

Finding Refuge in Equity: A Philosophical Examination of Justice in Refugee Education

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Abstract: This paper is a philosophical analysis of educational justice in the formal learning of refugees in host countries. It particularly examines the way we can think about rights in regard to refugee education at the European and global level. The motivation for undertaking this analysis is the fact that the law fails to provide us with a comprehensive account of justice that corresponds to the needs of refugee students. Noticing the inadequacy of the legal approach in addressing refugee educational fairness, this paper draws on the philosophical tools of reasoning and argumentation to investigate i) what the rights of refugees in education are ('what' of justice), and ii) how to ensure processes to uphold such rights ('how' of justice). This is an under-researched issue, and for that, this study advances the knowledge in the field mainly on how to conceptualise refugee educational justice to foster methods of endorsing fair opportunities that combat the educational exclusion of refugee populations. The results provide evidence to suggest that an account of justice in refugee education appears to be multidimensional. Notably, it encompasses four dimensions: a) distributive, b) cultural, c) political, and d) overall healthcare (including both physical and mental health) justice. In achieving justice in refugee education, the factors of transformative redistribution, recognition, representation, and restoration schemes are encouraged in education policy.

Keywords: refugee education, educational justice, rights, equity, inclusive education

Introduction

Never before has the world community seen so many displaced people, and never before have so many of them been vulnerable refugees in desperate need of protection and humanitarian assistance. For millions of uprooted people, refugee education remains out of reach. Globally,

UNHCR (2024)¹ estimates that over half of all refugee children, 51%, currently remain out of school, and around 75% of refugee students eventually drop out or disappear. Because of this dismaying situation, the international community is called to rise to the challenge of providing educational justice.

In the broadest context, educational justice is the situation in which all students are treated fairly. In other words, justice is about granting individuals the appropriate rights to promote fairness. The growing importance of educational justice lies in the crucial question as to what we, as a society, regard as fair or right in the acquisition of knowledge. Effectively addressing this question fulfils educational justice's main principle that a student's quality of education directly correlates to the future quality of his/her life. This further implies that an education system that practises educational justice is a strong cornerstone of a community that is thriving. With that in mind, making refugee education an essential vehicle of justice is necessary for enhancing refugees' quality of life and for the non-violent and long-term development of the states that have welcomed them.

When one has a right to something, it means that someone else must have the corresponding duty to acknowledge and protect this right. In refugee settings, however, what the rights of refugees to education are and whose duty it is to acknowledge and protect these rights are disputable. The rights already provided to refugee students are not sufficient to ensure their effective learning experience. Refugees' needs and issues remain unaddressed by legal norms². This shows that justice goes beyond the written law and acknowledged rights the world community provides to refugees. Yet, many scholars focus on the empirical challenges in protecting refugees' right to education while the essence of what kind of justice refugee students seek appears to be an under-researched issue.

Having recognised that the legalistic approach is insufficient to provide an inclusive understanding of justice, the purpose of this study

¹ UNHCR. 2024. 'Education | Global Focus'. 2024. <https://reporting.unhcr.org/spotlight/education>.

² UNHCR. 2023. 'UNHCR Education Report 2023 – Unlocking Potential: The Right to Education and Opportunity'. UNHCR. 2023. <https://www.unhcr.org/media/unhcr-education-report-2023-unlocking-potential-right-education-and-opportunity>.

is to *philosophically* examine educational justice in the formal learning of refugees in host societies, and present a general framework of refugee education, which can be translated accordingly for the settings and demands of each education level. In particular, the research questions that this study aims to address are the following: i) what is justice in refugee education? ('what' of justice), and ii) how do we achieve justice in refugee education? ('how' of justice). Theorising refugee educational justice is vital in creating new avenues in the search for improved policies and curriculum designs for the effective learning of refugees. This will also illuminate strategies of promoting equal opportunities to fight the educational and social exclusion of individuals with refugee identity. In that way, we move the centre of gravity away from conventional proposals of praising multicultural diversity towards much more critical approaches that give refugees themselves a voice.

1. Distributive Justice

To begin, the world community essentially interprets educational justice as the right to universal access to education. The 'access' component of this right goes hand in hand with efforts to abolish social and economic deprivation, commonly attributed to the maldistribution of resources, to achieve socioeconomic fairness. In that sense, refugees are therefore considered deprived when they are denied access to schooling and educational resources in host societies. The 'universal' component of the right reminds us of the aspiration of a collective ideal reflected in many egalitarian theories which have long sought to defend equal opportunities for all.

One of the most distinguished egalitarian approaches in justifying the right to educational access for refugees is found in Rawls' (1971)³ theory of justice. Given that students vary in their socioeconomic status, Rawls maintains that the objective of education is not necessarily to strive to even such discrepancies out. Instead, we should ponder how, given the differences in students' social class, learning resources can be fairly distributed to broaden the future possibilities of the underprivileged in terms of social welfare. Rawls justifies this purpose by adopting a hypothetical original position in which a veil of ignorance renders

³ Rawls, John. 1971. *A Theory of Justice*. Oxford Paperbacks. Oxford: Oxford University Press.

members of society unaware of their innate and socioeconomic characteristics. Behind the veil of ignorance, agents are risk-averse, meaning that they consider themselves the least privileged agent under any given circumstance in deciding principles of justice. As a consequence, by being blinded to where they are positioned within a community, members of society will gravitate to the ‘equality of opportunity principle’ regarding the elimination of social barriers that prevent particular subjects from accessing education and other social institutions.

The underlying motivation of Rawls’ equality of opportunity principle rests on his belief that a just system is a ‘meritocratic’ system. In such a system, everyone is equal at birth, and success in life depends on individuals’ merits, which constitute effort/desire to work, ability and talents, rather than heredity or wealth. Following the merit principle, behind the veil of ignorance, agents will agree that a just transnational education policy requires equal educational opportunity for all. Under this agreement, a just education policy requires equal access to education for refugees, by allowing their enrolment in the national education system of host communities, as well as an equal distribution of educational resources.

In a subsequent study, “*Commodities and capabilities*”, Sen (1985)⁴ criticises Rawls’ emphasis on resources in interpreting justice by highlighting that individuals do not only vary in economic terms. The intuition underlying this conception is that an absolute focus on material goods rules out an account of the heterogeneity in individuals’ ‘capabilities’ to convert commodities into valued ends. Otherwise stated, two people who both aspire to be educated and are provided with an equal number of educational supplies might not be equally capable of fulfilling this aspiration. Refugee learners, for instance, may be provided with the same bundle of learning capital as host pupils, but evidently struggle to adapt to the new learning environment. This phenomenon is often due to the structure of host education programs which are not tailored to refugees’ linguistic and social needs and, as a result, constrain their capacity for successful learning.

Following Sen’s reasoning, we notice that deprivation is not necessarily the result of the maldistribution of educational resources, as Rawls

⁴ Sen, Amartya. 1985. *Commodities and Capabilities*. Professor Dr. P. Henripman Lectures in Economics, v. 7. Amsterdam ; New York : New York, N.Y., U.S.A: North-Holland ; Sole Distributors for the U.S.A. and Canada, Elsevier Science Pub.

holds, but instead of the maldistribution of ‘capabilities’. Capabilities are understood as ‘real’ opportunities. In general terms, to claim that a refugee has a real opportunity for X, it ought to be definite that they would succeed in X. By way of illustration, the provision of postsecondary education exclusively in the host country’s national language is an unrealised opportunity for refugees who might not speak that language. Just education tactics must therefore *not* be based on Rawls’s equality of opportunity principle, but instead on the equality in the distribution of capabilities. Put differently, educational justice corresponds to refugee students’ freedom to pursue their goals and not necessarily equality in terms of the distribution of educational resources.

2. Cultural Justice

Overall, the distributive paradigm considers educational justice as the fair distribution of social benefits among society’s members. These benefits consist of wealth, income, and other material resources. The ‘distribution’ explanation of justice seems to also comprise nonmaterial social benefits like rights and self-worth, which fall under the umbrella of having and/or enhancing capabilities/real opportunities. But what does distributing a real opportunity mean? One may argue about having a real opportunity for a distributive share of educational resources. However, in this case, it is the resources that are distributed, not the opportunity. What can it really mean then to distribute real opportunities that do not refer to material goods, like the opportunity to increase self-worth? If by opportunity we refer to ‘chance’, the distribution of opportunities implies that some members of society have more chances to pursue their dreams than others while some have none at all. Opportunity in this sense is rather a matter of ‘enablement’ or ‘disablement’ and not a matter of possessing goods that can be increased or decreased.

Nonetheless, the logic of distribution considers real opportunities as a matter of possession by asking what people have, how much they have, and how that amount compares with what other people have. In that regard, the intangible opportunity refers to the possession of real distributive objects. This emphasis on possessions tends to ignore considerations about what individuals are doing, based on what social rules and how social relations influence their doings and havings. Therefore, by reifying nonmaterial elements of social life that are better conceptualised as a function of regulations and relations than as objects, the distri-

bution paradigm conceptualises justice in terms of end-state patterns (possessions) and does not concentrate on social processes.

Taking this into consideration, Young (1990)⁵ endeavours to re-establish fairness through an alternative path. Young agrees with Sen that Rawls was concerned with the allocation of the incorrect goods, i.e. distribution of education resources over capabilities. However, she disagrees with Sen's viewing of intangible capabilities as real distributive items. In view of this, Young suggests that, if we want to achieve fairness, we should seek a different approach, one which addresses real opportunities more specifically.

To accomplish this aim, in place of correcting end results using distributive ways to reinstate fairness, she investigates the way in which current institutional systems can be altered to attain the preferred results in the first place. By institutional systems, Young (1990) refers to any structure, practice, rules, and norms that define the relations between the members of society and enable/disable individuals' ability to participate in determining their actions and develop their capacities. Thus, manifestations of 'disablement' include the nonrecognition and disrespect of a group's identity by consistently slandering and belittling it or discrimination in regular daily interactions.

In this regard, for Young, justice in refugee education should denote the extent to which cultural-social patterns and structures of representation and communication enable or constrain refugees as a group to learn, as well as determine their identity and choices. Apropos of this, it appears that the institutional reaction of several liberal nations with reference to just education systems for refugees dismally looks pretty illiberal. Refugees are unfairly considered as the culture of outlanders, predominantly unnoticed in conversations about acknowledging refugee learners' cultural identity. Specifically, in the educational context, refugee learners are subjected to debased characterisations due to the host countries' failure to recognise refugee students' difference in religion, language, beliefs, values, attitudes, and material possessions. In Young's (1990) terms, refugees are 'oppressed': this signifies the injustice of misrecognising a group's cultural specificity, which is rooted in the host society's undisputed regulations and norms.

⁵ Young, Iris Marion. 1990. *Justice and the Politics of Difference*. Princeton Paperbacks. Princeton, NJ: Princeton Univ. Press.

3. The Redistribution-Recognition Conflict

Following Young's (1990) theory of justice, achieving fairness in refugee education entails the development of educational structures and system-level policies that will help to provide equal recognition of the cultural identity of refugees as a group compared to the other social groups of students. However, the underlying concern is whether Young's perspective of justice can adequately respond to the needs of refugee students. Cultural justice indeed seems to have a more specific focus, compared to the capability theory, where we should focus on understanding fairness. Nonetheless, we must still be critical in deciding whether such a theory of justice can stand alone as the ultimate theory in establishing fairness in refugee education.

As Fraser (1995a)⁶ argues, Young's notion of 'oppressed' implicitly encompasses distributive justice elements. On the one hand, the cultural component of 'oppression' indicates that the capacities and aptitudes of the unfortunate are unaffected; instead, underprivileged individuals are primarily harmed by the misrecognition of their cultural identity and values. On the other hand, the socio-economic dimension of 'oppression' signals that the development of capacities, knowledge, and skills of the unfortunate has been hindered or become unrealised; the underprivileged groups have primarily been excluded from the prospects that will enable them to enrich their knowledge and skills in a given social context. With this in mind, we come to realise that the cultural aspect of 'oppression' points to undervaluation, as illustrated by Young, whereas the socioeconomic angle points to the phenomenon of underdevelopment, as illustrated by theories of distributive justice.

Furthermore, we notice that underdevelopment appears in the maldistribution of resources/capabilities, and one's misrecognition of cultural specificity cannot be addressed by identical treatments. This is because redistribution initiatives aim to increase socio-economic parity, whereas recognition initiatives seek to resolve the maltreatment created by discrimination, disrespect, and the authoritative practices of one's culture. In other words, changes in educational structural arrangements that positively affirm the cultural distinctiveness of refugee learners be-

⁶ Fraser, Nancy. 1995. 'Recognition or Redistribution? A Critical Reading of Iris Young's Justice and the Politics of Difference'. *Journal of Political Philosophy* 3 (2): 166–80. <https://doi.org/10.1111/j.1467-9760.1995.tb00033.x>.

long to the possible remedies related to the cultural angle of ‘oppression’. Nevertheless, remedies of this kind are much less likely to be the vaccine for the socio-economic aspect of ‘oppression’.

Hence, to put an end to the phenomenon of maldistribution, the redistribution of education expenditure is required to some degree. In opposition to Young’s assertion, we notice thereupon that cultural justice is not a substitute for socio-economic fairness and redistributive actions. In contrast, both distributive and cultural justice are needed to achieve equity in refugee education, and neither alone is sufficient to respond to the needs of refugee students. Distributive justice deals with issues ingrained in economic inequities, whereas cultural justice deals with issues embedded in social status and rank. On this basis, we arrive at the conclusion that both the distribution of educational materials to develop refugee students’ capacities and the restructuring of education systems to promote social esteem are needed to ensure justice in refugee education.

The concern that results from this conclusion is whether these two different understandings of justice can be equally sheltered under a single all-encompassing umbrella. Even though recognition and redistribution are equally important for ensuring justice for refugee students, these two remedies appear to be in conflict. This is because the target of recognition is to affirm group differentiation through the embrace of refugees’ cultural identities. Conversely, the target of redistribution is to achieve group de-differentiation through the abolition of financial barriers. These two remedies are in conflict as recognition policies enhance group differentiation, which interferes with the redistributive aims of group de-differentiation. Therefore, the simultaneous implementation of redistribution and recognition remedies is not feasible since they result in conflicting outcomes.

Nevertheless, refugee students suffer from both socioeconomic and cultural injustices making both recognition and redistribution resolves necessary. Can both recognition and redistribution resolves be simultaneously applied in refugee education without mutual interference? Fraser (1995b)⁷ answers this redistribution-recognition question by virtue of the distinction between affirmative and transformative actions. In this light, she clarifies that the objective of affirmative actions is to resolve

⁷ Fraser, Nancy. 1995. ‘From Redistribution to Recognition? Dilemmas of Justice in a “post-Socialist” Age’. *New Left Review*, no. 212 (July): 68–93.

unfair circumstances without affecting the grounding principles that stimulate these injustices, whereas the objective of transformative actions is to resolve inequities by restructuring the predominant rules and arrangements that produce unfairness⁸.

Fraser argues that affirmation and transformation practices can be equally employed in the politics of recognition and redistribution. Consider first the affirmation-transformation clarification to redress the injustice of misrecognition experienced by refugee students. Affirmative schemes for addressing misrecognition are mainly in line with Young's solution of providing equal respect to different social groups' identities. An example could be to equally respect the religions of refugee groups and host students groups in host educational settings. Such a strategy took place in many European countries where, in their attempt to recognize the religious differences of Muslim refugees, they allowed refugee students not to participate in established Christian traditions in educational settings and provided them instead, in some cases, separate worship spaces.

The best possible scenario with such affirmative practices is to promote multicultural education, a system in which host and refugee students respect each other's group religion, without the two groups necessarily developing strong bonds in the learning environment. However, it is also possible for affirmative strategies, instead of promoting multiculturalism, to perpetuate an adverse group differentiation⁹. This is because excluding refugees from the host group's norms might create the impression of one group being superior to others, which becomes the fuel to discriminating behaviours. Given that, affirmative practices are therefore risky and not always desirable. Thus, the best result one can achieve via the use of affirmative schemes to fairness is to eliminate disrespect by re-observing the underrated identity of refugees, while the nature of refugee identity and the relevant social status distinctions that invoke this injustice remain unexamined.

At the other end of the spectrum, transformation remedies are consistent with efforts to promote intercultural education which seeks to redress disrespect by uprooting the prevailing symbolic injustices in education settings. In contrast to affirmative actions and Young's approach,

⁸ Fraser, Nancy. 1995. 'From Redistribution to Recognition? Dilemmas of Justice in a "post-Socialist" Age'. *New Left Review*, no. 212 (July): 87.

⁹ Fraser, Nancy. 1995. 'From Redistribution to Recognition? Dilemmas of Justice in a "post-Socialist" Age'. *New Left Review*, no. 212 (July): 89.

in order to eliminate oppression, one should aim to provide equal recognition of an *individual's* identity and not that of a group. By overthrowing existing group differentiation, transformative policies not only enhance the social esteem of refugees but also re-establish all learners' awareness of respect. For example, a traditional worship room in the University setting, which is restricted to students with a particular religion, could be replaced by a multifaith room where students of different religious faiths, or none at all, can spend time in prayer, meditation and/or contemplation. Thus, where affirmation recognition policies contribute to embracing refugees' group distinction, transformation recognition policies contribute, in the long run, to lessening these group differentiations that appear within and beyond the education systems.

In the same way, the affirmation-transformation distinction applies to inequities in the socio-economic context. Affirmation remedies are in line with liberal approaches to adjust maldistribution in final outcomes, like Rawls' compensatory education, without affecting the general socio-economic structures that induce unfairness in refugees' capabilities. On the contrary, transformation policies are related to socialism and aim to deconstruct the current socio-economic structures that produce injustice. They aim not only to change final outcomes by distributing education resources but also to alter the conditions of the education-learning experience for all students. Examples include the abolition of tuition fees and the provision of university transportation services for all students.

Note that a transformative policy addresses all students because its fundamental aim is to eradicate the group differentiation experienced by disadvantaged students and thus re-examine refugees' undermined identity. In contrast, compensatory education unavoidably labels refugees as "vulnerable" and "needy", which generates an inferior group categorisation of refugees. We realise hereafter that even though the principal focus of affirmative redistribution policies is to eliminate class distinctions, in practice, it may increase misrecognition by cultivating hostility towards refugee learners of low social class. Transformation policies, on the other hand, point to a group de-differentiation through an equal distribution of resources which destabilises the social stigma of "vulnerable" attached to refugees.

Having demonstrated Fraser's (1995) affirmation-transformation distinction, we come to realise that the desirable matrix for justice in refugee education is to pursue transformative practices in both recogni-

tion and redistribution objectives. The intuition behind this conclusion is that only by attaining group de-differentiation in both redistribution and recognition the conflict is resolved and we can pursue sustainable, fair education systems for refugees, free from cultural and economic inequalities.

4. Political Justice

Having justified the inclusion of both socioeconomic and cultural dimensions in the definition of justice, attention is now drawn on how this bivalent understanding of fairness affects the merit principle. Incorporating the cultural dimension into the interpretation of justice indicates that students' success should not be determined by economic or cultural differences. In other words, for the merit principle to apply, it must be feasible to identify, measure, and compare students' performance using culturally neutral criteria. If merits are biased, based on culture, refugee students are likely to be disadvantaged in terms of succeeding within the education and employment structures of host societies. With this in mind, having qualifications and criteria which are culturally neutral is vital in ensuring meritocracy.

Unfortunately, educational credentials and standardised tests tend not to be impartial and unbiased towards cultural characteristics. Assessments themselves have a cultural element that reward particular cultural styles, such as competitiveness and the ability to work in a fast-paced and under-pressure environment¹⁰. In this regard, whatever competence an assessment is intended to measure, test-takers with these test-taking competences have a primary advantage over others. Moreover, test formulation unavoidably employs symbols and phrases whose meaning may be comprehended in culturally different ways¹¹. For instance, test formulation incorporates a variety of judgements and choices, any one of which can have culturally particular insinuations. Taking these into account, careful attention needs to be taken in test formulation to avoid cultural bias and ensuring that a test is fair to all students.

¹⁰ Wigdor, Alexandra K., and Wendell R. Garner. 1983. 'Ability Testing: Uses, Consequences and Controversies'. *Journal of the American Statistical Association* 78 (384): 994. <https://doi.org/10.2307/2288227>.

¹¹ Berk, Ronald A., ed. 1982. *Handbook of Methods for Detecting Test Bias*. Baltimore: Johns Hopkins University Press.

It is possible for host states to promote the structural exclusion of refugees through the manipulation of assessment criteria and processes. This is because, when meritocracy becomes more demanding by taking into consideration both economic and cultural inequalities, the question of who bears the cost to achieve justice becomes more critical. In other words, as the definition of justice becomes more inclusive, the responsibility of ensuring meritocracy is bigger; this might discourage a country's willingness to assist refugee students. Particularly, with the scarcity of resources, redistribution schemes indicate the transfer of resources that benefit host learners to refugee learners; this might suggest a lower quality of teaching and learning for host learners. Similar issues might appear in recognition policies as the transient state of refugees' mobility (the irregular movement of refugees and the process of resettlement) demotivates the provision of programs that contribute to cultural diversity when lots of refugees do not plan to stay permanently in the specified host community.

Overall, as host states' responsibilities towards refugees increase, the structural exclusion of refugees becomes a more reasonable choice on behalf of host state governments. This is why 'political justice' is also necessary in refugee education. Political justice is needed to defend the structural inclusion of refugee students when the burden to ensure justice increases. This could be achieved by setting criteria that do not exclude refugees from consideration in admission processes and by making the criteria for qualifications, together with the values and purposes they serve, explicit and public.

In achieving political justice, one must also ensure refugee students' 'political' inclusion in the host learning environments. Considering this, Fraser (2007)¹² explains that the remedies of redistribution and recognition should be accompanied by remedies of 'representation/participation'. Representation remedies encourage us to question both the established political frame in education as well as the established laws within that frame. More specifically, concerns about political membership bring to mind Young's emphasis on self-determination, although the focus here is on establishing the conditions for refugees to be treated in practice as "citizens" of host education systems.

¹² Fraser, Nancy. 2007. 'Identity, Exclusion, and Critique: A Response to Four Critics'. *European Journal of Political Theory* 6 (3): 305–38. <https://doi.org/10.1177/1474885107077319>.

Although Fraser has not explicitly specified it, it seems that we can differentiate between affirmation and transformation practices in representation/participation remedies, too. Affirmative participation remedies involve efforts to integrate refugee students in the host educational symbolic framing. In this case, refugee students are welcomed by the host education systems as new and valuable members in the education environment. An example could be the celebration of refugee students' arrival to the host educational community by emphasising the contribution that refugee students can make to the host community. Nevertheless, it is possible for affirmative participation actions to invoke cultural injustices by generating status inequality for refugee learners. For instance, in many cases, refugees are not welcomed as valuable students but rather as the "at risk", "vulnerable", and "disadvantaged" category of students. We notice thereupon that, in the effort to abolish structural exclusion, refugee students may often end up being socially marginalised. Consequently, affirmative participation remedies may cause an adverse group differentiation, which still constitutes a violation of justice.

In eliminating political exclusion in education, transformation representation remedies are required to redefine the structure of political bonds within and beyond the learning environment. Transformation representation remedies involve the inclusion of the political voice of those excluded from democratic processes. In relation to refugees, this involves the equal representation of refugee students in discussions and decisions around educational issues, concerns, and needs. The inclusion of the political voice of refugee learners entails the reframing of educational political membership. In conclusion, transformation representation remedies in the form of democratic voice/participation is a necessary condition in overcoming structural political exclusion in refugee education.

5. Healthcare Justice

The underlying common assumption of the theories of justice previously mentioned is that refugee students are 'dehumanised'. The term 'dehumanisation' can be interpreted in many ways. For theorists of distributive justice, dehumanisation is defined as 'deprivation', for Young's justice of recognition it is expressed as 'oppression', whereas for political justice, dehumanisation is a synonym to 'exclusion'. The concept of de-

humanisation was elaborated in Seeman's (1975)¹³ study in which dehumanisation is further understood as the state of experiencing powerlessness, meaninglessness, normlessness, social isolation, and cultural estrangement. Following Seeman's conceptualisation of dehumanisation, many studies have shown that refugee students are depressingly dehumanised upon arrival to host communities (McInerney 2009¹⁴; Dryden-Peterson et al. 2017¹⁵; Bengtsson and Dryden-Peterson 2016¹⁶ to name a few). In the learning environment, refugees' dehumanisation is manifested in various ways. Examples include refugees' excessively high school drop out rates, low attendance rates and effort, estrangement from the learning process, disruptive actions, depression, and self-harm¹⁷. In view of this worrying phenomenon, which practices can best address refugees' dehumanisation in education settings?

One may fairly argue that refugee students' dehumanisation and their associated underachievement are not necessarily the result of the failure of the host country's economic conditions and power relations, but rather of the physical and psychological problems of these students and their parents. There is no doubt that several factors associated with refugee flight can negatively influence the healthy development of refugee students. Examples include the persecution of relatives, parental anxiety, the act of leaving home unexpectedly, the separation from family members, the belief that taking adult responsibilities is required if one parent is missing, and lack of time and/or place for play. These factors, along with demographic changes, moving from one country to an-

¹³ Seeman, Melvin. 1975. 'Alienation Studies'. *Annual Review of Sociology* 1 (1): 91–123. <https://doi.org/10.1146/annurev.so.01.080175.000515>.

¹⁴ McInerney, Peter. 2009. 'Toward a Critical Pedagogy of Engagement for Alienated Youth: Insights from Freire and School-based Research'. *Critical Studies in Education* 50 (1): 23–35. <https://doi.org/10.1080/17508480802526637>.

¹⁵ Dryden-Peterson, Sarah, Negin Dahya, and Elizabeth Adelman. 2017. 'Pathways to Educational Success among Refugees: Connecting Locally and Globally Situated Resources'. *American Educational Research Journal* 54 (6): 1011–47. <https://doi.org/10.3102/0002831217714321>.

¹⁶ Bengtsson, Stephanie E.L., and Sarah Dryden-Peterson. 2016. 'Education, Conflict, and Globalisation: Guest Editors' Introduction'. *Globalisation, Societies and Education* 14 (3): 327–30. <https://doi.org/10.1080/14767724.2016.1189203>.

¹⁷ Frymer, B. 2005. 'Freire, Alienation, and Contemporary Youth: Toward Pedagogy of Everyday Life'. 1(2), 1–16. *Interactions: UCLA Journal of Education and Information Studies* 1 (2): 1–16.

other, and political violence, destabilise refugees' norms and practices leading to a lack of self-confidence, self-possession, enthusiasm and social capital which refugees need to adapt with ease to the new school environment.

Following this realisation, one might reach the naïve conclusion that—since refugees' dehumanisation might not be attributed to host countries' education, culture, and political systems—it is not the responsibility of the host education system to address the problem, and we should look instead to other institutions to find the cure for 'dehumanisation'. Nevertheless, in view of UNESCO's established duties of education, education should be the vehicle for the all-around development, psychological well-being, and social participation of an individual. This implies that education is indeed responsible for the healthy development of students. For refugee students, this necessitates dealing with the multiple traumas of loss, uprooting, and painful experiences. Healthcare (including both physical and mental health) justice should be incorporated as a vital dimension of justice in refugee education. In particular, healthcare justice is needed to address and restore the psychological, physical, emotional and spiritual health of refugee students.

In healthcare justice, we can also distinguish between affirmative and transformative restoration remedies. An affirmative practice could be the implementation of psychological support programs solely for refugees. Examples of such practices could be Dooley's (2009)¹⁸ pedagogical scheme on 'smart links' (developing paths between refugees' damaging experiences and new experiences in the new host societies) and visual-based methods to broaden one's understanding of refugee students' psychological well-being in host societies. Although these efforts encourage more awareness on behalf of the host society, they might create cultural injustice for refugees by stigmatising them as "sufferers", "victims", "sick" or "problematic". This might have an adverse effect on issues of political justice as well by assuming that disempowered refugees have no place in education projects and decisions that promote development. In general, affirmative restoration practices could cause other kinds of injustice in host education systems for refugees.

On the other hand, transformative restoration practices manage to

¹⁸ Dooley, Karen. 2009. 'Re-Thinking Pedagogy for Middle School Students with Little, No or Severely Interrupted Schooling'. *English Teaching: Practice and Critique*, 8 (1): 5–22.

heal refugees without creating other violations of justice. An example of such methods could be Shor's (1992)¹⁹ and Dei's (2003)²⁰ pedagogical frameworks which incorporate spiritual and democratic education. These practices target all students by promoting empowerment for all and not only for refugees. One should not forget that these practices do not benefit only the refugee students. Nowadays, especially after the COVID-19 pandemic, it is noticeable that in many (host) countries a significant number of students suffer from mental health issues, especially anxiety disorders. In that sense, transformative restoration schemes are useful for everyone and stigmatise no one. With this in mind, transformation restoration initiatives could be considered the vaccine for ensuring healthcare justice in refugee education.

6. A Framework for Justice in Refugee Education

All in all, healthcare injustice is persistent when students feel 'dehumanised.' To address dehumanisation, transformative restoration practices are essential in refugee education. This alone, however cannot guarantee a fair education system for refugees. In the long run, a just education system for refugees cannot be sustained without achieving distributive, cultural and political justice. For instance, enacting restoration practices will not change the economic conditions of refugees' lives, which is a major source of dehumanisation. In the long-term, dehumanisation can only be eliminated by developing more socio-politically equitable education systems that embrace the cultural specificity of all students. Having this in mind, I conclude that a four-dimensional understanding of justice is needed to achieve justice in education for refugees. On this basis, the successful integration of refugee students into the host learning environment requires the application of redistribution, recognition, representation, and restoration initiatives.

¹⁹ Shor, Ira. 1992. *Empowering Education: Critical Teaching for Social Change*. Chicago: University of Chicago Press.

²⁰ Dei, G. 2003. 'Schooling and the Dilemma of Youth Engagement'. *McGill Journal of Education* 38 (2): 241–56.

Table 2: “A four-dimensional framework for justice in refugee education”

Dimension of justice	Manifestation of injustice	Action
Distributive	Maldistribution	Redistribution
Cultural	Misrecognition	Recognition
Political	Exclusion	Representation
Healthcare	Dehumanisation	Restoration

Table 2 summarises the dimensions of justice one should take into account for fair education systems for refugee students. A more detailed presentation of the four-dimensional framework along with the transformative actions for achieving refugee educational justice is found below in Annexes I and II.

Annex I: Violation of justice in refugee education

	Injustice in refugee education
Maldistribution	• Refugees are denied access to education • Unequal distribution of education resources (e.g. textbooks, shortages of qualified teachers) • Poor educational outcomes and lack of post-education job opportunities • Lack of analysis of education policies to ensure redistribution (e.g. disparity in teacher salaries between geographical locations - schools that are set up in refugee centres vs. established host schools)
Misrecognition	• Language barriers (language of instruction affecting refugees' learning outcomes) • Lack of acknowledgement of cultural values, norms, habits • Lack of acknowledgement of refugees' religion • Discrimination and xenophobia against refugee students
Exclusion	• Disregard of state/non-state actors in setting refugee education agenda • Lack of school governance, involvement in decision-making (teachers, parents, students) • Discrimination against refugees from positions of leadership within the education system
Dehumanisation	• High school dropout rates • Low attendance rates and effort • Disruptive actions, violence, and self-harm • Depression, mental illness, traumas, and post-migration stress

Annex II: Achieving justice in refugee education

	Justice in refugee education
Redistribution	• Ensuring access to education for refugees • Equitable distribution of resources—such as teaching materials and facilities, including sanitation and hygiene facilities—in schools • Equal opportunities for promotion within education structures • Decentralised teacher deployment, responding to the needs of communities, schools, students and teachers • Adequate salaries for all teachers, reducing the disparity between schools
Recognition	• Opportunities for learning in mother tongue and managed transition to national language • Absence of religious and cultural bias through practices in schools and acknowledging diversity within the curriculum • A ‘multi-religious approach to integration’: Interfaith education as a mean to actively shape the relations between people from different religions • The development of educational reforms that contribute to cultivating understanding and respect for all people; their cultures, civilizations, values and ways of life; thus promoting critical awareness of the struggle against racism and discrimination • The acquisition of techniques of observation, sympathetic listening, and intercultural communication
Representation/participation	• Greater participation of local, national, and global stakeholders in setting the refugee education agenda • Political representation of refugee students across levels of government and ministerial departments • Representative school-based management and avenues for involvement in decision-making processes, including for refugee students and parents • Emphasis on educator advocacy, and centring of refugee students’ perspectives, in education policy formation and consultation processes
Restoration	• Democratic education including citizenship and civic education to cultivate a society of equals where critical thinking, self-determination and self-expression have space to flourish within a classroom • Spirituality in education which places the self/personhood at heart in engaging with learning and social change

	Justice in refugee education
	• Co-operative education which redefines students’ understanding of success by acknowledging non-academic competencies in fields like psychosocial development, thus contributing to improving students’ self-confidence and sense of identity • School mental health/personalised advising for students • Teacher awareness sessions

Conclusion

The importance of looking beyond the written law is the cornerstone of theorising refugee educational justice. This is driven by the belief that refugee movements are not just another phenomenon that reflects international socioeconomic inequality but rather a transformative phenomenon that allows us to rethink about duties and rights at the European and global level. This research aspires to extend the conservative definition of refugee educational justice which is restricted to socioeconomic rights in education and suggest a more comprehensive definition of justice that embraces diversity. From this perspective, the traditional proposals in refugee education were questioned while more inclusive strategies were introduced in achieving the socially just education systems that refugees hope for.

Healthcare justice should be embraced as an indispensable dimension in discussions about fairness in refugee education alongside distributive, cultural, and political justice. Refugees’ successful integration in host educational institutions is ensured with a combination of transformative redistribution, recognition, representation, and restoration actions. The degree to which each of these actions is needed in refugee education settings is subject to the kind of needs refugee students have, as well as the socioeconomic and political structures of the given host society and their influence on refugee learners.

On a final note, the results of this philosophical analysis are not necessarily conclusive. I recognise that, upon closer observation, reading and reflection, the ideas presented in this study can be strengthened to have a more comprehensive understanding of justice in refugee education and the appropriate response to injustice that refugee students ask for.