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Structural Educational Injustice, Political Responsibility, and Epistemic Activism

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Abstract: Despite recent scholarship in political theory that shifts the focus of injustice from agents to social structures, educational justice scholarship in philosophy of education remains primarily individualistic as regards the causes of injustice. However, it seems that agents' actions are more constrained than individualistic accounts suggest, and that educational injustice is largely the result of structural processes. Accordingly, it is argued that scholars should focus on the political instead of the moral responsibility of agents for disrupting educational injustice. This is suggestive of an epistemic activist approach to advancing educational justice that utilizes the power of social movements to disrupt the structural conditions that support educational injustice. The example of unjust school punishment in the United States is used as a case in point.

Keywords: Educational justice, structural injustice, moral responsibility, political responsibility, school discipline, school punishment

1. Introduction

The past two decades have seen a rise in social justice theorizing, largely inspired by Iris Marion Young's late work, that shifts the locus of inquiry from agents to structures.[1] Despite few exceptions, this shift has not been mirrored in philosophy of education which, in theorizing about policies and practices related to educational justice, mostly operates under the atomistic assumption that individual and collective education agents—e.g., parents, teachers, administrators, policymakers, schools, districts, charter management organizations, the department of education, etc.—can make a significant difference when it comes to mitigating

[1] For an overview of this literature see McKeown (2021).

educational injustice.[2] In this sense, philosophy of education mirrors what Sally Haslanger (2024) identifies as the tendency of 'mainstream philosophical literature' to be 'mostly committed to an outmoded methodological individualism that insists on a kind of reductionism of social phenomena to the (sometimes joint-) intentional action of persons' (p. 48).

This approach is partially justified because the current state of educational injustice is in one sense the result of the collective impact of multiple agents' actions, whether these be individual or group agents. Yet the agentive focus is limited both in regard to explanatory power and remedial justification. As to explanatory power, the impact cannot be determined through individualistic aggregative approaches because the whole is not reducible to the parts. The impact of educational injustice looks less like adding individual impacts together and more like a collection of agents and actions with emergent properties that cause or contribute to injustice and are directly attributable to the structure itself (Elder-Vass, 2010). As to remedial justification, the irreducibility of the whole to the parts means that the unjust impact of the whole cannot be attributed to the parts. If it could, alternate configurations of those same parts would create the same effects (Elder-Vass, 2010). However, this is not the case as can be gleaned from the fact that structural changes within a society usually lead to different outcomes even though social agents remain unchanged. The difficulty of attributing wrongdoing to agents, makes assigning remedial justice obligations to them difficult to justify.

The persistence of educational injustice is, therefore, better accounted for through structural explanations (Haslanger, 2016) and addressed through structural solutions. Individual

[2] Policies and practices include, among others, school choice (e.g., Brighouse & Schouten, 2014), school funding (e.g., Gilead, 2018), epistemic content selection (e.g., Brighouse et al., 2018), and discipline and punishment (e.g., Brown Coverdale 2020). Notably, most scholars who theorize educational justice in broad terms (e.g., Brighouse et al., 2018; Culp, 2020; Culp & Drerup, 2024; Schouten, 2023) embrace a Rawlsian approach (Rawls, 1977, 1999), which insofar as it focuses on structural educational issues does so through the lens of educational institutions as collective agents that can independently yield system-wide changes without regard to social-structural processes that persistently reproduce unjust outcomes (Nikolaidis, 2023b; Young, 2006).

and group agents' actions are more constrained than individualistic accounts suggest. The unjust outcomes we observe are largely the result of structural processes that agents alone neither created, nor can disrupt. Accordingly, this paper argues that the structural nature of educational injustice has important implications for how we think about responsibility for educational justice.

The structure of the paper is as follows: Section 2 briefly presents what structural injustice is. Section 3 discusses how responsibility for mitigating structural injustice is determined and assigned. Section 4 applies the discussion on structural injustice to educational injustice. Specifically, the section focuses on unjust school punishment as a representative case of structural injustice in education. Section 5 describes how members of the movement to dismantle the school-to-prison pipeline effectively discharged their responsibility for structural educational justice through epistemic activism. Section 6 concludes the paper.

2. The nature of structural injustice

In recent years, political theorists have been advancing structural accounts to address the injustices that we encounter in an increasingly complex and globalized world (e.g., Browne & McKeown, 2024; Haslanger, 2015; Kaufman, 2020; Lavin, 2008; McKeown, 2024; Powers & Faden, 2019; Young, 2011; Zheng, 2018). These accounts are premised on the assumption that structural injustices cannot be addressed through individualistic models of moral responsibility. But what exactly is structural injustice and how does it differ from individualistic forms of injustice?

At its most basic level, the term structural injustice refers to wrongs and harms that are related to and perpetuated by social structures rather than agents. Frequently it is understood to refer to a form of injustice perpetrated not by individuals but by social institutions. Indeed, this

way of conceiving structural injustice has animated many educational philosophers who, following John Rawls (1977, 1999), theorize educational injustice as being perpetrated by educational and/or social institutions that enact unfair policies and practices (Nikolaidis, 2023b).[3] This way of thinking about structures however is insufficient because it excludes important social-structural processes which maintain the structure that produces unjust outcomes even when efforts are made to reform the institutions in question. In this sense, while the Rawlsian model of theorizing structural injustice expands the scope of consideration from isolated individual agents to larger group agents (in this case social institutions), it remains ensconced within methodological individualism by examining these agents in isolation from one another and from the structural processes that shape them.

The reasons why this is a problem should be quite evident. While educational institutions in the United States have throughout history been reformed to change the unjust outcomes that they produce, for example, the unjust outcomes prove to be quite resistant to change. Court-based desegregation mandates produced neither desegregated schools nor equality of opportunity (Blum & Burkholder, 2021). Efforts to resist institutionalized educational disinvestment through community control of schools morphed into market-based school choice that continues to leave behind the most vulnerable students (Todd-Breland, 2018). Disability diagnoses codified through legislative acts to remedy the historic neglect of the needs of students with disabilities became a form of ability profiling that stigmatizes students and entrenches discrimination (Taylor, 2023). As Madison Powers and Ruth Faden (2019) put it, 'adherence to informal norms sometimes continues after formal rules governing the relevant conduct are abandoned' (p. 100).

[3] Indeed, much of the aforementioned individualistic philosophy of education scholarship focuses on unjust structures understood in this institutional sense.

A satisfactory account of structural educational injustice must therefore begin from a broad understanding of structural injustice that goes beyond social institutions and rules enacted by individuals who comprise those institutions. It must also include informal norms that maintain both the unjust institutions and the broader social structure they are part of and that delineate ways in which individual and collective agents within the social structure relate to one another. In general terms, this can be understood as shifting the focus from atomistic assessments of social structures to social-structural processes that maintain social hierarchies by rendering them durable (Tilly, 1998) and less amenable to reformist change, and whose 'fallout […] renders groups of people vulnerable to domination or oppression' (McKeown, 2024, p. 19).

Yet a focus on social-structural processes can be elusive with disagreements ensuing about their nature and implications (Parker, 2000). On one side are reductionists, who reduce the operation of social-structural processes to either social structures themselves or to the actions of the agents who constitute those structures. The theories of reductionists, nonetheless, have significant limitations. Methodological holists who reduce social-structural processes to the operation of social structures themselves reify those structures as self-reproducing, hindering their ability to account for structural changes that occur throughout history. Methodological individualists who reduce social-structural processes to the actions of individual agents ignore objective forces that condition agency, hindering their ability to account for why social-structural processes remain remarkably consistent despite human creativity. On the other side are relationists, who in addressing the limitations of reductionism posit that structure and agency are irreducible to each other and endeavor to explain how the two interrelate and are jointly the cause of social-structural processes. Structurationists view the relationship between structure and agency as one of identity. Structure and agency 'are empirically and experientially

indistinguishable' as structure resides within agents, enabling their agency, and is enacted whenever agents act (Parker 2000, p. 103). Post-structurationists view the relationship of structure and agency as one of distinct, yet interrelated, entities. Structure operates relatively autonomously and conditions human action by delineating the interests and constraining the options of agents. Yet, agents maintain their autonomous ability to act otherwise and in acting so may also reshape the structure over time.[4] To explain the nature of structural injustice and corresponding notions of responsibility, I draw from the relationist tradition which avoids the pitfalls of reductionism. Specifically, I draw from the critical realist approach of Dave Elder-Vass (2010) who reconciles structurationism and post-structurationism, both of which offer valuable insights.

Elder-Vass (2010) develops a relational emergentist framework that neither reduces social-structural processes to the agency of constituent members of the structure, as methodological individualists are wont to do, nor reduces agency to social-structural processes, as methodological holists are wont to do. Instead, he explains that the bringing together of agents who are connected to each other through a particular set of relations and under a particular set of circumstances creates outcomes that can be justifiably considered to emerge from the structure itself. This is for two reasons. First, without the social structure connecting the agents to one another through a specific set of relations (i.e., the social roles and norms that define the nature of their connection) and under a specific set of circumstances (i.e., the environmental conditions in which they find themselves), the agents' actions would alone be insufficient in bringing about the structural outcomes in question. Second, the social structure does not depend on the action of particular agents to sustain itself. Over time, agents are replaced by other agents (e.g., people are

[4] John Parker (2000), from whom I borrow these distinctions, associates structurationism with the work of Pierre Bourdieu and Anthony Giddens and post-structurationism with the work of Margaret Archer and Nicos Mouzelis.

born and die, old citizens expatriate while new citizens are naturalized, employees retire or change jobs, members change social groups, etc.) while the roles defining their interrelations remain the same and materialize in the actions of new agents. In other words, structure both transcends and precedes agency such that structural outcomes emerge from, and as a result of the causal power of, the structure *qua* structure.

Elder-Vass (2010) explains in detail how this emergence occurs by bridging the two relationist approaches. As to structurationism, by producing emergent outcomes, structure exerts downward pressure on agents in ways that shape their dispositions. This shaping of dispositions is akin to what Bourdieu calls *habitus*—the dispositions that we develop through our environmental conditioning which motivate our future behavior. As to post-structurationism, agency is only partially circumscribed by habitus. While past experiences influenced by the social structure shape our dispositions to act in certain ways, we may still choose to act differently than standard norms and rules imply and in doing so reshape the social structure instead of reproducing it. This is partially because we each inhabit a multitude of normative communities that pull us toward different directions when it comes to maintaining behavioral norms, but also because while the social structure significantly shapes our beliefs it remains distinct from them. How we interpret the structure influences how we conduct ourselves and subtle differences in our beliefs about what conduct is acceptable based on past experience may produce outcomes that conflict with structural rules and norms.

Social-structural processes are therefore drivers of structural injustice by enabling the emergent power of the structure to materialize and acquire causal power over social outcomes. Accordingly, I understand social structure to include:

1. A collection of social processes that tend to produce certain outcomes

2. The rules, standards, norms, and cultural meanings that guide those processes

3. The social institutions and relations that embody those processes

4. The resources that allow those processes to materialize and propagate

While social structures with the above features are constructed and maintained by individual and collective agents, they also circumscribe agency by constraining the actions of agents who are part of those structures. When agents engage in structurally constrained action they enact structural processes and reproduce the structure. Yet the reliance of structure on agents for its reproduction may also lead to deviations that change the social structure (Elder-Vass, 2010).[5]

Based on the above conception of social structure we can infer that, although structural injustice is wrongful because it impedes disadvantaged groups' exercise of their capacities and pursuit of their desired ends, it is not the result of individual wrongdoing because the actions of agents who collectively enact the unjust structure are constrained and because the outcomes of the structure exceed the agency of those who comprise the structure. Individual agents pursue their lives and aims within the bounds of existing practices, rules, and norms which maintain the structure and produce structural outcomes. Structural constraints on agency render ascriptions of blameworthiness inappropriate, even as they advantage some at the expense of others (Young, 2011). The reason why blameworthiness is inappropriate in the context of structural injustice is that no particular action or collection of actions that are attributable to particular agents—i.e., actions that were undertaken willingly and with knowledge of the result that they would bring about—can be isolated as the definitive cause of the wrong inflicted (Zheng, 2016, 2018). The wrong is the result of social-structural processes that create unjust constraints. When one speaks

[5] Alternative theories of structural change have also been used by philosophers. Marin (2024) and Haslanger (2024) for instance rely a structurationist approach developed by Sewell (1992) while McKeown on a post-structuationist approach developed by Archer (1995).

of racism as a structural form of injustice, for instance, one refers not to explicitly racist actions that purposefully threaten the well-being and prospects of people of color (though such actions certainly exist), but to barriers created by social institutions, rules, norms, relations, and practices that no single person is responsible for erecting and sustaining or capable of removing. It is this feature of structural injustice that makes it so difficult to both identify and resolve.

In cases of structural injustice, then, two conditions obtain that undermine agent-based ascriptions of moral responsibility on which individualistic accounts of injustice are based:

1. The epistemic and psychological foundations of wrongdoing are unstable because the agent may be neither knowledgeable about nor motivated to inflict the harm in question.
2. The causal link between the injustice suffered and the actions of would-be perpetrators is tenuous because no particular action(s) can fully account for the harm.

A structural injustice can thus neither be attributed nor traced back to a particular individual or group. The implication is that structural injustice requires different remedies than punishment of and/or rectification by the wrongdoer. Instead, rectification for structural injustice ought to involve all those who participate in the unjust social structure and who, in doing so, enact the structure and reproduce the harms that the structure begets (McKeown, 2018; Zheng, 2018).[6]

[6] Some have challenged Young's premise that structural injustice involves no culprits (e.g., Atenasio, 2019; Barry & Ferracioli, 2013; Reiman, 2012; Sangiovanni, 2018). Even Maeve McKeown (2024), a proponent of the concept, argues that 'it is questionable whether there are, in fact, cases of pure structural injustice' (p. 45) of the sort that Young describes. Most cases of structural injustice, McKeown suggests, are avoidable or deliberate, meaning that they are foreseeable and preventable by powerful agents who sometimes may intentionally maintain these injustices because they benefit from them. There is much of value in these critiques but, for now, I set them aside to explore the ways in which structural injustice in education can exhibit characteristics of 'purity,' as McKeown puts it, that demand our attention even when there are blameworthy agents involved.

3. Responsibility for structural injustice

Since structural injustice is the result of social processes and implicates everyone who enacts the unjust structure, how do we determine who holds responsibility for structural injustice? The basic model for addressing responsibility—what Young calls the liability model—is insufficient because it focuses on moral agents. According to Young (2011) the liability model embraces a backward-looking approach to moral responsibility. In legal terms, backward-looking responsibility postulates that one is responsible for one's action if one performs that action voluntarily and with knowledge regarding its effects (Fletcher, 1998). In philosophical terms, backward-looking responsibility postulates, first, that one is responsible for one's action if this action can be properly considered an action that one would normally undertake given their attitudes and dispositions and, second, that the agent performing the action deserves relevant reactions of commendation or disapproval, depending on whether the action is good or bad (Scanlon, 2015).[7] In both legal and philosophical terms, backward-looking responsibility assumes that we can draw a clear causal connection between an action and its agent, such that the action, and effects thereof, are indisputably caused by the agent. If causal connection (physical and/or psychological) cannot be established, then the agent bears no responsibility.

The liability model is ill-equipped to hold people accountable for actions that contribute to injustice but where the injustice cannot be traced back to them causally or dispositionally. In such cases, the contribution of one's actions to injustice is not the result of moral failure but structural conditions that beget injustice even when—or perhaps more accurately precisely because—one observes acceptable standards and norms (Young, 2011). Liability model theorists who address structural injustices have expanded the liability model, either by suggesting that

[7] Scanlon (2015) refers to this conception of responsibility as 'moral reaction responsibility.'

groups which are collectively responsible for injustices ought to be treated as individual moral agents (French, 1984) or by advancing differentiated moral principles that enable them to expand the scope of responsibility to include injustices that are neither collectively initiated nor purposefully committed (Kutz, 2000). Young suggests that neither of these approaches is satisfactory because, by assigning blame to individual agents for the structural harm, these approaches causally connect the wrongdoing to those agents despite their lack of intent, knowledge, or disposition to cause the unjust outcome. Assigning liability may be unwarranted and untenable, leading to inadequate and easily dismissible demands for redress from individual participants in the structure (Young, 2011). Indeed, Young's assessment of the inadequacy of the liability model aligns with the structural account presented in the previous section. Insofar as structural outcomes exceed the causal power of the agents comprising the structure it is difficult to causally connect those outcomes to the actions of individual agents. Moreover, insofar as agents' dispositions are shaped by the structure itself, agents cannot be said to be intrinsically disposed to produce the outcomes that their actions produce.

In response to the inadequacy of the liability model's backward-looking conception of responsibility, Young (2011) advances a social connection model that embraces a forward-looking conception of responsibility for structural injustice. The grounds for holding one responsible in a forward-looking sense are not whether one can be justifiably blamed, punished, and/or required to rectify a wrong inflicted on a victim but the severity of the harms that structural injustice inflicts on disadvantaged groups. Since these severe harms are structural, they are produced by social structures that are enacted by all members of society who participate in social processes. People's connection to injustice through structural enactment (McKeown, 2018; Zheng, 2019) therefore justifies assigning them forward-looking responsibility to advance social

justice and mitigate social injustice. Accordingly, agents are responsible for doing something to change the unjust outcomes even though they are not liable for those outcomes (Young, 2011).[8]

Young outlines five characteristics that distinguish the social connection model from the liability model, but two of these are salient for our purposes. First, the social connection model is a model of 'shared responsibility.' Since our collective actions lead to structural injustice then we all share responsibility to repair the harms that are caused by the unjust structure (Young, 2011, pp. 109–111). Second, since we share responsibility to repair the harms, we can only discharge this responsibility through collective action. The institutional constraints that we all face render us unable to change the structure individually. Instead, we must pool together our collective resources to initiate structural reform and disrupt the production of unjust outcomes. This is a form of political responsibility (pp. 111–113).

Political responsibility denotes 'a duty for individuals to take public stands about actions and events that affect broad masses of people, and to try to organize collective action to prevent massive harm or foster institutional change for the better' (Young, 2011, p. 76). In this sense, it does not imply an obligation to stop engaging in blameworthy conduct that contributes to injustice, nor does it imply an obligation by the state to engage in public action on behalf of its citizens. Rather, it implies an obligation to engage in public action that draws attention to and aims to mitigate the harms of injustice in society: pressuring the government to make policy changes, raising awareness about the state of injustice and how to disrupt it, and persuading others to join the collective and support its cause.

While shared by all those implicated in injustice, political responsibility does not burden everyone equally. Considerations such as how much power and privilege one has in the system,

[8] This is not to suggest that the liability model has no merit but that it must be applied only to wrongs that can be traced back to moral agents.

are important for determining one's level of responsibility. The more power and privilege, the greater one's obligation to change the system simply because their efforts can be more influential and they can afford to make more sacrifices. Relatively powerless agents are better off pooling together their resources to exert pressure on powerful agents like corporations or politicians. Similarly, one's interest and collective reach are important considerations. Agents with a vested interest to remedy the injustice in question and agents with preexisting networks or access to member organizations have a greater responsibility (Young, 2011, pp. 144–147).

4. Educational injustice as structural: The case of school punishment

Having discussed what structural injustice generally entails and what responsibility for it looks like, I now focus on educational injustice. To demonstrate why educational injustice is the result of structural processes and discharging it is a matter of political rather than individual moral responsibility, I will consider the example of school punishment in the United States. The reason for this narrow focus is neither that injustice in school punishment is the only injustice that exists in education nor that it is the most salient. Rather, I consider unjust school punishment to be a representative example of educational injustice caused by structural forces that impact education more broadly.[9] Importantly, it is an example of educational injustice whose harmful consequences for students have been significantly mitigated because of collective pressure exerted by education activists. This section discusses why unjust school punishment is best understood in structural terms and the next section discusses how activists successfully discharged their political responsibility by creating a movement to dismantle the school-to-prison pipeline.

[9] Other accounts of structural educational injustice address topics like gun violence (Deane, 2022), indoctrination (Taylor, 2017), CRT-bans (Nikolaidis, 2023a), and white ignorance (Nikolaidis, 2023c).

The reasons why and ways in which school punishment in the US is unjust are well known so we need not dwell on them too much. The zero-tolerance policies that dominate school punishment disproportionately impact students of color and students with disabilities by reducing their academic achievement, pushing them out of school, criminalizing them, and reducing their general life prospects (Fabelo et al., 2016; Gregory et al., 2010; Losen & Martinez, 2020, GAO, 2018). These patterns of punishment, moreover, are discriminatory as they do not reflect differences in student behavior between white and nonwhite students (Welsh & Little, 2018).[10]

But are these wrongs structural? One might argue, in line with individualistic accounts of educational injustice, that teachers are blameworthy for referring students to the principal's office or, even worse, to law enforcement for dubious disciplinary infractions. Unjust punishment then appears to be directly or indirectly attributable to those teachers. To be sure, teachers can be blameworthy for disciplinary outcomes when they abdicate their responsibility to scrutinize disciplinary incidents before taking actions that severely impact student lives (Winn, 2018), when they provoke students (Bell, 2021), or when they wrongly label developmentally and culturally appropriate student behavior as misconduct (Skiba et al., 2002). Moreover, a recent study found that the top 5% of teachers who make disciplinary referrals is responsible for more than a third of disciplinary referrals in the sample population and effectively double the racial punishment gaps between black and white, Hispanic and white, and multiracial and white students (Liu et al., 2023).[11]

Nonetheless, a closer examination of what prompts disciplinary referrals demonstrates that individual behavior alone does not adequately explain why we have these disparities at such

[10] For an extensive account of injustice in school discipline policy in the United States see Heitzeg (2016).
[11] In the study, the top referrers were 1.7% of the overall teacher population in the sample and where responsible for 34.8% of all disciplinary referrals (Liu et al., 2023, p. 473).

a large scale. In most cases, structural forces cause or at least contribute to these disciplinary trends by circumscribing the agency of teachers, rendering the problem structural in nature. Consider the following examples of structural forces that trigger and exacerbate the unjust administration of punishment in schools.

Cultural mismatch. Public schools in the US have an overwhelmingly white teacher workforce that serves a student population comprised primarily of students of color (NCES, 2021, 2022). The cultural mismatch between teachers and students may cause teachers to misinterpret student conduct as being misconduct (Staats, 2014). Teachers cannot be reasonably held responsible for those misinterpretations given their cultural upbringing. The pernicious effects of cultural mismatch are underscored by the fact that teachers of color have repeatedly been shown to refer students of color for disciplinary infractions less than white teachers (Dee, 2005; Lindsay & Hart, 2017; Liu et al., 2023). Yet the systems in place for funneling teachers within classrooms maintain this cultural mismatch and, in doing so, exacerbate the likelihood that students of color will be penalized for culturally appropriate behaviors. The effect of cultural mismatch is further exacerbated for students with intersectional identities, who in being multiply disadvantaged are more likely to be misunderstood. Connie Wun (2018), for instance, describes the experiences of girls of color experiencing poverty, whose perceived misconduct is often a reasonable response to harms and indignities that they experience due to their compounding gender, race, and class disadvantage and yet leads to punitive responses by school officials.

Policy landscape. In many schools serving students of color more funding is dedicated to law enforcement than school counselors or support services. The lack of social workers, psychologists, and other mental health service providers creates an environment where existing personnel are often unable to adequately deal with students' needs, and where police officers

tasked with keeping students safe are often the only resort and inevitably—given the role and tools of police—make it more likely that students are criminalized than supported (Whitaker et al., 2019). Furthermore, in schools that serve students of color exclusionary punishment is used for a greater variety of infractions (Curran, 2019). This renders it more likely that students of color will receive exclusionary punishment for infractions that white students will not, regardless of the role of teachers and other educators in referring students.

Work conditions. Teachers are overworked, with a recent survey finding that 'a typical teacher works about 54 hours a week' (Najarro, 2022). Teacher workload is not only well above the 40-hour week that most people are expected to work but has been increasing over time and particularly after the COVID-19 pandemic. The increasing time demands of teaching leave teachers with little time to dedicate to disciplinary matters and render them more likely to succumb to unconscious biases. This is because the greater the cognitive load of a teacher, the more likely they are to rely on automated thinking processes that favor implicit biases than to actively reflect about the best course of action (Staats, 2015-2016). A greater cognitive load thus makes it less reasonable that one can hold teachers morally responsible for operating in a biased manner against their students when they realistically have few other options.

Teacher quality gaps. Students of color are more likely than white students to be taught by teachers who are less experienced, less qualified, and less effective (Goldhaber et al., 2015). Because teacher quality has been shown to impact student achievement (Goldhaber et al., 2019) the ensuing teacher quality gaps between students of color and white students are associated with student achievement gaps (Goldhaber et al., 2018), a problem that impacts punishment trends as student achievement gaps are also associated with student discipline gaps (Pearman II et al., 2019). Importantly, less experienced teachers are also more likely to refer students at higher rates

for disciplinary infractions. Jing Liu et al. (2023) found that teachers who have less than three years of experience are much more likely to refer students for disciplinary infractions than more experienced teachers. In middle schools where disciplinary referrals are the highest, the likelihood that teachers will refer students for disciplinary infractions decreases after 11 years of teaching experience.

Punitive culture. A 'culture of punishment' exists in schools that postulates 'suspension as an essential classroom management tool' despite evidence to the contrary or legislative reforms aimed to curb its use and impact (Bell, 2021, p. 113). Students of color, for example, are often suspended through no fault of their own for behaving in appropriate ways that are misinterpreted, responding to teachers' inappropriate provocations, or navigating unsafe conditions from which schools fail to protect them (Bell, 2021). Maisha Winn (2018) notes that schools are set up for compliance, with office referrals, exclusionary punishment, and law enforcement referrals being more readily available solutions for addressing conflict than are restorative justice approaches that encourage communication, participation, and thinking of all students as an integral part of the school community.

As becomes evident from the above, when teachers refer students to the office or law enforcement their actions are constrained by structural processes that make reliance on punitive measures relatively effortless and reliance on nonpunitive and restorative measures effort intensive or sometimes even unrealistic. Indeed, structural forces render the institution of schooling such that pushout, criminalization, and a lifetime of poverty are for the most vulnerable students more likely outcomes than high school graduation, college attendance, and upward mobility (Western & Pettit, 2010).

One may be tempted to analyze the above phenomena using an individualistic methodological approach and break down each of these structural forces to their component matters: schools of education that accept and train more white teacher candidates, policymakers who enact unfair policies, school administrators who hire more police officers than mental health professionals, etc. However, theorized through a relational emergence approach we see that the aforementioned institutions (e.g., teacher education and hiring, school policing, or education policymaking) produce outcomes that the agents who comprise them do not intend and would be unable to do on their own even if they wanted to. The mostly white teaching workforce of US schools is not just a collection of individuals with distorted perspectives who erroneously label appropriate behaviors as misconduct; it is a collective agent who maintains, amplifies, and normalizes individual agents' perspectives such that white teachers' perspectives become dominant in the teaching profession and student conduct that deviates is more likely to stand out and be interpreted through a distorted lens. Similarly, the punitive culture of schools is not simply a collection of bad school policies that make punishment easier or of hiring practices that make marginalized students more likely to be served by inexperienced teachers; it is collection of institutions that together generate conditions that normalize these practices and responses such that agents who enter this space are disposed to behave in ways that enact the punitive culture and maintain the structure that produces it.

Under such circumstances it becomes difficult to justify blaming teachers, administrators, or other education agents for conduct that may contribute to unjust outcomes. While it is possible for agents to reflect on their actions and choose to act in ways that challenge structural norms, it is difficult to do so when one is disposed by their social conditioning to avoid choices that seem counterintuitive or even wrong by current standards. More importantly, even when such blame is

merited it might be counterproductive because it, first, deflects attention away from the structural forces in place which blameworthy agents could never fix on their own and, second, lets everyone else who is not directly responsible for student punishment off the hook even though they participate in an educational system that tends to produce unjust outcomes. Self-policing by conscientious educators may, to be sure, make a big difference in curbing unjust punishment. Yet it could never produce the structural change required to solve the problem. Individual actions are unable to fundamentally disrupt structural processes that induce harmful conduct. To do so, we must assign forward-looking responsibility for justice to all education agents.

Critics might object here that my conclusion is too hasty. The structural forces described above suggest that, although moral blameworthiness may not befit teachers or other school officials, there are other more powerful agents who are certainly morally responsible and obliged to rectify the situation. Think, critics might say, of teacher educators' failure to recruit preservice teachers of color, or policymakers' zero tolerance policies which treat students of color more harshly by design, or politicians' defunding of education which leaves schools understaffed and teachers overworked. There is no doubt critics would be right to note that powerful agents can be morally responsible even though most school officials might not be—though structural forces also impact powerful agents in ways that I do not have space to address here. Indeed, as Maeve McKeown (2024) has shown, many forms of structural injustice are preventable through the actions of powerful agents or even deliberately perpetuated by powerful agents, both of which cases merit ascriptions of moral responsibility on powerful agents. Yet the blameworthiness and backward-looking responsibility of more powerful agents does not negate the forward-looking responsibility of less powerful ones. In the face of harms of such severity, all education agents who facilitate the continuation of unjust punishment must exert pressure on more powerful

agents to attenuate the structural forces that constrain action. It is to underscore this point that I set aside blameworthy powerful agents who are undoubtedly implicated in many structural injustices.

5. Epistemic activism and the movement to dismantle the school-to-prison pipeline

Finally, we are in a position to address how constrained agents can disrupt structural educational injustice. Here, again, the case of school punishment is instructive. By mobilizing to fight unjust punishment, education agents were able to discharge their political responsibility and disrupt (though not yet fully eradicate) the structural processes that criminalize students. This was accomplished in part through the movement's epistemic activism.

The term epistemic activism was coined by José Medina (2019) and refers to 'transgressive forms of epistemic interaction that call attention to, and potentially disrupt, contexts, intercontextual relations, and patterns of interaction that contribute to epistemic injustice' (Medina & Whitt, 2021, p. 309). The epistemic injustice to which Medina refers involves discriminatory practices that hamper the epistemic abilities of marginalized knowers, making them unable to communicate their experiences of marginalization that are the result of structural injustice. Most commonly, the communicative abilities of marginalized knowers are hampered because perpetrators of epistemic injustice assign less credibility to marginalized speakers than they are due, because of prejudice against speakers' identities. Alternatively, marginalized knowers may lack the epistemic resources to make their experiences intelligible to others and/or themselves.[12] The importance of being able to render intelligible and communicate

[12] The term epistemic injustice was first coined by Miranda Fricker (2007) but has since become a burgeoning field of study. For an expansive account of epistemic injustice and wrongs that fall under it see Kidd et al. (2017). For an expansive account of epistemic injustice in the context of education see Nikolaidis & Thompson (2023).

one's experience of injustice is apparent in Young's discussion on challenging the social-structural processes that produce structural injustice. As Young (2011) puts it, even if marginalized groups affected by structural injustice have not contributed to it by helping maintain the social structure that produces unjust outcomes, they must (be able to) participate in efforts to disrupt it because 'it is they who know the most about the harms they suffer, and thus it is up to them, though not them alone, to broadcast their situation and call it injustice' (p. 146).

Epistemic activism enables marginalized knowers to break through barriers to communication and, in doing so, create the conditions for disrupting structural injustice in education. The epistemic interactions it involves amplify and facilitate the transmission of marginalized epistemic resources and challenge epistemic practices and resources that are discriminatory. Importantly, transgressive epistemic interactions allow epistemic activists to advocate for victims of injustice by shedding light on unjust conditions and galvanizing people to take collective action to fight the injustice in question. Epistemic activism promotes justice by epistemically empowering those who have been marginalized to communicate their experiences of marginalization (Medina & Whitt, 2021). In the case of school punishment, epistemic activism amplifies the voices of, among other students, students of color and students with disabilities whose credibility is unduly deflated (Murris, 2013; Taylor, 2018), and compels more powerful education agents to take seriously students' grievances about how discipline policies like zero tolerance harm them.

To collectively engage in epistemic activism, people can organize through social movements and coordinate their efforts. Elizabeth Anderson (2014) has persuasively argued about the value of social movements in instigating meaningful ameliorative social change. Given the tendency of those who control the levers of power to feel entitled to promote their own

interests and to remain ignorant of the interests and needs of the people, social movements allow those who lack power to pool their resources together and take collective action that forces those in power to heed and be responsive to their needs and interests. This is accomplished through a range of contentious practices (e.g., demonstrating, petitioning, campaigning, striking, occupying spaces, etc.) which compel those in power to pay attention to the claims and demands of social movements and communicate resolve on the part of members of the collective who act as a unified whole committed to a worthy cause. Importantly, for the purposes of epistemic activism, social movements challenge inadequate conceptual resources for being unable to capture the reality experienced by victims of injustice (Haslanger, 2017).

In the context of unjust punishment, a successful case of movement-based epistemic activism is that of the movement to dismantle the school-to-prison pipeline (henceforth MDSPP). MDSPP is a longstanding coalition of local and national organizations that has made tremendous progress in fighting educational injustice in school discipline policy by exacting policy reforms in districts across the US that significantly restrict the administration of exclusionary punishment and referrals to law enforcement. By giving a platform to share their stories to students and families who have been victimized by zero tolerance policies and by collecting data that demonstrate the large scale and systematically overly punitive treatment of students of color and students with disabilities by school officials, MDSPP managed to challenge the attribution of disproportionate punishment to pathological and deficient students and connected it to systemic racism and mass incarceration (Warren, 2022).

The epistemic activism of MDSPP is an essential part of the movement and a crucial part of its success. While examples of MDSPP's epistemic activism abound, space does not permit an in-depth exposition of these. Three examples stand out, though, that clearly show how epistemic

activism can overcome barriers of epistemic injustice and make a significant difference in changing public perceptions about structural educational injustice more broadly.

The first example includes MDSPP's efforts to bring together parents of children impacted by zero tolerance policies to create spaces where they could share the experiences of their children as well as their own experiences of being unable to effectively advocate for their children. In describing the impact this initiative had on parents, Mark Warren (2022) discusses that when one parent 'heard other parents telling their stories, she realized it was her truth too' (p. 123). In engaging parents, MDSPP helped parents realize that they were not alone and that their experiences were similar to those of other parents. MDSPP also drew on parents' experiences to demonstrate that the problem in question was felt across the board and so was largely structural in nature. The aforementioned parent accordingly 'pushed parents to name systems change as their goal, rather than any one small-scale reform' (p. 124) in an effort to disrupt the persistent structural forces that were impervious to piecemeal change.

The second example includes MDSPP's efforts to spread unknown information about the experiences of students of color with discipline policies and the juvenile justice system. This included the dissemination of data about discipline and punishment that showed, among other things, students being punished at disproportionate rates for subjective infractions, the lack of essential resources in schools, the extent to which police officers are located in schools despite lack of resources, and the lack of evidence that police presence increases school safety. It also included direct efforts to expose what students are going through, not just in aggregate data but in terms of their felt experiences. Launching the #AssaultAt campaign, student activists posted videos of students being assaulted by police officers in schools and brought to light the violence they were subjected to, while appropriately labeling it as 'assault' against those who underplayed

the severity of police violence. #AssaultAtSpringValley, moreover, uniquely highlighted the experiences of black girls that were often related to gender as much as race yet were overshadowed in the media by the experiences of black and brown boys (Warren, 2022).

The third example includes MDSPP's efforts to change existing interpretations of the experiences of students of color. People coined terms like 'schoolhouse-to-jailhouse track,' 'school-to-prison train,' and eventually 'school-to-prison pipeline' to show that school discipline policies set up students of color for failure and involvement with the juvenile justice system (Warren, 2022). People also rejected the deficit concept 'dropout' that privileges dominant explanations of the phenomenon and blames the victims for their plight and replaced it with the more empowering concept 'pushout' that more accurately communicates the experiences of those who are marginalized and highlights the nature of the injustice suffered (p. 62). While the term 'dropout' foregrounds the agency of students who presumably choose not to attend school and legitimizes the punishment they received while in school for failing to do as they should, the term 'pushout' foregrounds the agency of the social structure which, by entrenching white, middle-class, gender, and intellectual normativity, rejects and forces out those not able or willing to conform to the normative standards of the school. Dropout suggests a need to transform failing students while pushout a need to transform a failing system.

Overall, the epistemic activism of the MDSPP was a highly successful collective endeavor and led to important gains including, among others, the ban of zero tolerance policies and the adoption of restorative justice approaches to conflict resolution and positive behavioral supports in many schools across the US (Warren, 2022).

6. Conclusion

Given the structural nature of much of the educational injustice that exists, collective action is an essential tool for disrupting it. Bringing together less powerful people amplifies marginalized voices in a largely asymmetric power structure that privileges certain groups over others. Not only can individuals more effectively discharge their forward-looking responsibility for justice by taking part in collective action but doing so also renders the enactment of meaningful policies more likely by disrupting the normal political agenda and forcing those in power to take people's demands seriously (Hayward, 2020).

At the same time, the centrality of collective action ought not undercut individual efforts at change. As epistemic activism unsettles established norms and policymaking reform alters the social structure, it is easier for individual agents to change their conduct in ways that interrupt social-structural processes instead of perpetuating them. Many US states, school districts, and educators have already taken stock of what MDSPP revealed and followed suit by making changes to their policies and practices to counteract the structural effects of school discipline on students. It is important to continue normalizing these priorities and to forward the epistemic work of social movements that target educational injustices of all kinds.

Finally, to ensure a more holistic approach to the pursuit of educational justice, philosophy of education must place greater weight on theorizing the structural dimensions of educational injustice and imagining structural solutions to be enacted at the collective or individual level.

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