

Justice Toolkit



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Q1: WHAT ARE CONCEPTS?

Concepts are the mental or cognitive tools we use to classify and order our experiences in and of the world. At a basic level, having a concept means being able to recognise something and distinguish and/or compare this concept with other things.

Concepts are abstract ideas. They are not straightforward and cannot simply be answered like a fact. For example, one may think that: “We are not responsible for the consequences of our ancestors’ actions.” To examine this claim we need to first look at what counts as justice. We are then able to evaluate our claim in the light of our understanding of a shared concept of justice.

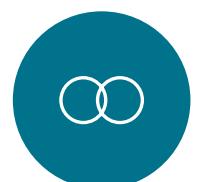
Concepts are abstractions constructed by thinking beings – like us – with sufficiently large brains. But some concepts are more abstract than others. For example, we can imagine a child deriving the concept dog from numerous instances of four-legged creatures that she encounters in her daily experience, together with appropriate reinforcement from someone already familiar with this concept. This is, in part, a process of trial and error – excluding other four-legged creatures that for example, miaow instead of bark. Still, this concept is an abstraction - I can pat my dog but I cannot pat – i.e. interact physically with – my concept or idea of a dog.

Other concepts – including those, like good, bad, right(s), wrong, responsibility, freedom, justice, that are central in the field of Ethics – are more abstract still, in that it is more difficult to describe or imagine precisely what kinds of items in the world fall under them.

There are two different points to notice here. First, even if there were complete agreement as to what such concepts mean, the words which stand for them function more like adjectives or adverbs than nouns. I can observe, hear, pat, play with and smell cats and dogs, but – so it seems – I can only observe, witness or perform actions – or, perhaps, people – that are good, bad, responsible, free, etc.

Secondly – and this point is acknowledged in the Ethical Capability Framework – there rarely is complete agreement as to what such concepts mean. What counts as right or wrong, or free or just is often quite contestable or controversial, both in general terms – precisely what the words “right,” “wrong” and “free” mean – and in specific instances – whether or not a particular action or person, state, regime, etc. is actually right, good or free. Trying to be clear about what certain terms or concepts actually mean is a key part of thinking and inquiry in ethics.

Concepts related to the philosophical branch of Ethics promote deep questioning and lead to contestable answers. Philosophical concepts such as fairness, equality and respect can overlap with topics in most general subject areas. Therefore, it is easy to see how one can add a philosophical dimension to every unit of work. By discussing such concepts, students will learn to become autonomous thinkers, while also applying their subject knowledge to their own personal existences and the world around them.



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Q2: WHAT ARE BIG IDEAS

Philosophical concepts, which we call Big Ideas, are distinguished by having the following three characteristics:

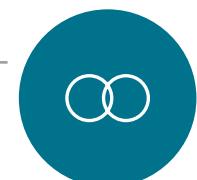
1. **Common:** The concept is shared by everybody. It is a word commonly used by students (depending on their age), however they might not be very clear about what such concepts really *mean* or signify; and even if they are clear, others might well disagree (because these concepts are contestable)
2. **Contestable:** The concept will arouse argument and disagreements. Students may hold different understandings of what the concept means, and how it can be used in varied situations. This is how some concepts can rely on necessary conditions.
3. **Central:** The concept is important to use in how we live our lives and understand the world around us. In an ethical context, concepts like person and human being are very important, as are many others such as *right, justice, duty, happiness....*

HOW DO I SCAFFOLD STUDENTS' UNDERSTANDING OF CONTESTABILITY?

A: Concepts can be difficult to understand as they are mental tools and can sometimes be understood in different ways in different situations. Sometimes, that makes it tricky to agree to a standard meaning to any one concept. Let us consider the concept of fish. We all know what a fish is and what a fish is not. We know that the word fish is a noun and therefore denotes a thing. Therefore, a simple concept like 'fish' is easy to understand and communicate to others. But, let us consider an important concept that is more abstract like justice. Justice is an abstract noun, therefore it is not a thing, it is an abstract idea. As part of a critical investigation, we first ask these three questions to identify if a concept is indeed an important concept.

- | | |
|--|--------|
| 1. Is the concept used in our common day-to-day communication? | Yes/No |
| 2. Does the concept play an important role in our lives? | Yes/No |
| 3. Is the concept contestable? Can its meaning be debated? | Yes/No |

If you have answered 'Yes' to all three questions, the concept is an important one and there is an opportunity to investigate the complexity of the concept. Let us test the concept of justice against the above criteria questions. Justice is used in our common day-to-day conversations, and it plays an important role in our lives, and it can have different meanings to different people in different situations. Therefore, justice is an important concept and there is an opportunity to investigate its implications to our lived experiences and the way we use it to communicate to others. Remember, people are very complex and how we communicate with each other is very complex. We cannot assume everyone understands or experiences justice in the same way. However, the concept of fish is used in our common day-to-day conversations, and it may or may not play an important role in our lives, but the concept of fish is not debatable. We do not argue over the understanding of what the word fish means. Therefore, the concept of fish is not an important philosophical concept, but justice is an important philosophical concept. That is why we think justice is a Big Idea.

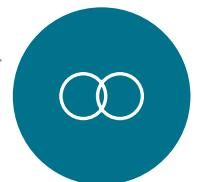


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Q3: WHAT IS CONTESTABLE ABOUT THESE CONCEPTS?

HOW IS JUSTICE A CONTESTABLE CONCEPT?



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Q4: WHAT ARE CONCEPT GAMES, AND HOW DO WE PLAY THEM?

Although each concept game will deal with a different concept, there is a standard process you can use for them all.

1. CONTESTED CONCEPT

Decide on your contested concept, For example: **Justice**

2. SET-UP

Set up the room so you have an area on the floor with a label indicating what each area represents. Often A4 cards are made with the category title. You can also use a hoola hoop to place the cards in.

For example:

JUST

?

NOT JUST

The students should sit in a circle around the categories. It is important that every student can see each person in the group, as well as the three categories.

3. PROCEDURE

Part 1:

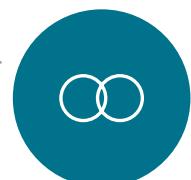
Begin by getting the students to write a **DEFINITION** of the contested concept.

By thinking about a definition of a term, the students will have to consider a range of scenarios that relate to that concept. Often they will find it challenging to write a definition that fits with every scenario.

- In small groups or individuals, students write down their definition of the concept
- As a class read out each definition and begin to write a **CRITERIA LIST** for that term
- If there are points in your criteria list that clash with one another, discuss to come to a resolution
- It is quite normal for your definition to change and evolve throughout the course of a lesson

Part 2:

- Get the students to return to their groups
- Each group is given a set of **EXAMPLES**. These may be words, pictures or scenarios.
- Students examine the examples one at a time, and decide which hoop they will place each example.
- An example cannot be placed without students identifying the **REASONS** they are placing it there.
- Nominate a scribe to keep a running list of these reasons.



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Part 3:

- As a class come together and go through each example
- Discuss any examples that are contested
- It is useful to write the students' ideas on the board. This is important to give them a sense of purpose and progress
- While you are organising the reasons:
 - Eliminate repetitions
 - Identify contradictions
 - Seek out any necessary conditions (if appropriate)

Part 4:

- Students revisit their original definition and edit as necessary
- Come together as a class and students share their new definitions
- Discuss come to a final definition

Part 5:

- Always leave time at the end of your lesson for **REFLECTION**
- Students can reflect on what they have learned, clarified or discovered so far
- They can also reflect on their own thinking and contribution to the class

Tips:

- Always ensure the students give reasons for their choices.
- Challenge the students to think of counter-examples that could show how an idea is incorrect.
- Try to combine multiple ideas into one unified concept, or show there are several different concepts in play.
- Write down student questions on the board. This provides a starting board for your next lesson.



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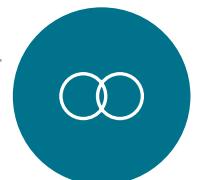
Q5: WHAT TOOLS DO I NEED TO PLAY CONCEPT GAMES?

WORD CARDS FOR A CONCEPT GAME:

JUST

?

NOT JUST



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WORD CARDS FOR A CONCEPT GAME:

Fair

Unfair

Honest

Dishonest

Ethical

Unethical

Reasonable

Unreasonable

Rational

Irrational

Unbiased

Biased

Equal

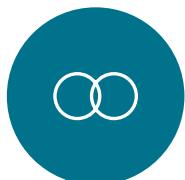
Unequal

The same

Difference

Logical

Illogical



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WORD CARDS FOR A CONCEPT GAME:

A student who works hard but receives a C grade.

A person gets a speeding fine for going 3km over the limit.

A student who does not work hard but receives an A+ grade.

A criminal goes to jail.

A student who works hard and receives an A+.

An innocent person goes to jail.

A student who does not work hard and fails.

A criminal gets off free.

Getting grounded for doing something wrong.

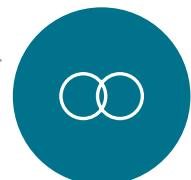
Everyone pays taxes.

The entire class being kept in at lunchtime because a few students were naughty.

Education is free in Australia.

An umpire misses a goal so the team does not get the points.

A person catches a deadly disease from another person.



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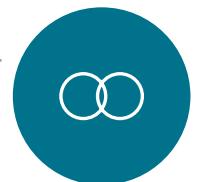
Everyone in Australia has access to Medicare.

A person is diagnosed with cancer.

In America you have to pay for healthcare (No Medicare equivalent).

A person is born into a poor family.

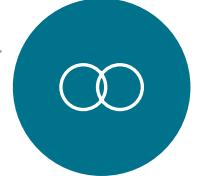
A person is born into a wealthy family.



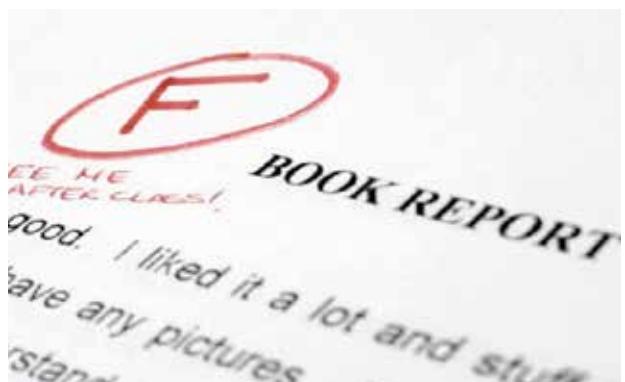
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PICTURE EXAMPLES FOR A CONCEPT GAME:



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Q5: WHAT ARE DISCUSSION PLANS AND HOW DO I USE THEM?

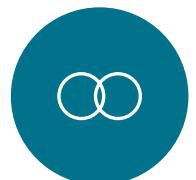
As you proceed around the circle the questions become more complex and abstract. The first ones are easy - homely, personal, but not too personal ...

1. A quick warm-up activity played as a Round Robin.
Distribute one card per person or couple.
Each person responds with an initial thought and move on.
You can then collect questions from the group that the activity provoked.
2. On the other hand you may like to read each question, one at a time,
and have extended discussions with the whole group

DISCUSSION PLAN FOR JUSTICE

DISCUSSION PLAN: "JUSTICE"

1. Can you think of a time you experienced an injustice?
2. Have you ever treated another person with injustice?
3. What does 'justice before the law' mean?
4. Is this type of justice always fair?
5. What is the difference between justice and fairness?
6. Can you have social justice?
7. If society was just, would everyone contribute the same thing?
8. If society was just, would everyone receive the same benefits?
9. Should justice always be ethical?
10. Should justice always be fair?
11. Why doesn't everyone get what they deserve?
12. Should everyone's rights be respected?



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Q6: WHAT FURTHER LINKS AND RESOURCES ARE AVAILABLE?

LINKS AND RESOURCES:

A variety of picture books that you can use as a stimulus for the concept of fairness.
A discussion plan is provided for each story.

Yertle the Turtle by Dr Seuss

<https://www.teachingchildrenphilosophy.org/BookModule/YertleTheTurtle>

Don't Let The Pigeon Drive The Bus by Mo Willems

<https://www.teachingchildrenphilosophy.org/BookModule/DontLetThePigeonDriveTheBus>

Last Stop on Market Street by Matt de la Pena

<https://www.teachingchildrenphilosophy.org/BookModule/LastStop>

The Little Red Hen by Margot Zemach

<https://www.teachingchildrenphilosophy.org/BookModule/TheLittleRedHen>

Those Shoes by Maribeth Boelts

<https://www.teachingchildrenphilosophy.org/BookModule/ThoseShoes>

OTHER RESOURCES:

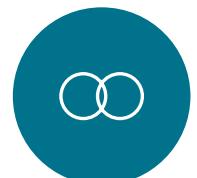
Big Ideas For Little Kids by Thomas E. Wartenberg – 'Frederick'

Thinking Stories 3 by Phillip Cam – 'Bizzy Road'

The If Machine by Peter Worley – 'Republic Island'

Provocations by Peter Worley – Morality and the Law

The Philosophy Shop by Peter Worley – Value: Politics. In particular 'A Fairer Society' by Martin Pallister



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IAPC RESOURCE

Lipman, M. and Sharp, A. (1977). *Ethical Inquiry Instructional Manual to Accompany LISA*. 2nd ed. Upper Montclair, N.J.: Institute for the Advancement of Philosophy for Children, Montclair State College
ISBN-13: 978-0916834210

Lisa, a classmate of Harry Stottlemeier, experiences a range of physical, aesthetic and ethical awakenings as she puzzles over issues of animal rights, sexism, racism, justice, divorce and death with her classmates. As Lisa and her friends begin to recognise the ethical dimensions of their experience, they delve into the philosophical concepts as the right, the fair, the good, perfection, and naturalism. Lisa's struggles with identity and thinking for oneself leads her to recognise her interdependence with others and with nature. This novel explores the complexity of ethical concerns and the multiple capacities involved in making sound ethical judgments.

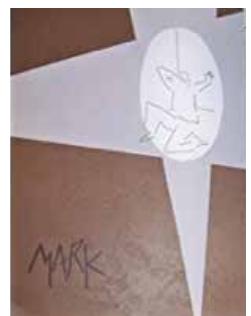
Grade Range: 7-12. Target Grades: 7-8



Discussion Plan: How should animals be treated?	
Discussion Plan: Killing animals	P 23
Discussion Plan: Eating animals, Discussion Plan: Hurting animals.....	P 24
Discussion Plan: When are we obliged to protest?.....	P 206
Leading Idea No: 11: Living with others and living with ourselves,	
Exercise: Living with others and living with ourselves	P 218

Lipman, M. and Sharp, A. (1980). *Social Inquiry: Instruction Manual to Accompany MARK*. 1st ed. Upper Montclair, N.J.: Institute for the Advancement of Philosophy for Children, Montclair State College.
ISBN-13: 978-0916834135

This instructional manual aims to support students' thinking skill development through the conceptual foundations of the social sciences. The various exercises and discussion plans aim to identify issues within the social sciences and expose to students to conflicting concepts at the heart of each issue. These various topics fit well within a social studies curriculum unit.



Leading Idea 2: Reciprocal duties and responsibilities.....	P.261
Exercise: Who is responsible to whom	P.263
Leading Idea 3: Non-reciprocal duties and responsibilities	P.266

