



## Perceptions of social justice in New Zealand

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*Certain terms or phrases appear so frequently that we often assume their meaning is well understood and agreed upon. However, meaning is often slippery and one term or phrase can be associated with a surprisingly diverse range of definitions. “Social justice” is one of those phrases. It frequents political party circles, is a catch-phrase for numerous charitable organisations, and has been associated with everything from fashion to football, from poverty to prostitution, and from entertainment to the environment. So what is social justice? In 2006 Dr Myron Friesen and Maxim Institute set out to discover how Kiwis view social justice. We asked people to define it, and questioned them about the challenges faced in working towards social justice in New Zealand. People’s answers revealed more diversity than agreement. Yet, within that diversity a core group of themes emerged which seemed to capture most people’s perspectives. The following chapter discusses the results of this work.*

### Introduction and methodology

In March 2006, the Maxim Institute and I began a collaborative research project exploring what New Zealanders think of social justice, and what meaning this concept has for New Zealand society. The term social justice first emerged in social and political debate over a hundred years ago, and in recent decades has gained considerable clout as advocates of various causes claim their campaigns are based on the requirements of social justice.

A little over 30 years ago, the Nobel Award-winning economist F A Hayek concluded that the concept of social justice is “intellectually disreputable”. Hayek wrote:<sup>1</sup>

To discover the meaning of what is called ‘social justice’ has been one of my chief pre-occupations for more than 10 years. I have failed in this

endeavor—or, rather, have reached the conclusion that, with reference to a society of free men, the phrase has no meaning whatever.

In spite of Hayek's pessimistic conclusion, the concept of social justice has continued to be very popular in social and political discourse. However, debate still exists about how to define this concept. Academics, journalists, politicians and the general public seem to use the term in a variety of ways, often with contradictory implications.

The purpose of this research project was to discover if, 30 years on from Hayek's critique, there was any consensus regarding the meaning of this concept. In addition, we wanted to explore the New Zealand conceptualisation of social justice and how people thought it applied to our society. To explore this concept, we asked the following seven questions:

1. What is social justice?
2. How can social justice be improved in New Zealand?
3. What hinders social justice from being experienced in New Zealand?
4. How can an individual promote social justice?
5. What are the benefits of social justice?
6. What are the costs of social justice?
7. What does a socially just society look like?

These questions were placed on a website ([www.socialjustice.co.nz](http://www.socialjustice.co.nz)) between April and July 2006, and the survey was publicised at New Zealand universities (primarily the University of Canterbury) and via mainstream media outlets.

The following is a brief report of the results of this survey. Due to space restrictions, this report will not provide complete details regarding the participant demographics and the data coding and categorisation schemes. Further detail and an academic account of this research are available on the social justice website ([www.socialjustice.co.nz](http://www.socialjustice.co.nz)).

## Participants

A total of 258 participants correctly completed the online survey (101 men, average age = 35.8 years; 157 women, average age = 34.1 years). The majority of participants were between the ages of 19 and 49 (80%) and 85% of the sample primarily identified themselves as Pakeha or of British or European ancestry. Unfortunately, this sample was under-represented by Maori and other significant minority groups which comprise New Zealand's growing ethnic diversity. A possible explanation for this is that some individuals from minority groups were not fluent in English and so may have been reluctant to complete the survey due to the large amount of writing required.

In general this was a fairly well educated sample. Over half of the participants were currently attending university and just under half (49%) had a bachelor's degree or higher university degree. In addition to high levels of education, the participants in this research were clearly more associated with those New Zealand political parties on the left of the political spectrum than those on the right (the top three political party affiliations were: Labour = 89, Green = 56 and National = 32).

Please note italicised text in this chapter denotes quotations from the study participants.

## So what do New Zealanders think of social justice?

A careful analysis of participants' responses revealed that social justice was conceptualised in 11 different forms. In order of frequency, these forms were: *Equal Distribution*, *Tolerance*, *Equal Treatment*, *Criminal Justice*, *Equal Rights*, *Equal Opportunities*, *Legislative Responsibility*, *Democratic*, *Collectivism* and *Individualism*. While a few of these forms might seem to be broadly related (for example, those addressing equality), several are actually incompatible with one another (a point that will be discussed below). Considering the homogeneity of the sample the level of disagreement concerning the nature of social justice is interesting. If our sample of participants had been more demographically diverse, it is likely that the variation in perspectives would only have increased.

This illustrates an important qualification to the findings. For most of the questions in this survey, and particularly for the first three questions (What is social justice? How can social justice be improved in New Zealand? What hinders social justice from being experienced in New Zealand?), there was far greater diversity in participants' responses than agreement. Thus, the early take-home message of this survey is that people conceive of social justice in a wide variety of ways. The next three questions (How can an individual promote social justice? What are the benefits of social justice? What are the costs of social justice?) revealed slightly more agreement. Therefore, I will discuss these three questions in separate sections. Unfortunately, the last question (What does a socially just society look like?) proved very difficult for people to answer. In general, people either skipped this question, wrote *don't know* or *impossible*, described a heavenly/utopian paradise where everyone gets along and all needs are perfectly fulfilled, or basically repeated what they had already written as the benefits of social justice. For this reason, and due to space restrictions, this last question from the survey will not be addressed in this report.

Some readers may be surprised by the fact that this report does not mention the Treaty of Waitangi and issues surrounding Maori claims of injustice concerning disputes about Treaty provisions. Many commentators on New Zealand society consider these events (both historical and present day) to be the prime examples of social injustice in this country. Surprisingly, the Treaty of Waitangi was only explicitly discussed by ten participants (only 4% of the sample) and was associated with five different forms of social justice (*Tolerance, Equal Rights, Equal Treatment, Equal Distribution and Legislative*), and was discussed both as a feature of New Zealand society that deserves more attention and as a topic that was too dominant in New Zealand culture and inhibited other important issues. Thus, omitting discussion of the Treaty of Waitangi was not intentional or an oversight, but simply reflects the rarity of the Treaty being mentioned by participants, and may also reflect the lack of cultural diversity in this sample.

## Equality

Four different forms of equality were emphasised as social justice by the participants in this study; *Equal Distribution*, *Equal Treatment*, *Equal Rights* and *Equal Opportunities* (in order of frequency). Because many participants emphasised an equality perspective, it could be tempting to define social justice as any attempt to promote greater equality among people, whether through rights, opportunities, treatment or distribution of resources. Such a definition would account for over half of our participants' responses and suggest a moderate degree of consensus concerning the meaning of this concept. On the other hand, each of these equality perspectives emphasises somewhat distinct aspects of equality, and if we carefully consider these various perspectives, it becomes evident that they could actually contradict one another. For example, many people emphasised that social justice is treating people equally regardless of any group or individual characteristics (for example, ethnicity, religion or sexuality). According to this perspective, social justice is when no-one receives either preferential or discriminatory treatment.

In contrast, many people suggested that social justice is the equal distribution and redistribution of resources to bring greater equity (*levelling the playing field* as some participants described it). According to this perspective, the poor and disadvantaged should be given more resources and assistance (through both government and private charities), and the wealthy and those who are not in need should receive fewer resources, or be charged more for their use. Thus, it is possible that in order to achieve a distributive perspective of social justice, an equal treatment perspective of social justice would be violated. For these reasons, I think it is most useful to consider each of these equality perspectives separately, while acknowledging that they are likely to overlap in some areas.

### *Equal Distribution*

Participants identified many resources that, in their opinion, should be equally distributed among people. These included food, housing, education, healthcare, income, access to the environment, information, entertainment,

access to elected officials and access to legal resources. Additional ideas frequently mentioned from this perspective were: (a) the need to close the gap between the advantaged and the disadvantaged; (b) providing equal resources to all people; and (c) *correct[ing] historical injustices which resulted in the deprivation of one people-group or the unfair advantage of another.*<sup>2</sup>

Several ideas, congruent with the general theme of equal distribution, were repeated both as ways of improving social justice and as something that hindered social justice. These included poverty concerns, access to resources, income disparity, discrimination (broadly defined) and education. Governmental action, in the form of taxes, legislation, policy, and social programs was also cited as both a way to improve and also a hindrance to achieving social justice. Finally, another frequently mentioned hindrance to social justice was greed (also described as materialism, consumerism, capitalism and selfishness).

### ***Equal Treatment***

The next most frequent form of social justice described as equality was the belief that all people, regardless of any personal or group characteristics, should be treated the same by the people and the institutions in their society. Some of the ideas expressed by participants that were included in this form of social justice were: *fairness for all regardless of your colour, creed, or sexual characteristics; freedom from discrimination; the right to equal treatment from all of society regardless of your status.*

In contrast to the Equal Distribution form of social justice that emphasised the need to redistribute resources to disadvantaged groups, several participants who viewed social justice as Equal Treatment emphasised that this type of redistribution hindered social justice. For example, participants wrote that *preferential treatment, political correctness and reverse discrimination* interfered with New Zealand's ability to create a society where everyone was treated equally. Other concepts that were frequently mentioned in the first three questions were prejudice, discrimination, racism and bigotry. Many times these concepts were mentioned as hindering social justice or as needing to be eliminated

in order to improve social justice. Finally, participants also frequently mentioned that religion and religious organisations often hinder rather than help people's ability to experience equal treatment. This is somewhat ironic since, historically, religious groups, particularly Catholic charities, have been among the chief advocates of social justice.<sup>3</sup>

### ***Equal Rights***

Social justice as *Equal Rights* is concerned with the need for all people to have equal rights and responsibilities under the law. Importantly, participants identified that these rights and responsibilities need to be applied in the same manner for all people, regardless of any personal or group characteristics. To improve equal rights for all people, participants advocated a need to incorporate human rights principles into legislation and policy development. They also suggested working towards an unbiased government and legal system, establishing consistency in law enforcement across social, cultural and economic groups, and enabling greater participation by the general public in legislative decisions. Once again, prejudice and discrimination were seen as the primary hindrances to this form of social justice.

### ***Equal Opportunity***

Social justice as *Equal Opportunity* is concerned with the need for all people to have equal opportunities for personal development and similar abilities to access resources. Participants often emphasised that people need equal opportunities to fully participate in society and reach their potential, that people should be given an equal chance at success, and that through the provision of equal opportunities people would be more productive and less dependent on assistance.

Among the great diversity of responses to the questions on what hinders and how to improve social justice were two themes that were congruent with the *Equal Opportunity* emphasis. Several participants argued that the greatest hindrance to this form of social justice was governmental incompetence (broadly defined). Participants specifically mentioned poorly

designed or applied social programs, biased legislation, mismanagement of scarce resources and politicians protecting their personal interests to the detriment of the broader population. In contrast, several participants suggested that the way to improve equal opportunities for all people was through more prevention and intervention programs which specifically targeted disadvantaged or ‘at-risk’ populations. The obvious question, which this survey can not address, is if governmental incompetence is seen as the greatest threat to the *Equal Opportunity* form of social justice, should the government be relied on to provide the prevention and intervention programs that might improve social justice?

The differences between the first two forms of social justice described in the previous sections and *Equal Rights* and *Equal Opportunities* can be seen in how social justice is made available and experienced, or in the outcome of social justice. When social justice is conceptualised as *Equal Distribution* and *Equal Treatment*, the emphasis is on outcomes and people’s experiences, and the general public as well as societal institutions share the responsibility for creating these equal outcomes. When social justice is conceptualised as *Equal Rights* and *Equal Opportunities* the emphasis is on societal institutions providing a framework or structure by which people can independently access these rights and opportunities, but the outcome or experience is largely left to the individual to achieve for himself or herself.

## **Tolerance**

In keeping with recent social and political principles advocated in Western countries, many participants emphasised that social justice involved open-mindedness, respect and tolerance of people’s differences. Importantly, this type of tolerance is not traditional tolerance (that is, a begrudging endurance), but rather an appreciation, acceptance and embracing of diverse beliefs, customs and behaviours. Participants seemed to frequently combine themes of this type of tolerance along with the various equality themes. Thus, across participants, there seems to be a belief that if any substantial progress is going to be made towards equality,

a greater degree of tolerance will need to develop in tandem.

Many participants identified hindrances to this form of social justice that are frequently discussed in the popular media, including various forms of prejudice and discrimination (also identified previously), fundamentalist, right-wing and religious organisations, and fear, greed and extremism. In addition, some participants seemed to go a little deeper and attempted to identify hindrances to social justice that underlie these common hot topics, such as *a lack of discussion and understanding between groups, contradictory beliefs, a lack of debate on important societal issues and a biased and sensationalising media.*

Participants generally suggested ways to improve this form of social justice that were the opposite of those things that hindered it, including increasing awareness of people's cultural and ethnic differences, celebrating and promoting New Zealand's growing diversity, greater discussion and public debate, and legislation that enforced and strengthened human rights.

## **Criminal Justice**

Of the four forms of social justice that were most frequently identified by participants, the first three (*Equal Distribution, Tolerance and Equal Treatment*) could be noted for emphasising the 'social' aspect of social justice. In contrast, *Criminal Justice* stands out as emphasising the 'justice' aspect of social justice, and is particularly concerned with the treatment of those who violate society's laws as well as those who become the victims of these violations. From this perspective, participants described social justice as: *a community's knowledge that people who commit a crime will be found, tried, and sentenced; making people accept the consequences of their actions; opportunity to learn from and get healing from mistakes; appropriate retribution (punishment) for crimes which affect others in society; society's moderation of individual behavior in order to maintain basic human rights for everyone; and society's ways of preventing indecent behaviour and promoting virtuous behaviour.*

When considering possible hindrances and ways to improve this form of

social justice, many participants suggested that New Zealand needed much harsher and longer sentencing for individuals who commit serious crimes. In addition to this popular retributive sentiment, participants described other hindrances as an *inadequate police force*, *political correctness*, *unjust laws* and an emphasis on the rights of the criminal to the disregard of restitution for the victim. Additional suggestions for improving this form of social justice included early intervention and rehabilitation programs, legal and judicial reforms, and opportunities for restorative justice procedures. It is interesting to note that commentators on restorative justice have emphasised that such an approach would help place criminal justice within a social framework and provide better links between perpetrators, victims and their communities.<sup>4</sup>

## **Legislative and Responsibility**

### ***Legislative***

Participants who conceptualised a *Legislative* form of social justice emphasised the need for fair and well-crafted legislation that, on the one hand, did not allow for undue preference or discrimination and, on the other hand, balanced the restraint of personal freedom with the protection of civil rights. From this perspective and in response to questions 2 and 3 (How can social justice be improved in New Zealand? and What hinders social justice from being experienced in New Zealand?) participants called for legislative reform and oversight, greater democratic involvement in the legislative process (increased use of referenda was suggested), increased transparency within government, and efforts to overcome social and political divisions (for example, between Maori and Pakeha or between the political left and right).

### ***Responsibility***

Participants who conceptualised a *Responsibility* form of social justice emphasised the need for people (individually and corporately) to not only be responsible for themselves but also to show greater concern and care for

one another, and to take an active part in working for change within New Zealand. When defining social justice (question 1) these participants used many of the same key words that have already been mentioned in other forms of social justice, such as fairness, equality, tolerance, opportunity, resources and rights. However, in addition to these themes, these participants all discussed a mutuality of responsibility for one another, also referred to as interdependence, and a shared sense of responsibility for or ownership of New Zealand culture and society. In this sense, social justice is not just a right or benefit, but also an obligation that each person fulfills as he or she contributes to society through employment, education, service, volunteering and charitable giving.

Besides the human tendency to avoid or deflect responsibility, participants suggested that a lack of accountability, self-centredness and greed, and a culture that provided hand-outs as opposed to opportunities for development hindered this form of social justice. Conversely, suggestions for improving our individual and collective sense of responsibility included a greater emphasis on responsibilities and obligations that all people share as members of New Zealand society, and greater exposure to community-based opportunities both to help people acquire assistance when needed and to provide assistance through service and contribution.

### **What are the costs of social justice?**

People seemed to have a difficult time thinking of the costs that are required to achieve social justice, especially when compared to how descriptive they were of the benefits of social justice. Many participants indicated that they did not believe there were any costs, and several participants were confused by this question and wrote about the costs if social justice is not achieved (which is an interesting question in its own right).

Many of the costs of social justice were associated with the themes that people had written about. Thus, people who emphasised an *Equal Distribution* form of social justice suggested that the costs would come from the redistribution of resources and would be felt most strongly by

the wealthy. Those who emphasised a *Tolerance and Equal Treatment* perspective of social justice often suggested that the costs would involve those who were prejudiced, discriminatory or opposed to diversity changing their attitudes. Those who emphasised a *Criminal Justice* form of social justice suggested that the costs for social justice would be in the form of more prisons, better rehabilitation programs and community involvement in restorative justice programs.

Across all the forms of social justice the most frequent beliefs were that social justice would require greater governmental expenditure and ultimately greater taxation, along with the potential threat of greater bureaucracy and government influence, and also a decrease in individual freedoms. In addition, participants felt that social justice would require a heavy investment of time (the benefits may take considerable time to build) and effort from government and non-governmental agencies. Finally, there was an expectation that working towards social justice meant greater debate and dialogue between different groups, along with the possibility that tensions and conflicts could increase between groups if policies and interventions were not carefully introduced.

### **What are the benefits of social justice?**

The participants in this survey tended to describe the benefits of social justice in broad generalities, as if greater social justice was a panacea for many of New Zealand's present problems. The two most frequently perceived benefits of social justice were greater safety, security and peace (along with reduced crime and better criminal justice and rehabilitation) and a more harmonious (decreased group and interpersonal conflict), cohesive and smoother-running society. Other frequently mentioned broad benefits were better mental and physical health, happiness and greater levels of individual freedom, equality and fairness. Obviously, many of these benefits are closely associated with the various forms of social justice discussed above.

A rather interesting perspective, shared by several participants and across diverse forms of social justice, was the belief that a community or

society should first provide for social justice (via legislation, opportunities, education or provision of resources) and that this would lead to greater civic participation and personal fulfillment. This perspective, which could be called a centralised application of social justice, can be contrasted with the view of some participants who believed that social justice would not be experienced without a cultural paradigm shift within the general population. This decentralised perspective is illustrated in the following response: *When what is important in people's lives is something outside themselves, society at large is healthier. The poorest and weakest members of society are looked after—not by a few, or by a government organisation, but by the people around them.*

### **How can an individual promote social justice?**

Of all the questions in this survey, this was the one where there was greatest consensus amongst the participants. The most common answers, regardless of which form of social justice was emphasised, were: (a) some variation of *participate, volunteer, get involved in the community (society) in which you live*; (b) *talk about it, be vocal, protest, write letters, discuss social justice with family, friends, and neighbours*; (c) *treat others as you would like to be treated* (or some other variation of this statement); and (d) *get educated and informed about social justice issues*. It should also be mentioned that the topic of education was frequently brought up in response to question 2 (How can social justice be improved in New Zealand?).

The relative degree of consensus across participants in response to this question and in advocating for education illustrates two things. First, through education there is always the hope that society may learn from previous injustices and there is always room for individuals to grow in their understanding of social justice. Second, even though many participants viewed social justice as a phenomenon which is applied via governments or centralised organisations, participants generally seemed to believe that there is always room for the individual to play a part and have an impact.

## Conclusion

This report has attempted to organise a large and diverse amount of qualitative data on the topic of social justice in New Zealand. As mentioned earlier, it is evident from the incredible diversity in participants' responses that social justice is still an ambiguous concept, as argued by Hayek over thirty years ago. However, in spite of this ambiguity and, in some cases, contradictory representations, it has been possible to discover within this data a typology of social justice forms and associated beliefs. If it was necessary to reduce this typology to its most basic principles then, according to this data, social justice would be principally concerned with equality, tolerance, compassion, fairness and participation. As long as opportunities for discussion and debate remain, then the hope of these ideals will continue.

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## ENDNOTES

- <sup>1</sup> F. A. Hayek, *Social Justice, Socialism, & Democracy* (Turramurra Australia: Centre for Independent Studies, 1979), 3. See also F. A. Hayek, *Law, Legislation, and Liberty. Volume 2. The Mirage of Social Justice*. (London: Routledge & Kegan Paul Ltd, 1976).
- <sup>2</sup> When participants broadly discussed historical injustices it is possible that they may have been referring to grievances concerning the Treaty of Waitangi, since that discussion is common in New Zealand society. However, such an interpretation would go beyond careful analysis and into unwarranted projection.
- <sup>3</sup> J. Y. Calvez and J. Perrin, *The Church and Social Justice* (London: Burns and Oates, 1961).
- <sup>4</sup> J. Braithwaite, "Principles of Restorative Justice," in *Restorative Justice and Criminal Justice: Competing or Reconcilable Paradigms?* eds. A. Hirsch, et. al., (Oxford and Portland, Oregon: Hart Publishing, 2003), 1-20. For a New Zealand example see "Te Ara Whakatika: Newsletter of the Court-referred Restorative Justice Project," 6, (November to December 2001), <http://www.justice.govt.nz/pubs/courts/tearawhakatika6.pdf> (accessed 20 October 2006).