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What is the Point of Religious Education?

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Abstract
Some liberal societies continue to require their schools to offer non-directive, but specifically religious education as part of the curriculum. This paper challenges that practice. It does so by articulating and defending a moral principle, which asserts that education policy must be regulated by principles that are acceptable to reasonable people. Thereafter, we argue that the leading arguments for prioritizing the study of religion in schools—arguments that claim that religion is special or that assert that the majority or parents are morally permitted to prioritise religion in schooling—are incompatible with the acceptability requirement.

1. Introduction

Should religion be taught as part of the compulsory curriculum in state-maintained schools? If so, what should the status, content, and purpose of that education be? Given the plurality and diversity of cultures and faiths characteristic of many modern nations, these questions are pressing ones. Moreover, they are not narrowly legal questions, but questions of political morality; about the proper relationship between state and religion. If it is permissible for governments to make religious education a compulsory part of the curriculum, what are the appropriate characteristics of that education? May it, for instance, require or permit its schools to educate directively, that is, teach with the aim of getting pupils to hold particular religious beliefs or attitudes, or must it remain neutral with respect to the truth of competing religious and non-religious viewpoints? If the latter, may it nonetheless prioritize (non-directive) teaching about theistic beliefs and practices over teaching about non-religious worldviews such as humanism?[1]

Defences of teaching religion in schools are often based on reasons that include the hope for greater social harmony and toleration amongst citizens via

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[1] On 'directive' versus 'nondirective' teaching, see Hand 2008, and 2014.

an understanding of the major faiths that citizens affirm, as well as recognizing the importance, status and value citizens of faith place on their religious views, and for providing moral and ethical learning such that pupils adopt a reflective attitude and approach to how they live their lives and treat others.

The aims of promoting toleration and mutual understanding, as well as imparting the intellectual tools to reflect critically on ethical choices, such as how to live, are important and central features of an adequate educational curriculum, and this will likely mandate the study of religions to some degree. But, it remains to be seen whether these aims justify the kind of curriculum taught, for instance, in England and Wales, where Religious Education is a stand-alone, compulsory subject for pupils aged 5 through to 16, and which predominantly involves the examination of theistic viewpoints – those doctrines articulated by organized churches or other religious groups worshipping some form of god or gods (or something close to a god).[2]

There is an on-going lively debate about how we ought to understand, and whether we ought to embrace, recent developments in religious education in Europe, such as whether there has been, or continues to be, a secularization, politicization or 'securitization' of religious education and, if so, whether such developments are welcome.[3] Our aim in this paper, however, is not to provide an overview (historical, critical or otherwise) of educational practices within any state or set of states. Rather, it is to address the more general philosophical question of whether there are sufficiently weighty reasons to justify the kind of approach to teaching religion that the example of England and Wales typifies. Although we utilize the example most familiar to us (that of England and Wales) for illustrative purposes at various points, our discussion of the reasons can be generalized to any educational system in which questions of whether the

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[2] White estimates that this amounts to somewhere in the region of 500 lessons over this 11-year period (White 2004, 163). In UK terms this places the subject of RE in a privileged position alongside other compulsory subjects. As White notes, other subjects of importance – law, sociology, politics and international history, for example – exist within the curriculum, but do not have a similar privilege of being a stand-alone, compulsory subject. For a comprehensive overview of the content of RE in England and Wales, as well as its historical development, see Kay 2012. RE in England and Wales, although compulsory, does not have a set curriculum as per all other National Curriculum subjects. Instead, it is agreed at the level of Local Education Authorities, based on a set of possible example syllabi.

[3] For fuller reviews and discussions of the various practices within the EU with regard to the teaching of religion, see, for instance: Jackson and O'Grady 2007; Council of Europe 2014; Jackson et al. 2007; Jackson 2004; Hull 2005, and Gearon 2013. For recent contributions to the lively, if not always illuminating, debate in this field, see Gearon 2017; Jackson 2015, 2017; and Lewin 2017.

curriculum should be used to foster an understanding of religious viewpoints are present.[4]

In what follows we examine what we take to be the strongest reasons given in defence of this view, which we call the *priority of religion* model. We will argue that these reasons – the cultivation of toleration, the facilitation of ethical and moral learning, and the 'special' importance of religious beliefs and practices for individuals – fall short of the required threshold to justify such a privileged educational position for theistic views. Our central argument will be that the special pleading for theistic views fails to satisfy an important requirement of political morality, which we call *the acceptability requirement*. The acceptability requirement, which we take to be a central feature of any liberal democratic system under conditions of modern pluralism, is that a government's justification of its educational policy must be acceptable to all reasonable citizens over which it has dominion.

Some caveats and clarifications are in order before proceeding with our argument. First, we do not deny that many of the reasons given in defence of the priority of religion model are important in educational terms. Fostering toleration and civic unity are important educational goals, as is equipping pupils with the wherewithal to make serious ethical choices in a thoughtful and informed manner. But, such aims can be met educationally without prioritizing the study of religions. At most, this would justify teaching ethics and moral philosophy; the study of religious doctrines would be a part of a broader syllabus that addresses a spectrum of answers to important ethical choices, including why toleration is an important virtue. Moreover, it may be essential to teach about religions and religious views for pupils adequately to grasp other subjects, such as History, or Literature, or even Science subjects. Yet, these other subjects may be better placed to deliver that limited exposure to aid understanding compared to a subject wholly or primarily devoted to the study of religion.

Second, we are addressing this question within the context of non-denominational, state-maintained schools, as opposed to state-sponsored or

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[4] Even within the UK regulations governing the teaching of Religious Education varies from country to country. Scotland and Northern Ireland abide by a different set of legal rules to England and Wales. For a comprehensive overview of the differences in RE provision in England and Wales, Scotland, Northern Ireland, and the Republic of Ireland, see Barnes 2012, 22-51.

approved religious schools, or non-state (private) schools. What should be taught in these latter kinds of schools may vary due to other considerations. Because state-maintained schools are funded by citizens through taxation and governed by legislation enacted by the state on behalf of the public, we need to know what aims and objectives the government is morally permitted to force its citizens to serve. Where schools are not funded by citizens, and legislation does not serve this end, perhaps there are reasons to allow curricula requirements to differ (see Brighouse 2009, for a related discussion of faith-based schools). We set this question, and the question of whether it is permissible for the state to fund or sponsor denominational schools simpliciter, aside.[5]

The paper has the following format. Section two considers a popular instrumental argument for RE and the priority of religion model: that it helps realize the important social goods of toleration and mutual respect. This is an empirical claim, but we argue that it seems to lack plausibility on several grounds, not least because it endows religions with too much significance in the explanation of intolerance and discrimination. Section three sets out and defends what we call *the acceptability* requirement – the baseline condition that, when the state receives the mandate from its citizens to legislate in a given area, its decisions must be broadly acceptable to those citizens. Section four illustrates the challenge posed to the priority of religion model by the acceptability requirement. Section five considers four possible defences of that model that appeal to the thought that religious views are special in ways that support prioritizing their teaching: that religion is special because theism is true (or partially true); because it might be true; because it places adherents under duties of conscience, the frustration of which would be a considerable burden; and, because it deals with the most profound ethical questions, such as how we should live and treat others. We argue that none of these defences succeed, because they either fail the acceptability requirement test, or they fail to pick out religious views as especially significant. Section six considers the argument that the majority is entitled to select legislation that prioritizes its own worldview,

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[5] Such questions are dealt with extensively elsewhere. On the permissibility of state sponsorship of faith schools, see: Brighouse 2009; Halstead 2009; De Jong and Snik 2002; Jackson 2003; McLaughlin 1984; Callan 1985; Hand 2004. On the compatibility of civic and religious education, see: Macedo 1995; Gutmann 1995; Levinson 1999; MacMullen 2007.

and we argue that this argument rests on an implausible conception of justice. Section seven considers the claim that parents and pupils should have some control over the shape of the curriculum. Here, we argue that this may not suit the best interests of the child. Section eight concludes.

2. Toleration and Mutual Respect

A common reason given for pupils learning about religious views in schools is that it fosters mutual understanding and leads to greater toleration, mutual respect, or civic harmony (see Council of Europe 2014; see also Barnes 2015, 81-82; White 2004, 161-162; de Ruyter and Merry 2009). Plainly, it is vitally important that schools develop tolerance of ethical and religious difference, and mutual respect. Yet, it is not obvious that prioritizing the study of religion will cultivate these virtues. We are interested in framing a curriculum that will encourage tolerant and respectful beliefs and attitudes in pupils. Yet, that goal will be served by several different educational means, including the ethos of the school, the home-school contract, the way in which teachers interact with pupils, the extent to which the pupils' voices are recognized in school settings, and so on. Curriculum design is only one means of developing the pupil's sense of justice. Second, it is clear that toleration and mutual respect are virtues that are not restricted merely to questions of religion. It is important for schools to tackle racism, sexism, and other wrongful forms of discrimination; and issues concerning mutual respect and toleration within schools are also relevant to the way in which individuals relate to others who dress, appear or speak differently, who have distinctive sporting or leisure interests, as well as those who hold different beliefs about religion.

The case for the prioritization of religion in fostering toleration appears to rely on the claim that, first, *religious* intolerance is a particular problem within society and, second, that learning about different religions is necessary or especially helpful to overcome such intolerance. These are empirical questions. For what it is worth our impression is that, for example, in the UK, religious intolerance seems to remain a serious problem in some regions and cities. However, it appears less problematic in other contexts where racism, sexism, and socioeconomic discrimination seem to be the more pressing problems. To

the extent that the curriculum is a tool used to advance morally appropriate interactions, it should be tailored to suit these spatially contingent facts. But, this observation does not support a universal policy of giving priority to the study of religion. Moreover, the claim that a multi-faith religious education contributes to social unity, or cultivates mutual respect or toleration in pupils has insufficient empirical backing to be warranted (Barnes 2014, 19).[6]

Even if it were the case that exposure to religious views that differed from one's own did lead to increases in levels of civic harmony, it is worth noting, first, that this is unlikely to justify a privileged (in curriculum terms) and expansive subject which examines differing religions in considerable depth, such a the stand-alone, compulsory subject that is taken by pupils aged 5-16 in England and Wales. Rather, it might merit consideration in some part of a curriculum, such as, for example, Citizenship Studies, in the UK, where questions of toleration and the social benefits of mutual respect amongst citizens can be studied more directly and directively (see Hand 2008; White 2004).

It is worth noting that this justification for the priority of religion model is *instrumental* in nature. It reduces the value of studying religions to their use in achieving other political goals. For many religious adherents, educators, and politicians, this misses the real value of religious education, namely, that it introduces pupils to something that has *intrinsic* value for individuals or that it introduces them to worldviews that merit special attention. That this is so is evidenced by the large number of parents sending their children to religious schools and the burgeoning number of state-sponsored religious schools attempting to keep pace with this demand for a religiously-based education. Whilst mutual understanding and toleration are important goods, religious education is important, according to this view, because of what it teaches about a religious *life*. But is the political community morally permitted to respond to demands for prioritizing religion within the curriculum for these reasons? It is to this issue that we now turn.

3. The Acceptability Requirement

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[6] See Barnes 2014, 19-22 for a survey of the empirical data on this question, as well as whether attending schools with high levels of religious diversity increases tolerant attitudes.

Those who defend the priority of religion model of education on intrinsic grounds may appeal to a number of reasons as to why religion should be taught as a legitimate aim or objective of education in state-maintained schools. We canvas a number of such reasons in the following sections. However, in order to assess any such claims it is necessary to know what aims and objectives a government is morally permitted to force its citizens to serve before such reasons can be weighed. After all, these schools are funded by citizens and governed by legislation enacted by the state on behalf of those citizens. Some measure of acceptability to those citizens is inherent in the mandate the state possesses regarding its influence over those schools and their curriculums (see McLaughlin 2008, 241). In this section we set out and defend an interpretation of Rawlsian political morality that includes what we term the *acceptability requirement,* according to which the government should be guided by a set of principles or a conception of political morality that is acceptable to free and equal citizens (Rawls 1996). The acceptability requirement claims that education policy lacks justification to the extent that such citizens can reasonably reject the educational ideals and principles that guide publicly-funded common schools.

The acceptability requirement is attractive for several reasons. We shall mention two. First, it might be regarded as an element of the best interpretation of what it means for the state to respect the freedom and equality of its citizens. Although each of us has a claim to live in freedom it is also true that, for our security and prosperity, we need to live in societies governed by legal constraints. We need, then, to solve what Rousseau called 'the fundamental problem', which is how to reconcile individual freedom with the need for constraints (Rousseau [1762] 1997, 49-50). One component of Rousseau's solution to the problem is that freedom is preserved only if each citizen endorses the rules that constrain her; when she endorses the law we can regard those constraints as self-imposed rules of a self-determining individual (Rousseau [1762] 1997, 50-51; Rawls 1996, 68). Of course, in some cases we ought not to care about an individual endorsing the laws that constrain her. If there are laws that prevent her from wronging others—deliberately harming them, for example—then although it remains valuable for individuals to affirm those rules, the non-acceptance of them is not grounds for thinking that the rules lack

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validity, because all the rules do is ensure that the individual performs what she is morally required to do. But in cases in which the individual is not under an enforceable moral requirement to act in one way or another—cases concerning which religion to pursue, for example—the individual's freedom is violated if she is governed by laws she rejects.

The ideal of social unity is a second reason to favour the acceptability requirement. Our society is more attractive to the extent that we, its citizens, can regard ourselves as jointly realizing a fair scheme of social cooperation; to the extent that we can regard ourselves as partners that produce a valuable shared end. As Rawls states, citizens within such a society see themselves as 'ready to propose fair terms of social cooperation and to abide by them provided others do', and to achieve a system of cooperation guided by principles of justice that are acceptable to every reasonable citizens (Rawls 1996, 54). Rawls offers the example of an orchestra to illustrate the kind of good in question. Although they occupy different roles, members of an orchestra can regard themselves as producing a valuable final end—the performance of a piece of music—*together*. But a condition of them doing so is that every member of the orchestra knows and endorses the final end that she contributes to, and she knows that everyone else does so as well. In short, the acceptability requirement is a condition of social unity or the joint pursuit of valuable social ends. And the ideal of social unity applies as much to social cooperation as to members of orchestras. We ought to strive for social cooperation on the basis of terms that no citizen can reasonably reject. If we succeed, we achieve the valuable common good of social unity (Rawls 1971, §79; Rawls 2001, §60; Gosseries and Parr 2017).

If the acceptability requirement is an attractive principle of political morality, what follows from it? First, it is important to note that a particularly acute challenge is posed by the religious, moral, and philosophical pluralism that is characteristic of modern democratic societies. That there exists a diversity of religious and ethical doctrines, which are sometimes in competition, is an inevitable and permanent feature of a democratic society that protects freedom of thought, expression, and association. If individuals are free to discuss and form their own views, they are bound to come to different conclusions about what goals and relationships in life are worth pursuing, and form different

beliefs about the existence and nature of supernatural beings, such as deities. Pluralism, that is, is the result of the exercise of practical reason within a framework of free institutions (Rawls 1996, 36-37). Even reasonable citizens, committed to treating others fairly and respecting the rights and freedoms of other people, will, it seems, inevitably disagree about religion and what makes a life a good one. But, note, that this disagreement will be *reasonable* disagreement, because such citizens accept the baseline commitment to treating others as free and equal, and to social unity. This is in contrast to a different kind of pluralism, where some people unreasonably reject one or more of these commitments (that their fellow citizens are also free and equal, or that society should be a fair system of mutual cooperation); what Rawls calls 'the fact of pluralism *as such*' or we might call *brute pluralism* (Rawls 1996, 63-66; emphasis added. See also Quong 2011, 291; Callan 1997, 23-24; Clayton and Stevens 2014).

When married to the acceptability requirement, the fact of reasonable pluralism has dramatic consequences for politics and state-regulated education. If education policy is to be acceptable to reasonable citizens under conditions of ethical and religious pluralism, it must not rest on any particular ethical or religious conception that is controversial in society. For if it did rely on controversial judgements of that kind then it is inevitable that some would reject it, with the consequence that social unity and individual self-determination would be lost. We therefore have a moral argument for the legal position held by the European Court of Justice, that education policy must exhibit neutrality and impartiality between different religious and non-religious ethical doctrines (see *R (Fox) v Secretary of State for Education* 2015). In other words, the justification of political power—in this case, education policy—must be conducted in terms that do not gainsay the assumptions, ideals or conclusions of any of the wide variety of religious or ethical conceptions that are held by reasonable citizens, that is, citizens who respect the rights and interests of other individuals. Such a stance is mandated because the alternative – the state adopting or appealing to some partisan religious doctrine or conception of the good life—cannot elicit the universal endorsement of reasonable citizens.

4. The Challenge

Applied to educational institutions, the acceptability requirement poses a significant challenge. Any subject that has compulsory status for all pupils in state-run schools funded by taxpayers, must meet this justificatory burden. That is, there must be sufficiently weighty, non-partisan, reasons that are acceptable to all reasonable citizens that justify such 'special' status within the curriculum that every child receives. It might be thought that this requirement would rule out most features of a government-imposed curriculum. Is it not the case that some reasonable citizens, those who align themselves to a life of faithful obedience to a sacred text for example, reject English Literature as a compulsory subject, because from their point of view it wrongly develops children's imaginative and interpretative capacities; or Science lessons in which Darwinian evolution, rather than creationism or intelligent design, is taught as the best existing account of natural history? However, that conclusion is unwarranted, because these features of the curriculum might be justified in virtue of our interest in becoming *reasonable* citizens (Clayton 2014).

Different accounts of reasonableness are available. Here, we tie the notion to the fundamental ideals of social unity and individual self-determination that ground the acceptability requirement. If individuals are to be free and equal and partners in social cooperation they require certain capacities (Rawls 1996, 29-35). They need to have a reasonably well-developed sense of morality and justice so that they are capable of appreciating and complying with their duties to other individuals. Everyone has rights and interests that warrant the respect of others and, correlatively, it is morally wrong to harm others in various ways and sometimes morally impermissible to fail to help them. Some of the duties we have to others are enforceable in the sense that it is permissible for others to coerce us to make us fulfill them—for example, it is permissible forcibly to prevent an individual from killing another person. We can go further. It is also the case that the individual herself has an interest in being prevented from committing certain wrongful acts; it is in an individual's interest to be prevented from acting as a violent racist or a murderer, because her life as a citizen or moral agent goes dramatically worse if she performs these actions. So, the ideal

of reasonableness includes a set of interests and duties that individuals can be forced to realize through education policy and other legal instruments.

A second element of reasonableness as we understand it develops the idea of individual self-determination that lies at the root of the acceptability requirement. The requirement follows from the thought that individuals are entitled to set their own ends in life (provided they respect the rights of others to do the same) rather than have ends imposed on them by others against their will (Rawls 1996, 310-315). However, as well as supporting the acceptability requirement, the entitlement to set one's own ends has direct educational implications. Individuals need certain capacities if they are to be end setters. They must have the capacity to have a conception of how to live a life: the ability to form, revise and rationally to pursue a view of what a successful life consists in.

Thus, having a sense of morality and justice and the capacity to form and pursue a conception of the good or religion are integral to the idea of reasonable citizens as we understand that idea (see Rawls 1996, 19). Since that is the case, several educational policies and, in particular, curriculum requirements can be justified. The development of children's literacy and capacity to engage with literature is important because it develops their sense of morality and their capacity to form and revise a conception of how to live a life. Similarly, the reasonable acceptability case for other core subjects, such as mathematics and the sciences, is relatively straightforward: their justification involves claims about what is necessary for just individuals to set and pursue their own ethical and religious ends (as adults) in a modern society, characterized by myriad work and lifestyle choices. The question is whether giving theistic beliefs priority within the curriculum also meets this test.

On the face of things, the priority of religion model would seem to fall foul of the acceptability requirement. An emphasis on learning about and from the traditional theistic religions, as a compulsory subject, would likely be rejected by citizens who reasonably reject those views. True, these theistic views offer a variety of beliefs about familiar ethical questions, such as how people should live, what to value, and how they ought to treat one another. Yet, in this, they are not unique – a variety of nonreligious views also offer answers to these

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questions. If, as we believe, such questions are sufficiently important for consideration as part of a compulsory curriculum, then, at most, this would provide justification for a broad subject that concentrated on those questions, but which did not privilege religious answers as having special status as subject matter. In short, unlike other core subjects, prioritizing religion appears to violate the requirement of acceptability to reasonable citizens.

Before we settle on this conclusion, however, we must review several arguments that purport to defend the priority of religion model as consistent with the reasonable acceptability requirement, and it is to these that we now turn.

5. Is Religion Special?

Perhaps the most prominent argument for the priority of religion model asserts that it is responsive to the fact that religion is special. Here we distinguish and rebut four ways in which its specialness might be interpreted.

(i) The appeal to truth

In the first place, it might be thought that religion is special among conceptions of ethics and morality, because at least some religions are true or include important truths, and it is important to give children the opportunity to learn about ethical doctrines that are true or partially true. Notice that if this argument were sound, the state should not give schools discretion as to which religions should be the focus of pupils' study. If the appeal to truth were accepted, then the syllabus would need to be structured to ensure that children are exposed to the most plausible religious views. (Or, at least, we need an explanation of why, if we appeal the importance of exposing children to the truth, we ought nevertheless permit schools to teach about religious doctrines that are more erroneous than others.)

However, from the point of view of reasonable acceptability, it is clear that the appeal to truth is inadmissible. The acceptability requirement forbids governments to appeal to the truth of any religious or ethical doctrine when deciding policy, because to do so would jeopardize social unity or political autonomy given the fact of reasonable pluralism. It requires education policy to

be framed in a way that can be justified according to reasons that do not appeal to controversial truths about what it means for individuals to make a success of their own lives. As we have argued, following Rawls, two such reasons available to the government are the needs of children with respect to developing and exercising a sense of justice and the capacity to form, revise and pursue ethical goals and relationships. But those reasons do not pick out the truth of a view about how we ought to live as relevant for deciding education policy. The question, then, is whether there are any ethically non-partisan reasons that support schools giving priority to religions beliefs over non-religious ones within the curriculum.

(ii) The 'possibility-of-truth' Argument

Michael Hand argues that schools should prioritize the study of views that satisfy three requirements. First, the views should be 'sufficiently well supported by evidence and argument as to merit serious consideration'. Second, the views should *matter* in the sense that if they were true we would have weighty reasons to revise how we live our lives. Third, they should be views that have distinctive kinds of justificatory support (Hand 2003, 162; see also Hand and White 2004, 101-103). He claims that some religious views satisfy these three conditions and, accordingly, it is right that the study of these religions as a separate subject is a compulsory part of the curriculum.

It is noteworthy that Hand's conception of how the religious education syllabus ought to be framed is quite close to the view we endorse, namely, a subject-content that is geared towards examining arguments for different religious and anti-religious claims. Nevertheless, because his argument for that conception rests on controversial claims about the nature or relevance of evidence and supporting grounds it falls foul of the acceptability requirement as we have outlined it. Hand's curriculum would be set by the political community acting on a controversial view that certain religions are 'sufficiently well supported'. Suppose that it singled out a few religions as not sufficiently well supported by the available evidence or argument and, therefore, as excluded from the curriculum. That would jeoparidize the political autonomy of adherents of those religions. Suppose, instead, that every religious view were treated as

satisfying the requirement of sufficient justificatory support. Again, many would reject that view, because they regard the appeal to faith characteristic of certain religions as giving no reason for belief or devotion. The general point is that, because Hand's defence of something like the priority of religion model rests on a controversial claim about the plausibility of different viewpoints, it cannot command the universal assent of reasonable people as we interpret that idea.

(iii) The appeal to conscience: perceived duties

It might be argued that the study of religious commitments ought to be prioritized within the curriculum, because it is uncontroversial that, whether true or false, they have greater moral urgency. That is the case, the argument goes, because religious commitments engage our ethical *duties*, which have more moral importance than our preferences. To see how this argument works, it is worth noting a parallel debate within political philosophy concerning whether the law should grant religious exemptions from otherwise just or legitimate laws. For example, in the UK the legal requirement that motorcycle users wear helmets is generally regarded as justifiable and yet Sikhs who wear turbans are exempt from the rule. In the USA, while drug laws forbid the use of peyote, the Native Church of America, which uses it in its religious rituals, is exempt from the prohibition. One prominent justification of such exemptions appeals to the idea of conscience. The political community has a weightier reason not to interfere with an individual's fulfillment of her *perceived duties* or *perceived sacred duties* than with the pursuit of her mere *preferences* (Bou-Habib 2006; Laborde 2015). For instance, a motorcyclist who objects to a law that prohibits biking without a helmet because she enjoys the feeling of the wind rushing through her hair has a less weighty complaint against the law than a Sikh who objects because it makes his biking impossible without violating what he takes to be his duty to wear a turban.

One educational analogue of this thought is that, despite disagreements about the nature of one's duties, it is uncontroversial to claim that the political community has a weightier reason to facilitate children's exploration of different accounts of one's ethical duties than different accounts of how to live one's life

that do not involve duties, such as views about the kinds of occupation, sexuality, and leisure that would be best for individuals.

Notice that the appeal to conscience asserts the specialness of religion, not because it is religion, but because and to the extent that its adherents endorse conceptions of ethics that place them under stringent duties to conform to certain standards with respect to dress, diet or worship. So even if sound, the appeal does not support the priority of religion model, because there are many non-theistic doctrines that are defined in terms of ethical duties. Several kinds of vegetarianism, for example, assert that we are duty-bound not to eat meat for non-religious moral or ethical reasons and, consequently, ought to form part of the curriculum to the extent that conscience-based considerations have weight. Thus, if reflections on matters of conscience are particularly important, then, according to the reasonable acceptability requirement, the model would need to be revised to incorporate non-religious conscience-based claims if the proposal is to have it as a compulsory part of the curriculum.

However, it is not clear to us that conscience-based claims do satisfy the reasonable acceptability requirement. The appeal to conscience insists that children who are not offered the opportunity to understand views in which duties with respect to worship, dress and diet loom large are particularly disadvantaged, more disadvantaged than those whose education fails to encourage pupils to reflect on non-duty-based ethical considerations such as what kinds of occupation or leisure activities might enhance the quality of one's life. One defence of that claim about educational disadvantage is to argue that it follows from an uncontroversial claim about human well-being, namely, that reflection on the various conceptions of the duties that people believe apply to us enhances our well-being to a greater degree than ethical reflection that does not engage with perceived duties. But it should be clear that this claim about well-being is rejected by many reasonable people. It would be rejected, for example, by those who claim that when it comes to matters of ethics, there are no duties, still less sacred duties: very many believe that there are no gods or features of the world that place obligations on us to live our own lives in a particular way. It would also be rejected by those who deny that the fulfilment of one's *perceived* duties always makes one's life go well. Very many believe that an individual's

successful pursuit of her mistaken belief that she is under an obligation to devote her life to Christian worship makes her life go worse than it might. They believe that it is not the fulfilment of her perceived duties that improves her life; rather, it is the fulfilment of only *genuine* duties that is beneficial. Why would such sceptics about ethical duty support a curriculum that encourages special reflection on views that they believe to be mistaken? The appeal to conscience cannot, it seems, rest on uncontroversial claims concerning well-being and, as we have argued, it may not rest on controversial claims concerning well-being. And if we cannot appeal to controversial claims about well-being it is entirely unclear why we should think that reflection on ethical duties should have special importance in the design of the curriculum.

(iv) The appeal to conscience: profound questions about the meaning of life
Similar replies can be made in response to a somewhat different argument that falls under the appeal to conscience. The argument is not that it is particularly urgent to encourage reflection on beliefs about duties, but that it is important for pupils to be encouraged to focus on profound questions about the value of human life, the meaning of life, and profound questions about the virtues we ought to develop and the final ends we ought to pursue (Nussbaum 2008, 167-174). This defines conscience in terms of its subject matter rather than the gravity of the duties or reasons that apply to us (Dworkin 2013, 117-124). Note, again, that this proposal does not rescue the priority of religion model, because there are countless non-religious views that articulate more or less integrated views about the meaning, value, or purposes of human life. However, despite the change in register, it is not obvious why, in the light of reasonable pluralism, views that hold that there is no meaning to life, or those that hold that it is impossible to make ethical mistakes because there are no objective ethical reasons, should be excluded from the curriculum. Those views might, of course, be mistaken. But that observation is insufficient to exclude them from a curriculum that must pass the test of reasonable acceptability.

6. The Appeal to Democracy

If the priority of religion cannot receive the right kind of support from the claim that religion is special in some way, perhaps it can be justified by appealing to the fact that religious convictions are widely held. There are various ways in which that fact might be used to support the priority of religion. One prominent argument appeals to democracy. A simple version of the argument is that the majority has the right to enact the legislation that it favours. Thus, it is morally permitted to pursue an education policy that prioritizes the teaching of religious views of ethics compared to non-religious ones. This does not violate the reasonable acceptability requirement that we outlined above, the argument claims, because no one can reasonably reject a democratic political system in which, where there are conflicting views about, say, the curriculum, the majority's view prevails.

To evaluate this argument it is useful to draw a familiar distinction between legitimate authority and justice that goes back to Socrates' exchange with Crito (Plato 2002; for recent discussion, see Rawls 1996, 428; Dworkin 2011, 321-323). Let us say that a law has legitimate authority if the state is morally permitted to force citizens to conform to that law and citizens are under an obligation to obey it; a law is just, we shall say, if it treats everyone with appropriate concern and respect. A government might have legitimate authority with respect to a particular law even if that law is unjust because, say, it fails to give due concern and respect to some of its citizens. It might have legitimate authority because everyone benefits from living in a law-governed democratic society rather than what contractualist philosophers call a state of nature in which individuals are morally free to act on their own judgement about what they should do (Locke [1698] 1988). If a democratic state has legitimate authority, the government may forcibly require schools to execute its education policy and parents and others are duty-bound to follow it. But it does not follow from the fact that the government is morally permitted to enforce a piece of legislation that the legislation should be passed. Whether or not a particular education policy should be made law depends on whether it gives everyone due concern and respect. The reasonable acceptability requirement we proposed earlier is a partial interpretation of the requirement of concern and respect. Thus, if the argument for the priority of religion that appeals to democracy is the

claim that a democratically elected government has the authority to pursue a democratically-decided education policy, then this is insufficient, because this fact does not tell us whether it is just for a democratically-elected parliament to enact a policy that shapes the educational environment to suit the interests of the majority.

If it is to be successful, then, the appeal to democracy must either be interpreted as a claim about justice that challenges the reasonable acceptability interpretation of concern and respect, or it must explain why a government that shapes the curriculum in line with the majority's preference for a curriculum that prioritizes religion is acceptable to reasonable people. Since we have already defended the requirement, we consider whether a curriculum shaped in accordance the majority preference is consistent with it.

The case for the reasonable acceptability of a RE policy that reflects the convictions and preferences of the majority would seem to rest on the thought that, when it comes to the design of the curriculum, satisfying the greater number cannot reasonably be rejected. However, that premise is implausible because there are countless cases in which enacting laws that shape society to suit the views, preferences or interests of the greater number can reasonably be rejected and are, for that reason, unjust (Rawls 1971 & 2001; Mill [1859] 2015; Dworkin 2000, 212-216). The universal franchise, health care and education for all regardless of ability to pay, and so on, are requirements of justice that do not depend on the views of the majority for their validity. There are many more instances in which the views of the majority do not determine the requirements of justice. Moreover, it appears that the curriculum that pupils of common schools are made to follow is an issue that bears similarities with the right of education and the right to health. In all of these cases, satisfying the majority is not a demand of justice.

7. The Parentalist Argument

In the background, there is a worry that might be raised about the way in which we discuss the priority of religion model. We have been discussing it as if every pupil in common schools ought to follow the same curriculum with respect to

religion and ethics. Yet that assumption might be challenged. The curriculum might be arranged so that while some children receive a 'religion-heavy' ethics curriculum, in which they study questions about meaning, value, morality and ethics by reflecting on particular religious texts and traditions, others receive a 'humanist' or 'religion-light' curriculum. Thus, the priority of religion model might be defended as appropriate for some but not for all.

Call this *the selective model*. The model needs a way of selecting which syllabus different pupils ought to receive. Two proposals naturally come to mind. First, the pupil decides. Second, the pupil's parents decide whether their child receives a religion-heavy or religion-light ethics curriculum. With respect to the former, it is true that there comes a time in an individual's education when she is entitled to decide for herself the curriculum that she follows. However, the assumption in the debate that we have taken as given is that forcing pupils, at least certain age-groups, to study ethical and religious issues by making classes in this subject compulsory is not itself objectionable. We have not given an argument for that view. However, if it is right then it follows that there is something important about this kind of schooling that is valuable regardless of the preferences of the pupil. It remains compatible with this requirement that the child is entitled to some choice with respect to the kind of ethical understanding she receives—religious or non-religious, for example. However, any such argument would need to be squared with the needs of the pupil with respect to developing her capacity to live a just life and to form, revise and pursue a view conception of a worthwhile life. We leave this possibility open and focus, instead, on the more widely-held version of the selective model: that parents are entitled to choose the kinds of doctrine to which their child is exposed within the ethics curriculum.

In response to the parentalist interpretation of the selective model of ethical education we appeal to the fact that every child has an entitlement to an education that develops her understanding of different conceptions of the good so that she has the resources to develop her own view, reflect upon it in an informed manner, and rationally pursue it. As we argued earlier, that entitlement follows from the ideal of individual self-determination that lies at the heart of the reasonable acceptability requirement view. Particularly in secondary schooling,

to satisfy this entitlement it is important for individuals to be exposed to quite different accounts of value and living well (see Feinberg 1992; De Jong and Snik 2002, 583-584; MacMullen 2007, 157-178). This gives us weighty reasons for believing that children can reasonably reject arrangements in which parents select the religious or ethical views that they study. Furthermore, if the interests of the majority do not determine the demands of educational justice it is unclear why the interests of a particular person, one's parent, should decide the focus of one's study.

8. Conclusion

We have presented arguments that challenge the priority that is often given to the study religion in state-maintained schools. No doubt, other arguments for the priority of religion model might be given that we have not considered. Nevertheless, we hope we have shown that the acceptability requirement is both attractive and has significant consequences for the design of the curriculum, particularly for education in matters concerning how to live well, the right way to treat others, and our place in the universe. While consideration of the further implications of our position must be left to another occasion, it is clear that, if it the acceptability requirement is sound, then religion cannot continue to be the primary reference point for teaching about ethical and normative matters.

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