to check. Obviously, we are much more analysed, evaluated and scrutinized. There is a question about our abilities and potentialities since kindergarten. (Henriques, 2017)

Injustices related to the disadvantageous position of minority members and communities as epistemic actors are also reported in the United Kingdom. For example, when analysing the Trojan Horse controversy in the Guardian, Shackle (2017) suggests that it was the unjustly deflated credibility of the Muslim community, related to the negative
stereotyping they are subjected to, that allowed the untrue allegations to take ‘on a life on
their own’ and made it possible to exclude Muslim voices from the public debate, at least
at its outset:

It remains impossible to separate the way that the Trojan horse allegations were treated from
the wider context of how Muslims are viewed in British society: as a potential threat, a fifth
column (Shackle, 2017).

As with other justice claims in the educational debates analysed, epistemic harm
is evoked in the grievances of both the vulnerable and the relatively powerful groups. For example, in the Netherlands, where the audience of the right-wing media feel harmed by the leftist elites who ‘reject logical explanations, refute existing evidence’
(Geenstijlnl, 2018) and ignore the, that is their, the White majority’s, ‘truth’ about
the threat ethnic minorities pose to Dutch society and way of life. Central to those
grievances is the issue of trust/distrust and trustworthiness/untrustworthiness of the
testimonies circulating in the public sphere. Accusations of lies, ‘false news’, ‘prop-
aganda’ and/or manipulative use of ‘evidence’, such as statistics (e.g. in the
Netherlands and Hungary), which themselves can be interpreted as a form of epis-
temic harm, are not uncommon. In essence, such mutual accusations of manipulation
and lies, and battles over credibility, seem related to struggles over social power. As
noted by Hawley (2017), ‘distrusting, or withholding trust is . . . an exercise of social
power: you may deny other people important opportunities when you fail to trust
them, both through the practical consequences of your distrust and through its sym-

bolic power’ (p. 70).

While Fraser does not per se relate to questions of epistemic violence/injustice, her
notion of participatory parity implicates an equal ability of all participants in the
debate to exert epistemic influence. Fricker (2013, 2018) herself explored a connection
between epistemic justice and representation as well as epistemic justice and recogni-
tion (see also McConkey, 2004). Moreover, Fraser’s notion of political misframing, if
applied at the micro-political level (cf. Keddie, 2012), might help to understand how
epistemic injustice, inherent in the misreading, ignoring, obfuscating or failing to hear
and understand minority voices and claims, arises from and is closely connected to the
processes of boundary drawing and the exclusion of some from the ‘moral community’
of those who are thought to be entitled to fair treatment and fair outcomes, usually the
oppressed, the minority (cf. Deutsch, 2014; Opotow, 2018). Nonetheless, due to its
focus on epistemic power relations, epistemic justice exhibits a complexity that seems
to escape the logic of Fraser’s tripartite theorizing. In particular, the problem of with-
holding conceptual resources from the less privileged to talk about the injustice they
experience – which is an important aspect of hermeneutical harm – seems to constitute
a special type of injustice (van den Brink et al., 2020).

**Conclusion**

The primary goal of this study was to better comprehend ‘folk paradigms of justice’, or
popular understandings of justice, in the realm of education through an analysis of
The study aimed at tracing how Fraser’s (2007, 2009) tripartite model of justice features in public consciousness emanated in and through the media, and what other, less-standard, conceptions of justice invigorate public debate. Our analysis shows that the way the media frame the various facets of justice in debates around educational issues overlaps with how the various elements of Fraser’s framework are conceptualized in educational research, thus confirming the usefulness of Fraser’s analytical lens in disentangling the various forms of injustice that take place in the realm of education (cf. Keddie, 2012; Mills, 2013). At the same time, current analysis of public discourse confirms the assertions of other researchers (Lynch, 2012; Mills et al., 2016) that Fraser’s tripartite typology is not necessarily exhaustive in accounting for all types of educational injustices, especially as many of the grievances extend beyond the school setting and question the entirety of social relations, their normative underpinnings and the power structure that legitimizes them. In this contribution I have discussed three types of alternative claims that run across the three ideal-typical facets of redistribution, recognition and representation and/or fall beyond Fraser’s model: (1) claims that appeal to procedural justice, (2) claims that appeal to civil rights and liberties and (3) claims that appeal to epistemic justice.

The presence of claims which appeal to civil rights and liberties and/or procedural justice in the media debates on education seems to expose a public longing for a clear-cut and supposedly impartial measuring rod that would help to manoeuvre between the competing justice claims and claims of different groups, and distinguish well-formed from ill-formed claims. It also seems to signal the importance attached by the public to the enforceability of well-formed claims. Public need for such clarity is certainly enhanced by the shifting sands of our abnormal times and contexts and the ‘muddiness’ of justice debates. In addition, for the majority occupying a position of privilege, the rights rhetoric seems an instrument of resistance to the loss of their privilege to less advantaged groups (cf. Choules, 2007). This appears to be certainly true when rights rhetoric is used to defend the ‘right to educational choice’ which often advantages the better-off groups at the expense of those who are less well-off. Nonetheless, although it is uncertain if it is at all possible to achieve justice through law and if so, how and by whom, that is, through which processes and institutions (Herlin-Karnell and Kjaer, 2017), the popularity of rights rhetoric in the ‘folk paradigms of justice’ and the limited compatibility of the ‘rights framework’ with Fraser’s tripartite model of justice (Scheuerman, 2017) indicate a potential direction for theorizing on justice in education and beyond. Moreover, it highlights the popular appeal of ‘legalistic’ thinking about justice and underscores the continued relevance of ‘rights’, ‘liberties’ and ‘fair procedures’ for (seeking) legitimacy for educational policies.

Highly relevant to the ‘folk paradigms of justice’ appear also claims to epistemic justice understood as fair treatment in issues of knowledge, understanding and participation in practices of communication and deliberation (Fricker, 2007). The presence of epistemic power relations on the agenda of public debates about justice in education seems to indicate sensitivity to, or at least awareness of, struggles over power relations and the way power inequality and cultural dominance are (re-)produced through education. At the same time, media debates themselves often resemble struggles over epistemic power,
for example, when various participants in the debate try to deprive their opponents of credibility and/or impose their own version of ‘truth’. The notion of truth seems absolutely crucial for the popular distinction between well-formed and ill-formed claims and thus indispensable for ‘doing justice’. Furthermore, since who is given a voice and how much this voice counts is often construed as a question of just or fair procedures, epistemic justice, just like representative and deliberative justice, is often conditioned on procedural justice.

Declaration of conflicting interests
The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding
The author(s) disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: The research was funded from the EU Horizon 2020 research and innovation programme (grant agreement no. 727112).

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Notes
1. Educational researchers use different terms to denote what Fraser eventually, in her revised tripartite framework, calls ‘representative justice’; for example, Gewirtz (2006) refers to this facet of justice as ‘associational justice’ and Tikly and Barret (2011) refer to it as ‘participatory justice’.
2. Horizon 2020-funded project Towards a European Theory of Justice and Fairness (ETHOS). See https://ethos-europe.eu/ for more information.
3. In the Netherlands, ‘specialist’ schools encompass denominational schools as well as schools that apply special pedagogic approaches/philosophies, such as Montessori, Dalton or Jenaplan.
4. ‘Social media’ are understood here as digital platforms for the creation and sharing of user-generated content (Boyd, 2014, as quoted in Lomborg, 2017).
5. For more details on sampling criteria, sampling procedure and listings of analysed material, see Lepianka (2019).
6. But see, for example, McCowan (2011) and Tikly and Barret (2011) for a broader conceptualization of rights to, in and through education.

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