

A BETTER WAY FORWARD – BHA policy on religion and schools

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1 SUMMARY

The policies described in the following pages have been developed as a positive alternative to separate religious schools. They are based on humanist principles and concerns for equality, social cohesion, and the rights of children as well as those of parents. They are the outcome of extensive consultations with educational, religious and other groups on draft proposals produced in 2001. Since that time, some vocabulary and data have been updated to take into account the social context and developments in education up to January 2006.

We believe that inclusive community schools can provide an opportunity for people of all faiths, and none, to co-exist peacefully in an environment where their rights to their own beliefs and philosophies are respected. We believe that schools can and should respect the requirements of the religious, and the non-religious, without affecting the human rights and educational entitlements of all. We propose the following policies, including 'reasonable accommodations' to meet the legitimate wishes of religious pupils and their parents, in the belief that their implementation would end a great deal of discrimination on grounds of religion and belief in schools. Progress will require reforms and adjustments in schools to put an end to discrimination, and some changes in the law.

Our proposals are:

- **Inclusive school assemblies** suitable for all, thus ending the need for any child to be withdrawn or feel excluded from 'collective worship', plus **time and designated places for optional worship**, prayers, or reflection.
- **Reformed religious education** with impartial, fair and balanced teaching about all major worldviews, including non-religious ones, to give all children an understanding of the range of beliefs found in a pluralist society. Provision for **additional optional faith-based classes** on school premises.
- **More public holidays**, recognising a wider range of religious festivals, in workplaces as well as schools. Public examinations should be timetabled to avoid religious holidays.
- **More respect for and flexibility on other cultural and religious requirements**, for example in matters such as uniform, food, and Sex and Relationships Education.
- **Better training for teachers** on dealing with diversity.
- **Better complaints procedures** to deal with unfair discrimination.
- **Better sharing of good practice**.
- **The involvement of local people** in consultations about accommodations.
- **Reform of the law**, where needed, and **improved guidance** for schools.
- **The phasing out of religious schools**, unless they too can be persuaded to become inclusive and accommodating institutions.

2 INTRODUCTION

This policy document offers a way forward in the controversial and closely related matters of religion in schools and religious schools – a ‘third way’ somewhere between the unsatisfactory status quo and current Government support for an education system fragmented along the lines of religious belief. It is, we believe, a better way forward than those. We also believe that, after a period of consultation, reflection and revision, it is a better way forward than our previous proposals, published in 2001 as *A Fresh Way Forward*.

The British Humanist Association (see Appendix A) is advocating this ‘third way’ in the interests of achieving an integrated inclusive school system and a cohesive pluralist society. The proposals arise out of humanist principles and our concern for the common good, as well as our experience of working alongside and listening to members of faith groups.

The Government’s support for an increase in the number and range of religious schools was not well received. Many in education, in politics, and within ethnic and religious minorities (see Appendix B, p28) expressed concerns about the potential for divisiveness and discrimination inherent in a proliferation of faith-based schools. Events in 2001 and 2005 increased these concerns and underlined the need for a school system that would contribute to inclusiveness and social harmony, rather than one that is likely to reinforce divisions and lack of understanding. A poll in *The Observer* (11/11/01) found that only 11% of the public supported Government proposals, with 80% opposing new faith-based schools, and polls today reach similar conclusions.¹

British society has changed hugely since the current ‘dual’ school system was set up in an era when it could be assumed that religious instruction and worship would be Christian and the establishment of state-funded Church schools seemed a fair compromise between religion and the state.² Today there is much more religious diversity, including a large minority of people with no religious beliefs or affiliations. In this plural society, people of all faiths and none must learn to co-exist peacefully.

Many schools are already doing their best within the present system, but it is apparent that more could be done to include and respect the range of beliefs and cultures now found within the average school³, and that this would be a better way to improve understanding between different groups in the community than expanding the numbers and diversity of religious schools. In any case, most children of all faiths and none will continue to be educated in pluralist community schools. There will always be some groups (including humanists) that do not want their own separate schools; there will be families from all communities who prefer to educate their children in a multi-belief context; and there will be those who have no choice in the matter because they are from small or unorganised or scattered faith communities, or because they live in areas with limited opportunities for choice.

Our view is that the best, and perhaps the only realistic, way to give equal respect to all beliefs and encourage peaceful co-existence is ‘reasonable accommodation’, a concept already accepted in anti-discrimination law and practice. In schools this would entail what the American Communitarian movement calls ‘Diversity Within Unity’⁴, a neutral common framework in which children of all religions and none are educated together, with special arrangements to meet the requirements of religious groups and minorities.

Improvements in school practice and reasonable accommodations would enable much greater and wider respect than occurs currently in schools for children’s rights, and for some parental rights, in

¹ 96% of respondents to a BBC Radio 4 *Sunday* programme on-line poll thought that “faith schools breed segregation” in October 2005; a *New Statesman* on-line poll, September 2005, found 96% respondents endorsing the proposition that ‘Tony Blair should end his support for faith schools’; an ICM/*Guardian* survey, 23/8/05, found 64% of people opposed to the idea of government funding for faith schools, fearing their impact on social cohesion. A BBC R4 *Sunday* programme poll in July 2004 found 254 in favour of abolishing faith-based schools, with only 57 against.

² See Harry Judge (2001), ‘Faith-based Schools and State Funding: a partial view’, *Oxford Review of Education*, 27:4

³ No school in a 2002 survey ‘had a fully developed strategy for preparing pupils through the curriculum for life in a diverse society.’ See Tony Cline, Guida de Abreu, Cornelius Fihosy, Hilary Gray, Hannah Lambert and Jo Neale, University of Luton (July 2002) *Minority ethnic pupils in mainly white schools* (DfES research brief 365, www.dfes.gov.uk/research). National Curriculum Citizenship should help, but implementation in schools has been patchy so far (2005)

⁴ Communitarian Network (2001), *Diversity Within Unity* (<http://www.gwu.edu/~ccps/DWU.html>)

matters of religion and belief. Many humanists would agree with Professor Robert Jackson that 'community schools should be secular in the Indian Constitutional sense of "secular" – that is maintaining impartiality towards different religious and non-religious truth positions.'⁵ We are not proposing the complete secularisation of schools, on the French or Turkish models, because we realise that that marginalises and offends religious people, and certainly does not fully respect their rights. We acknowledge that religion and religious education do have a place in schools – it is important in a heterogeneous society that we learn about each other's beliefs. It is also important that as wide a range of beliefs and practices as practicable is accommodated within schools, as long as this does not affect the human rights and educational entitlements of others. However, we maintain that confessional religion, as in religious *instruction* and religious *worship*, should always require opting-in, and be strictly extra-curricular.

Our proposals range from simple steps based on existing good practice in schools, particularly those in visibly multi-cultural areas, to more radical changes that would require legislation, investment, and changes in wider society. Some of the accommodations and changes we suggest are possible within the present system but need more active encouragement. Others are already supposed to happen, but should be more widely publicised, so that everyone – teachers, governors, parents and pupils – knows their rights and duties. We do not wish to add to the burdens of community schools, and we do not underestimate the practical problems of accommodation or the resistance some of these proposals may meet from entrenched groups. But we do believe that even the more radical suggestions could be implemented if the will and the necessary leadership were there, and we believe these changes would be popular and in accordance with current thinking and legislation on discrimination and human rights (see Appendix C).

Few of these ideas are new: humanists and others have been promoting many of them for a long time⁶ and some are already practised in enlightened schools. Good policies on behaviour, equal opportunities and discrimination are in plentiful supply, though there are sometimes problems implementing those policies. What would be new would be wholesale adoption and implementation of a complete package of measures designed to make schools truly inclusive; and it would be good to see our schools becoming world leaders in this. We are not aware of anywhere else that has adopted this model – state education systems tend still, as here, to be either strongly associated with the dominant religion or religions in that state, or to be completely secular.

We believe that the proposals we are advocating will be acceptable to everyone who wants all children to be well educated and prepared for adult life in a plural society: that is, not only the large non-religious minority and the 80% who do not want separate religious schools⁷, but also the majority of religious people in this country.⁸ We also believe that these proposals are timely. There are plenty of reasons to worry about divisions in our society and lack of understanding between diverse groups⁹. Many minorities do not feel fully included or recognised in our schools. We believe that implementing these policies would end a great deal of discrimination, both racial and religious, in schools, and significantly decrease demand for separate religious schools. (See Appendix B for a fuller discussion of these and other arguments.)

Introduction to January 2006 edition

If anything, anxieties about religious divisions in our society have increased since we published these rights-based proposals in 2002 (see p28), and we continue to believe that the policies set out here represent the best way for schools to make their proper contribution towards social cohesion. But events have moved on in society and in education since 2002, and we have clarified and updated some sections to reflect that, and added more data and examples from the ever growing body of evidence that supports our policies.

⁵ Robert Jackson (2002), 'Editorial', *British Journal of Religious Education* 24:3

⁶ For example, BHA (1975) *Objective, Fair and Balanced*; the Swann Report (1985)

⁷ *The Observer* (11/11/01). See also footnote 1 on page 4.

⁸ For example, Arzu Merali, a researcher for the Islamic Human Rights Commission, found that fewer than 50% of 1,125 British Muslims wanted their children to attend schools of their own faith, October 2005.

⁹ Following riots in Northern cities in 2001, and post the London bombings and Birmingham riots in 2004; for example, see *Community Cohesion*, a report of the Independent Review Team, chaired by Ted Cantle (Home Office, 2001) and Select Committee on Office of the Deputy Prime Minister *Housing, Planning, Local Government and the Regions - Sixth Report, Single Faith Schools*, (ODPM, May 2004).

3 THE PROBLEMS

The law and practice on religion in schools are unsatisfactory for many reasons, for many religious groups as well as for humanists. The (overlapping) problems we identify are:

- Discrimination in schools on the grounds of religion and belief;
- The legal requirement for collective worship (see also Appendix D);
- The narrowness and inherent bias of most Religious Education syllabuses (see also Appendix E);
- The existence and expansion of the religious schools sector (see also Appendix B).

Discrimination in schools

'In a pluralist, multi-cultural society, the state must promote the tolerance and recognition of different values, religious beliefs and non-religious beliefs...'¹⁰ We tend to assume that schools are in the forefront of promoting equality, tolerance and pluralism, but in fact discrimination on grounds of religion or belief is surprisingly widespread in the educational system, both at a personal, individual level and at an institutional, legal level, and demand for religious schools is at least partly fuelled by that discrimination. Religious and non-religious groups alike often object to Religious Education and Sex and Relationships Education that ignores their perspectives, collective worship in schools that excludes them, and a school ethos based on religious values different from their own.

Professor Marie Parker-Jenkins' research on religious discrimination for the Home Office¹¹ found that schools and teachers were among the worst perpetrators of discrimination, the victims of which included Hindus, Bahá'ís, Pagans, Jehovah's Witnesses, Muslims, Sikhs, and Black Christian groups. Examples included both the institutional (admissions policies, aspects of the National Curriculum, collective worship, inflexibility over dress, holidays and examination time-tables, school outings, and marginalisation) and the personal (insensitive remarks). One telling example was of a teacher exclaiming to a Bahá'i child that he'd never heard of Bahá'i, and that the child must be making it up.

Humanists can provide their own examples of exclusion and marginalisation, caused partly by the legal 'default Christian' position of community schools and partly by human failings, such as the incident reported by a humanist parent whose son, when he admitted not believing in God in a junior school music lesson, was told by the teacher, 'Well, you will when you grow up.' The current system undoubtedly favours Christianity – in the number of Christian schools, in the legal requirement for 'wholly or mainly... broadly Christian' worship in ordinary community schools, in the prescribed balance within Religious Education, and in a still pervasive assumption that 'Christian values' are best for everyone. Humanist teachers, parents and pupils feel alienated by having to choose between opting out of what should be a communal event – school assembly – or participating in worship of a god they do not believe in, and by the narrowness of most Religious Education syllabuses that omit Humanism as well as many other belief systems worthy of study. They are excluded by the admissions policies and ethos of many religious schools, and sometimes by their employment policies.

¹⁰ Humanist Philosophers' Group (2001), *Religious schools: the case against* (BHA)

⁷ Marie Parker-Jenkins (2001), 'Education' in Paul Weller, Alice Feldman and Kingsley Purdam *Religious Discrimination in England and Wales*, Home Office Research Study 220 (Home Office)

Collective worship in schools

The current law discriminates in favour of religion in requiring daily worship in schools, and in favour of Christianity in requiring that the majority of acts of collective worship in any given school term should be ‘wholly or mainly of a broadly Christian character’. In demanding collective worship in a community school, which will typically have pupils from a wide variety of religious backgrounds and none, the law is incoherent: a school can do many things collectively but, lacking a shared religious faith, it cannot worship collectively. The law gives parents the right to have a child excused from worship or to withdraw the child from school for an alternative form of worship, but no such rights are recognised for school pupils, even those above school-leaving age.

Schools can apply to the local authority’s Standing Advisory Council for Religious Education (SACRE) for exemption from the ‘broadly Christian’ requirement for some or all of their pupils. This is called a ‘determination’, and alternative worship must be provided for these pupils, although parents still have the right to have their children excused from this worship.

Neither the parental right to excusal nor the possibility of obtaining a determination is a satisfactory means of achieving inclusiveness. Few parents avail themselves of the right to have their child excused from school worship, not wishing their child to be singled out or to miss the valuable elements of school assemblies: the celebration of shared values and the sharing of the school culture and ethos. Opting out is, in any case, a negation of inclusiveness. The process of obtaining a determination is sufficiently bureaucratic and time-consuming to deter schools, apart from those with large and assertive groups of non-Christians. No schools that we are aware of seek determinations because the majority of their pupils are atheist or agnostic, though this must often be the case¹², and few if any where there are small numbers of other religious groups or individuals in the school who find Christian collective worship objectionable.

The most usual way of achieving worthwhile and inclusive assemblies is to break the law¹³, sometimes with the connivance of the local SACRE. This is a far from ideal situation.

The BHA has long campaigned for change in the law and guidance on worship from the Department for Education and Skills (DfES)¹⁴. In this we are in agreement with many faith groups and teachers’ organisations.¹⁵

(See also Appendix D for a full discussion of the law on and history of collective worship in schools, and suggestions for improvements.)

Religious Education

The law and national guidance on Religious Education recognises that Christianity is a significant part of the culture and history of this country. RE syllabuses are required to ‘reflect the fact that the religious traditions of Great Britain are, in the main, Christian, while taking account of teachings and practices of the other principal religions represented in Great Britain’.¹⁶ These ‘other principal religions’ have generally been taken (in official guidance and many local RE syllabuses) to be

¹² 61% 14–16 year olds described themselves as atheist or agnostic in surveys carried out for *Teenage Religion and Values* (Gracewing 1995) by Leslie Francis and William K Kay.

And 65% young people are not religious, according to *Young People in Britain : The Attitudes and Experiences of 12-19 Year Olds*, a research report for the DfES (2004).

¹³ “At present more than three-quarters of schools fail to meet this requirement [for daily collective worship].” David Bell, Her Majesty’s Chief Inspector of Schools, in a speech to commemorate the 60th anniversary of the 1944 Education Act, House of Commons, 21/4/04 (Ofsted).

More than half the secondary schools in Wales inspected in the past four years broke the law by failing to pray every day, a BBC survey revealed in December 2005.

¹⁴ The Government department responsible for education and schools has been called, at various times in the history of BHA policies, the Department for Education (DfE), the Department for Education and Science (DfES), the Department for Education and Employment (DfEE) and the Department for Education and Skills (DfES) – we have used the current (2002 - 2006) title and acronym throughout.

¹⁵ See, for example, Religious Education Council of England and Wales, the National Association of SACREs and the Inter Faith Network for the UK (1998) *Collective Worship Reviewed* (Culham College Institute)

¹⁶ *Education Reform Act* 1988

Judaism, Hinduism, Islam, Sikhism and Buddhism, but this does not sufficiently recognise the breadth and diversity of the beliefs that now contribute to our culture and can be found in most classrooms. Consequently, there remains much unhappiness amongst minority groups at being marginalised and about ignorance of their beliefs and customs amongst teachers and the general population¹⁷.

Although guidance in 2004 from the Qualifications and Curriculum Authority (QCA), in the form of a non-statutory National Framework for RE, did suggest a broader, more inclusive and impartial RE, the local management of RE, through SACREs and Agreed Syllabus Conferences (ASCs) makes it difficult to implement change in any coherent way. The unrepresentative and inexpert nature of most of these local committees is also an obstacle in the way of progress in community school RE. (See also final page of this report.)

In addition, we doubt that most voluntary-aided religious schools (which have their own RE syllabuses) could or would want to provide impartial, fair and balanced teaching about a range of worldviews, despite the fact that it is just as important for pupils in faith schools to learn about the worldviews of the rest of society as it is for those in non-religious community and specialist schools. A written question from Graham Allen MP to the Secretary of State for Education and Skills, asking if she would extend government guidelines on multi-faith religious education in community schools to all maintained religious schools, received the following written reply from Stephen Timms on 15/10/01: "Extending the guidelines in the way my hon friend suggests would undermine the purpose and ethos of faith schools. Religious education in these schools will continue to be taught in accordance with the trust deed or with the tenets of the religion in question."¹⁸

(See also Appendix E for a fuller discussion of current practice in RE and our proposals for improvements.)

Religious, or “faith-based”, schools

We recognise the major problem faced by the Government in the disproportionate provision of faith-based schools by just two Christian denominations¹⁹, which is unjust and unsustainable under the *Human Rights Act*.

But we are concerned that many of the faith groups that are now lining up to be granted their own schools at almost no expense to themselves will be far from the relatively anodyne religion of the average Anglican school²⁰, though even the Church of England now seems unsure whether it wants to offer a service to the whole community (albeit one that involves ‘opportunities to pupils and their families to explore the truths of the Christian faith’) or ‘to nurture Anglican or other Christian children in their faith’²¹. It will end up being politically difficult to refuse any religious group that can demonstrate a demand for its own schools – the Scientologists around East Grinstead, for example, or fundamentalist sects – while other religious groups are receiving state funding. But even (say) the most moderate Islamic school, by depriving pupils of the experience of other approaches to life and educating them in isolation from their contemporaries to regard the demands of their religion as supreme, could be increasing their vulnerability to the lure of Islamic

¹⁷ Marie Parker-Jenkins (2001), ‘Education’ in Paul Weller, Alice Feldman and Kingsley Purdam *Religious Discrimination in England and Wales, Home Office Research Study 220* (Home Office)

¹⁸ It appears to be possible for these trust deeds to change or be set aside when it suits: many Church schools were founded ‘for the education of the poor’ and few of the original trust deeds will have anticipated 90% or 100% state funding.

¹⁹ 6292, or 35.6%, primary schools in England have a religious character; of these 4468 are C of E and a total of 6258 or 99% are Christian. 593, or 17.5%, secondary schools have a religious character; of these 201 are C of E, and a total of 582 or 98%, are Christian. (DfES figures, 2005)

²⁰ See Harry Judge (2001), ‘Faith-based Schools and State Funding: a partial view’, *Oxford Review of Education*, 27:4

²¹ Both quotations are from Archbishops’ Council (2001), *The Way ahead: Church of England schools in the new millennium* (Church House Publishing)

extremists. Before long, the educational and religious map of England could change irretrievably, and not for the better.²²

The evidence is that most religious groups setting up new schools will apply for voluntary-aided or academy status or will find the recently proposed “trust school” status²³ attractive (gaining or retaining control over admissions, ethos, and the curriculum, wholly or partly, in return for a tiny financial contribution or no financial contribution at all – see Appendix B), and that few of them will be interested in running genuinely inclusive schools of the type suggested in our proposals. For example: ‘Impractical to take other faiths, argues Muslim secondary’, ‘We’re too poor to be inclusive say Catholics’²⁴. Even the Church of England, which has a public commitment to inclusion, may not mean by it quite what other people mean: ‘The Church intends that its schools offer distinctively Christian education and are open and inclusive of all who seek such education.’ (Canon John Hall, general secretary of the Church of England board of education)²⁵, or may have problems persuading individual schools to go along with its policy: ‘The Rev Peter Shepherd says he will refuse to admit children of other faiths to his successful Anglican school, in defiance of the Church of England.’²⁶

(See also Appendix B for a fuller discussion of the social and educational arguments against religious schools, and some examples of the widespread support for these arguments.)

²² “...recent research suggests segregation in schools has increased. There has also been some evidence that faith has been used as a means of excluding pupils from non-white backgrounds and many schools - faith and non-faith - do not reflect the neighbourhoods they serve. Segregated schools would be less of a problem if they were balanced by integration in other parts of daily lives. School segregation is often compounded by separate housing, places of worship, employment and social and cultural facilities, leading to the problem of ‘parallel lives’ described in my report.” Ted Cantle, Chair, Community Cohesion Panel, letter to *The Guardian*, 16/6/04.

And the Chair of the Commission for Racial Equality Trevor Phillips spoke of “After 7/7: Sleepwalking to segregation”, at Manchester Town Hall, 22/9/05.

²³ Government White Paper on schools, October 2005

²⁴ Headlines in *TES*, 24/5/02

²⁵ *TES*, 7/9/01

²⁶ *TES*, 8/2/02

4 PROPOSED SOLUTIONS AND RESPONSES TO THEM

The principles underlying our proposals are that common core activities in schools should be acceptable to people of all faiths and none, and that schools should make ‘reasonable accommodations’ to meet the legitimate wishes of religious pupils and parents. Below we set out the improvements and accommodations proposed, together with some of the responses we have had to those proposals. Support came from a range of respondents, as did opposition: some opposed them for being ‘assimilationist’ and not sufficiently recognising the importance of religious faith, while others thought them far too accommodating of religious requirements.

Inclusive school assemblies to replace ‘collective worship’, with separate optional prayers and worship for those that require them

According to DfES Circular 1/94 (*Welsh Office Circular 10/94*), ‘the purpose of collective worship is to provide the opportunity for young people to consider spiritual and moral issues, to develop community spirit and reinforce positive attitudes.’ We strongly support those aims, but see no need for ‘worship’ that is ‘wholly or mainly of a broadly Christian character’ to fulfil them. To be inclusive, assemblies should not involve religious worship or prayers (which by their very nature exclude large numbers of people), though they could include stories and ideas from religious and non-religious traditions used in a balanced and appropriate way, with opportunities to reflect or pray. This would enable more teachers to share in taking assemblies and end the need for any pupil to be excused from what should be a communal event, thus missing a potentially valuable contribution to their ‘spiritual, moral, social and cultural development’ (as National Curriculum documents put it).

Alongside this, time and designated places for additional optional prayers and worship should be provided for the religious groups and individuals within the school community, and for reflection for the non-religious, as and when required. Although organised worship for different faith groups appears to be contrary to Schedule 20 of the *Schools Standards and Framework Act 1998*, and change in legislation would be needed to permit it, voluntary informal worship seems to be legally possible now. Though few community schools have designated spaces or allow time for optional worship, this is common in higher and further education and in hospitals, where it works well. We recommend a ‘quiet room’ in every school, available to those of all faiths and none for prayers or reflection, perhaps as part of the ‘drop-in centres’ sometimes promoted by those responsible for Personal Social and Health Education (PSHE), as resources allow. Even without resources, much can be done by, for example, setting aside a classroom with washing facilities nearby for Muslim prayers and by building short breaks into the timetable. Extending the length of the school day (as in City Technology Colleges and Academies) makes it even more important to build in flexibility for religious observances. Religious speakers and clerics could be involved in these optional sessions, though they would only be appropriate as speakers in the main school assemblies as

Process and methodology

These policies were developed during an extended period of discussion and consultation in 2001-2, which included:

- public discussion and debates, including one at the Royal Society of Arts and presentations to interfaith and humanist groups;
- seminars and conferences, including ones organised by the Institute for Public Policy Research (IPPR), the University of Warwick, and the Institute of Education, London;
- a meeting and correspondence with the then Minister for Schools;
- a consideration of religious schools by the Humanist Philosophers’ Group;
- a widely circulated and publicised consultation document, mailed to members of the Religious Education Council and the Inter Faith Network amongst others, and also available on BHA’s website and on request.

We received all kinds of responses, informal and oral, as well as formal and written. The thirty or so written responses to the consultation were self-selected, some from organisations (around one third) and the rest from individuals; some answered all the questions, some answered only some; some wrote letters.

There is no scientific way to weight and analyse such a range of data; although some figures have been included in this section, they should be treated with caution.

part of a balanced and inclusive programme. At a seminar hosted by the IPPR, the suggestion was made that religious symbols used in ‘quiet rooms’ should be locked away, to be displayed only for specific acts of worship, and we endorse this recognition of the sensitivities of many groups.

Responses

There was considerable support for the first proposal, including comments to the effect that this was already the position in many schools. 78% of written responses agreed with it, and with the proposal for ‘quiet rooms’. 72% thought that religious schools could also accept these proposals. But respondents pointed out practical difficulties, including problems in ensuring genuinely voluntary participation and distinguishing the wishes and rights of parents from those of children. Comments included: ‘Who would decide whether children attended optional prayers – parents or the child?'; ‘Would schools become vulnerable to extreme religious groups?'; ‘Quiet room... excellent in theory, but many schools currently lack appropriate space or staff. In schools where there are many faiths, timetabling such a room might be difficult.'; ‘Until the law is changed, we support making it much easier for those who do not wish to take part in worship to avoid doing so, perhaps by scheduling it at the end of the school day.'

Impartial, fair and balanced Religious Education with optional faith-based Religious Instruction

We propose impartial, fair and balanced teaching about all major worldviews, including non-religious ones, in RE, to give all children an understanding of the range of beliefs found in a multi-cultural society and the values shared by most religions and ethical worldviews. Renaming the subject ‘Beliefs and Values Education’ or something similar would convey inclusiveness and, if it were genuinely inclusive and impartial, there would be no need for any pupil to be excused from it – learning about the many beliefs held in our society ought to be part of every child’s entitlement²⁷ and preparation for life as an adult in a plural society. More recent curricular requirements such as Citizenship education, with its aim of encouraging ‘respect for different national, religious and ethnic identities’²⁸ and legislation about racial and religious discrimination should encourage better practice and greater diversity and openness in RE. RE’s stated aim to ‘develop [the] sense of identity and belonging’²⁹ of pupils can best be achieved by its becoming more inclusive. This already occurs in the best classrooms and the best RE syllabuses, but RE provision is patchy in quality. It needs more than just guidance or a “framework” from the Qualifications and Curriculum Authority to ensure study of more than just the six ‘principal religions’, and more and better qualified teachers in order to achieve this. The danger of superficiality may be countered by proposals described in Appendix E and, for faith groups, by the next proposal.

We also suggest provision for additional optional faith-based religious instruction classes on school premises, subject to demand. These confessional classes could be after school hours or as part of an options system (which should be outside the core curriculum, and could include options on the humanist worldview and/or philosophy and ethics), as long as they did not interfere with students’ educational entitlements, and could be taught by visiting religious teachers or clerics. Having such classes on school premises would improve relationships with some groups of parents and permit proper vetting, regulation and inspection, so that they conformed to minimum educational and other standards³⁰. Some LEAs and schools are unwilling to let out classrooms for purposes such as Jewish *cheders*, and we recommend that they be encouraged to do so in the interests of good inter-faith relations and to avoid charges of unfair discrimination. Schools should have to

²⁷ Indeed a broad religious education appears to be a right: “The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds...” (*Convention on the Right of the Child, Article 13, 1*)

²⁸ Qualifications & Curriculum Authority (2000) *Citizenship at key stages 3 and 4 – Initial guidance for schools*

²⁹ Qualifications & Curriculum Authority (2000) *Religious education - non-statutory guidance on RE*, restated in the *Non Statutory National Framework for RE* (QCA, 2004)

³⁰ ‘Children who go to mosque schools are vulnerable to beatings and abuse by religious teachers who consider themselves above the law, leading Muslims have said. Reformist Muslims are now calling for the creation of a regulatory body to vet and train prospective imams after a court case this week in which a Koranic teacher was convicted of beating an 11-year-old pupil with a stick.’ (‘Novice imams must be vetted, Muslim leaders say’, *The Times*, 5/10/04)

demonstrate good reasons to turn down requests for religious instruction classes to be run by recognised faith groups out of normal school hours.

We stress that confessional religious instruction should be as well as, not instead of, the core subject, 'Beliefs and Values Education', that we consider essential for all future citizens of a plural society.

Responses

Most respondents agreed with both proposals (86% with the first, for impartial education about beliefs and values, and 77% with the second, for voluntary confessional instruction), but many pointed out the practical difficulties of optional religious classes, including, again, problems in ensuring genuinely voluntary participation and distinguishing the wishes and rights of parents from those of children. Although those at the IPPR seminar were reluctant to add to the responsibilities of head teachers, instances of child abuse and over-long hours at some supplementary religious schools were cited by some respondents as good reasons to invite such schools into the mainstream education system or, at the very least, to improve links between them and mainstream education.

73% of those that answered this question thought that religious schools could also offer this religious education + religious instruction model, but there was a high abstention rate on this question (34%). Curricular, management and funding problems were pointed out: 'There is already too much content and not enough reflection, discussion, analysis...'; 'Minimum educational standards imply adequate resources...which some faith communities may be unable to provide without assistance.'; 'There should be safeguards to ensure that children are not indoctrinated on school premises.'; 'Great in theory, but who is responsible for what happens? If it is the school... does this become subject to Ofsted? If it is the faith community, who decides what is taught and by whom?'

More public holidays

We propose more religious holidays in schools. Our original suggestion was that this could be done by 'clawing back' (say) 20 days from current school holidays and redistributing them as, for example, Easter, Divali, Eid, Passover etc, according to nationally or locally co-ordinated schemes. It is possible now for LEAs to set their own holidays, and some already recognise non-Christian holidays: Newham LEA has redistributed 4 days as religious holidays for faiths other than Christian, and other London boroughs have taken similar action. The total number of days off would not change and those who worked in schools and the tourist industry need not lose out. We believe that giving whole schools or whole LEAs days off for religious festivals is far less disruptive for pupils and teachers than merely permitting a minority of pupils and teachers to take days off while normal classes continue. However, the Local Government Association commissioned some research into the effects of holidays on learning and, as a result, did not recommend increasing the number of one-day holidays, though it recommended changes in school holidays which would include fixing the time of the spring holiday and giving just one or two days off for the moveable holiday of Easter³¹. It is also clear that teachers value the long summer holiday and would resent any change to that.

Our modified proposal, which we believe would be a significant symbolic sign of respect to minority groups in schools, is that six new holidays are created, one for each of the major non-Christian faiths and one for humanists and other non-religious people. (We proposed Darwin Day, 12th February, for non-religious people, and invited suggestions from religious groups for the other five.) At the very least, we suggest that religious holidays are taken into consideration when considering reforms of the academic year.

We also propose that these be public holidays, to be partially achieved by replacing some existing bank holidays that have no apparent significance. More, and more pluralist, religious holidays in the workplace would send out a strong positive signal to religious minorities in our

³¹ LGA (2001) *Report of the Independent Commission on the Organisation of the School Year*

community and increase goodwill towards them. We have fewer (8) public, or bank, holidays than many other countries, and expanding the number of public as well as school religious holidays would enable parents to spend these holidays with their children.

It is also essential that school and public examinations acknowledge religious holidays in their time-tables.

Responses

One participant in the IPPR seminar remarked, "They never time-table exams on Christmas Day, but frequently do so on important Jewish holidays." It was also noted that the proliferation of public exams (SATs, GCSEs, A1 and A2 et al) has not helped. The QCA has a good record of consultation on SATs, but the examination boards need to improve their practice.

44% of respondents to our consultation agreed with these proposals in principle, but many foresaw immense practical difficulties in selecting which holidays to celebrate. Few offered suggestions, though some simply suggested more holidays, unrelated to any particular religion. More agreed that examination boards should pay attention to religious holidays (77%) while acknowledging the difficulties: 'In 2002, Shap lists 11 [religious holidays] in the exam period.' Comments included: 'Why six new holidays? Why not sixty?'; 'Religious holidays that follow the moon are very disruptive.'; 'Would Muslims want to celebrate Yom Kippur?' One organisation suggested more flexibility for LEAs and schools, together with national guidance.

Respecting other cultural requirements

'Schools should be reasonable, considering the needs and preferences of different religions and cultures.' (Letter from Stephen Timms, Minister for Schools, 11/2/02). We agree, and believe that many accommodations are possible within the current system and would satisfy religious minorities while making little or no difference to the majority population and costing little or nothing. Some schools need to become more sensitive, and good practice needs to be more widely disseminated and adopted, even in schools with very small minority populations.

Our proposal here is that all existing guidance is brought together, strengthened, and reissued under one cover, so that parents, governors, teachers, heads and inspectors become more aware of it. Some suggestions:

School uniforms should be flexible enough to permit religious and cultural differences, for example, the wearing of turbans or hijabs. This is possible now, and DfES guidance draws attention to equality issues and requires sensitivity 'to the needs of different cultures, races and religions'³², but matters such as uniform are the responsibility of school governing bodies. We recommend stronger guidance to school governing bodies on the human rights implications of over-strict policies on uniform.

School canteens should provide food suited to all religious requirements, and schools should provide space(s) for children to eat food provided from home and for those undertaking fasts. DfES guidance³³ is that schools should provide for the dietary needs of 'customers' from religious and ethnic groups, but this is often not done. Legislation (*Education Act 1996*) already requires LEAs to provide suitable space for children bringing meals from home.

Single-sex classes should be provided where possible if required, for example for swimming or PE lessons, and separate changing rooms and showers for girls and boys should be the norm for all ages.

³² For example, *The Human Rights Act and Your School* (DfES 2001)

³³ Guidance for caterers produced at the same time as the *Education (Nutritional Standards for School Lunches) (England) Regulations 2000*

Sex and Relationships Education (SRE) should also be taught in single-sex classes where possible if required, and should be taught in a values framework that includes faith perspectives as well as secular ones. (The work of the Sex Education Forum should be helpful to any school planning SRE sensitive to the needs of a diverse community.³⁴)

Many **other school practices and procedures** which the majority take for granted may offend or exclude minorities. Schools should be sensitive, and where appropriate seek guidance from the wider community, when planning and considering any of the following: timing of parents' consultations; bereavement procedures and other kinds of counselling; extra-curricular events; visiting speakers; fund-raising and charitable activities; school celebrations.³⁵

Responses

These proposals, many of which are already implemented in some schools, particularly in multi-cultural areas, proved the least controversial, and were largely supported by respondents to our consultation. Schools are already being advised by the DfES to move in this direction. ‘Schools could try harder’ was one response, though some pointed out the difficulties of respecting the strictest dietary requirements (vegetarian options were suggested as useful), and that schools might require time and support to adapt. The most dissent was over the matter of single-sex SRE, which a few respondents thought a form of sex discrimination (though approved of by bodies such as the Sex Education Forum), albeit preferable to mass opting out. And some respondents pointed out the importance of such accommodations being ‘reasonable’ and respecting the ‘rights and best interests of the children, as opposed to their parents’ demands’.

Improving the training and professionalism of teachers

One of the more surprising and worrying findings of the Home Office report *Religious Discrimination in England and Wales* was that teachers are some of the most common perpetrators of religious discrimination. Many teachers do, of course, show considerable respect and consideration towards all the young people in their care, but some are insensitive and uninformed. We have two proposals to deal with this:

Firstly, that teacher training, both initial and in-service, should include training in multi-cultural awareness. Many at the IPPR seminar felt that teachers of all ages and levels of experience could benefit from this.³⁶

Secondly, that the General Teaching Council code of practice for teachers be made better known to parents and governors as well as to teachers, and enforceable.

Since our initial proposals in 2001-2, the General Teaching Council for England's *Code of Conduct and Practice*, which sets out minimum standards expected of registered teachers and is for use within the Council's regulatory regime, has come into effect (on 1 November 2004). “Unacceptable professional conduct” for teachers now includes “Where they: Seriously demean or undermine pupils, their parents, carers or colleagues, or act towards them in a manner which is discriminatory in relation to gender, marital status, religion, belief, colour, race, ethnicity, class, sexual orientation, disability or age...”³⁷

³⁴ Sex Education Forum *Faith, Values and Sex and Relationships Education* (October, 2002)

³⁵ We are indebted to Joy White's MA dissertation, *An Exploration of the Significance of Faith Group Identification for Non-denominational Schools* (University of Warwick, 2002) for many of these additional suggestions.

³⁶ A feeling justified by the DfES *Newly Qualified Teachers Survey* (2002), which found that NQTs rate least favourably the extent to which their training prepared them to teach pupils from minority ethnic groups (only 30% rating this good or very good). See www.canteach.gov.uk.

³⁷ Though the Code is still apparently not always known or enforced: for example: “I wasn't singing because it was a Christian song and I told the teacher that I didn't want to sing it because I am not Christian. So she put me in detention.” Muslim child, reported in Greg Smith *Children's Perspectives on Believing and Belonging* (University of East London and the Joseph Rowntree Foundation, October 2005).

Responses

With very few exceptions, these proposals were supported by respondents to our consultation (86%): ‘A strong case can be made for this. Many of the deeper prejudices of our society are reinforced by teachers.’; ‘Anecdotal evidence from members [of an interfaith group] suggests that instances of insensitivity to issues of faith and belief currently occur in both mainstream and religious schools.’; ‘I agree with this [but] there is the problem of accurate teaching of the teachers.’

Better procedures for dealing with complaints and suggestions

There should be a well-publicised channel for parents and carers to raise concerns or questions about a school’s practice. This should be seen as a consultation and conciliation process aimed at improving school practice: even where there are genuine grounds for complaint, they will usually have arisen out of ignorance or oversight.

Responses

95% of respondents agreed with this proposal.

Sharing good practice

A suggestion emerged from the seminar hosted by IPPR that schools that are particularly successful in accommodating a plurality of cultures and worldviews should be given the status of ‘beacon schools’ and their ethos and good practice should serve as models for other schools. In view of mixed feelings about ‘beacon schools’ we simply propose better dissemination and sharing of good practice, and point out that it is not just schools with large numbers of non-Christians that need to improve – indeed it is often those with small numbers from minority groups that do the least to accommodate them.

Responses

75% of respondents to the consultation agreed with this proposal, though some objected to the ‘divisive’ concept of beacon schools. Many thought that all schools, whatever their foundation, should implement good practice as quickly as possible and that it should be widely shared in a variety of ways.

Involving local people

We suggest the involvement of local religious and other groups in consultations about the exact nature of accommodations needed. Something along the lines of the present local Standing Advisory Councils for RE might be useful, though we point out that SACREs, by both design (*Circular 1/94*) and accident, are rarely properly representative of their communities, and would have to become more representative in order to carry out this role satisfactorily. SACREs, and other multi-faith and inter-faith groups, should, as a matter of course, include humanists, who represent a large section of the community, and representatives from minority religious groups that would otherwise be ignored. Giving SACREs, or a new kind of “religion and belief” forum, these new and important responsibilities might attract representatives from a wider range of groups, including very small, frequently disregarded, minorities.

Responses

73% agreed with the proposal that local religious groups should be consulted about the exact nature of these accommodations, possibly on the model of SACREs, but there were reservations about how representative such groups would be, and about the difficulty of getting local communities involved. Some respondents favoured national arrangements.

Reform of some aspects of the law, coupled with clear and firm guidance for schools

Overall, we recommend the necessary changes in the law (on collective worship and RE) coupled with good guidance for schools on all the issues raised in this report, so that parents, governors, heads and teachers become more aware of them. Ideally this guidance would be under one cover and come from the DfES, working closely with the Home Office, which has experience and expertise in the areas of community cohesion and religious equality. Ofsted would use this guidance as a benchmark.

Responses

Though it was accepted by an overwhelming majority of respondents to the consultation that guidance would be useful, indeed was badly needed by both governors and teachers, it was also pointed out that guidance could always be ignored and that statutes would always take precedence. There were also pleas not to increase the burden of bureaucracy on teachers. There was general pessimism about the possibility of changes in the law, reinforcing the message from our meetings and correspondence with Ministers and the DfES, where we have consistently been told that such legislation is not on the agenda.

Phasing out religious schools

We doubt that religious schools can be inclusive and accommodating in the ways we are suggesting, or that they can form strong enough links or partnerships with other local schools to develop genuine understanding between communities. We therefore propose that religious schools are phased out by absorption into a reformed community school system. They would lose their rights to have regard to religious belief in their admissions policies and be required to adopt the same approach to religion as community schools. (We note that this has something in common with policy urged by the Local Government Association³⁸). Those that would not do this would have to become independent.³⁹

If religious schools became genuinely inclusive, existing only as charitable institutions serving the whole community on the model suggested in this policy document, most of the objections to them would no longer apply. The consultation document therefore asked whether respondents thought that religious schools could implement genuinely inclusive policies.

Responses

Common responses to the questions on whether religious schools could implement inclusive and accommodating policies were: ‘Yes, if they wanted to’, and: ‘Some could (and do) and some could not (and would not),’ and some respondents gave examples of schools which were, in some respects, inclusive. Some drew attention to the huge range of ethos and practice within the religious schools sector, and others to the trust deeds of religious schools which constrain them in various ways. Comments included: ‘Changes in the law would be needed to require them to do this’; ‘In a society where people of different beliefs live in close proximity, it is vital that children learn about the beliefs of their neighbours as well as their own...It is very hard to see how [religious schools] can be true to their own faith and also operate an inclusive approach.’; ‘All children should have the freedom of choice and opportunity to independently assess religious activities in a pluralist environment away from parental pressure and close cultural influences. The freedom of choice of the child, not the parents, needs to be given the foremost consideration’. There was much support for the idea that all schools, regardless of status, should be accommodating, tolerant, inclusive institutions.

Although many outside the formal consultation agree that religious schools should be phased out, only 50% of written respondents supported this view. Some opposed expansion, but were pessimistic about the possibility of phasing out existing religious schools. Some minority religious groups continue to want their own state-funded schools, largely for reasons

³⁸ *The Independent on Sunday*, 4/11/02

³⁹ And the independent faith schools that are being encouraged into the state system by current Government policies (2001-2006), should also be required to operate non-discriminatory and inclusive policies on admissions, curriculum and employment.

of equity but sometimes because they believe that only religious schools can sufficiently affirm their religious beliefs; some support them on the grounds of parental choice or human rights; some are content with the overwhelmingly Christian status quo. Some who would like religious schools to be phased out would object to their becoming independent: ‘We agree, but with a major reservation. We would be concerned if most religious schools became independent instead of joining a reformed mainstream. The independent sector in education does not do anything for the cohesiveness of society and detracts from the inclusiveness of mainstream community schools.’

5 CONCLUSION

Questions remain: What would make more schools adopt better policies and practices? Is it a 'critical mass' – a numbers game – and will there be schools that say they do not need to do any of these things because they have hardly any minority group pupils? And is that fair on small minorities? Are such policies attractive enough for schools to embrace them willingly, or is a heavy hand – more guidance, more regulation, more legislation – needed? (At least some legislation is required to remove present restrictions on school worship and RE.) Can Ofsted focus more on inclusiveness, perhaps when inspecting Spiritual, Moral, Social and Cultural Development?

There will always remain a few minority groups whose requirements cannot be satisfied within the mainstream without detriment to the educational entitlements of the majority. Schools cannot be required to give up IT or dance or to accommodate 'creationist science'. Objections to some aspects of the National Curriculum may have to continue to be satisfied through case by case negotiation and withdrawal from classes. This is not ideal for the pupil, but more accommodating schools would make it far less frequently necessary.

Reflection and consultation have not altered our long-held beliefs that society would be better served by a common school system and that children are best educated together, though there have been some slight changes of emphasis and detail as a result of our consultation. Responses brought home to us some of the practical problems involved in change, but we continue to believe that those could be overcome if the will were there to do so. That these changes are not on the Government agenda does not mean that they should not be.

As Millar and Benn say, in their 2006 pamphlet, *A Comprehensive Future*:

There is no more powerful sight than the children of Muslim and Jewish, black and white, the most well-off and the poorest families, all walking through the same school gate in the morning. Imagine a history lesson on the legacies of colonialism or the holocaust, a discussion on social and economic equality or religious freedoms, where those participating bring the widest range of personal histories, in terms of social, faith, ethnic and family background, to the topics under discussion...⁴⁰

By learning with other children of different backgrounds, faiths and abilities young people learn how to operate within society, to respect both the strong and the vulnerable, and to understand and work with all elements of a community; this gives each child the strongest moral and intellectual basis for adult citizenship.⁴¹

⁴⁰ Benn, Melissa and Millar, Fiona, *A Comprehensive Future: Quality and Equality for all our Children* (Compass, 2006), p8

⁴¹ *Ibid*, p27

APPENDIX A – THE BRITISH HUMANIST ASSOCIATION

The British Humanist Association exists to support and represent people who seek to live good and responsible lives without religious or superstitious beliefs. It has a long history of concern for the common good and the development of an open and inclusive society, and of commitment to equality, human rights and social cohesion. It regularly participates in campaigns, working parties, committees and consultations (Government and other) on a range of issues that affect the interests of those it represents.

The BHA has always engaged fully with society, in different ways at different times according to our resources and the needs of non-religious people. At one time we founded and ran a housing association providing ‘part 3’ accommodation for elderly people and later a broader range of housing, providing for non-believers at a time when provision of such accommodation was largely in the hands of housing associations with religious foundations. For similar reasons, we started the Agnostics (later Independent) Adoption Society. Both organisations were merged with larger players in their fields when the need for special provision for the non-religious passed. Currently we are the largest provider by far of non-religious ceremonies – mainly baby-namings, weddings and funerals – with our scheme for training, accrediting and monitoring a large team of officiants.

We sponsor the Humanist Philosophers’ Group and the Humanist Scientists’ Group, and we maintain close links with the Parliamentary Humanist Group.

Humanist Principles and Social Philosophy

Humanism is the modern manifestation of an ancient ethical tradition dating back to Confucius, Epicurus and (in many ways) the Stoics, and continuing through the Renaissance and Enlightenment to the present day. It is an outlook that revives itself unfailingly because it is derived from human capacities and the shared experience of living together. It is non-religious, being based on reason and our shared humanity, but shares with most religions a concern with the ‘ultimate’ questions - the origins and nature of the universe and of life, the foundation and precepts of morality, and the recognition of values that transcend those of every day. It is founded on respect for knowledge and theories based on empirical evidence and rational (where appropriate, scientific) method, and on the rejection of doctrine based on revelation or unsubstantiated claims of authority.⁴²

Humanists therefore reject supernatural religion and hold that the moral sense is a natural phenomenon, in part due to our evolution as social beings. Although moral principles are not simply a matter of choice, humanists believe that their application needs to be examined as situations change, with moral questions resolved in accordance with these principles on the basis of the foreseeable consequences of actions. We see this as the prevailing – though unacknowledged – attitude in this country today. In polls about 30% of the adult population usually declare they do not believe in God (the wording of the question makes a substantial difference to the answers given: for example, a 1996 poll by MORI commissioned by the BHA found that as many as 57% of people in Britain did not believe in the existence of God). Humanism is, of course, more than atheism, but while our membership is only a few thousand, BHA membership is far from an essential part of living as a humanist, and we claim conservatively to represent at least 10% of the population, and to serve thousands of non-members every year through our non-religious ceremonies and our work in education.

As humanists we take personal responsibility for our own lives and actions and shared responsibility for those of the community in which we live. We value the autonomy of the individual and principles such as freedom of belief and conscience. We therefore embrace the ideal of the open society, which in the interest of individual freedom of belief wholeheartedly accepts a multiplicity of religious and other fundamental approaches to life, so long as they conform to the minimum conventions and values of society, but in its government and official functions maintains a disinterested impartiality between them. The open society is opposed (as Karl Popper argued more than half a century ago) to both historicist ideas of social determinism and totalitarian ideas of individual subordination to a ruling orthodoxy.

Thus, while we seek to promote the humanist life stance as an alternative to (among others) religious beliefs, we do not seek any privilege in doing so but rely on the persuasiveness of our arguments and the

⁴² See Humanist Philosophers’ Group (2002) *What is Humanism?* (BHA)

attractiveness of our position, and we recognise and respect the deep commitment of other people to religious and other non-humanist views.

We venture to suggest that these principles have much to recommend themselves at the present time.

We therefore reject the sort of social structure found in several European countries which are organised on confessional lines with taxes distributed to a limited number of religious and (sometimes) humanist bodies and some social services provided through such bodies. We reject it because it favours a selected group of dominant beliefs and tends to ossify society around them, placing artificial limits on choices and in particular bolstering historically and conventionally dominant groups by subsidising them by virtue of their default position after they have lost the true support of the majority of their nominal adherents.

We therefore oppose any suggestion that the present privileged position of the Church of England and of Christianity can be protected by extending similar privileges to a limited list of other religions. We see suggestions of this approach in the idea that the position of even a reduced number bishops in the House of Lords can be sustained by an understanding that ‘representative’ Sikhs, Muslims, Jews, etc should be appointed to the House.

Even if we did not reject this approach, the extent of religious privilege in the law and practice of England and Wales is far greater than would be justified by the extent of participation in religious worship, currently about 7.4% of the adult population⁴³ (to which a small addition needs to be made for the non-Christian religions).

The humanist approach to education - a summary

Humanists have for decades been engaged in the fields of religious and moral education in schools. In the 1970s we co-founded the Social Morality Council, now transformed into the Norham Foundation, and worked constructively through it with people from Christian and other traditions to seek agreed solutions to moral and social problems despite our disagreements on matters of fundamental belief. We were founding members of the Values Education Council and remain engaged in it. We have for many years been active in the Religious Education Council, in many Standing Advisory Councils for Religious Education and Agreed Syllabus Conferences (despite obstacles referred to in Appendix E), and many other organisations. We respond to Government consultations on education and have participated in working parties and meetings with the DfES, the QCA, Ofsted, the Department of Health Teenage Pregnancy Unit, and the Sex Education Forum. We can, we believe, fairly claim to have been influential in changing attitudes to religion in schools and now count as allies many people professionally engaged in education, including Religious Education, and from religious groups. We produce a wide range of material for use in schools, including a series of briefings on contemporary ethical issues and two teachers' booklets on “humanist perspectives”.

Our ideas about education are shaped by our basic beliefs. We see children as people with rights and responsibilities accruing to them progressively as they grow and mature. We do not see them as possessions of their parents or of the state, but we hold that both parents and the state (notably through its schools) have duties to help fit them for life as autonomous adults, making their own decisions, including decisions about fundamental beliefs, accepting the freedom of others to differ, and both contributing to and benefiting from the community. The state, through the school system, should neither come between parent and child nor compromise the child's autonomy or bias his/her judgement on essentially individual matters of fundamental belief. The community should provide education that helps children to develop knowledge, judgement and skills – including skills of moral thinking and citizenship. Schools should be impartial, fair and balanced in dealing with controversial subjects, religion no less than politics.

In our ideal society, religious belief would be a purely private matter, there would be no state religion, and the public arena, including schools, would be strictly neutral on religious matters. Schools would promote social cohesion and an open society, based on shared human values, whilst being genuinely inclusive and accommodating towards the religious requirements of those they serve, including tiny minorities. Otherwise, we risk a kind of tyranny of the majority, or of those powerful or well organised minorities that can insist on their own needs being accommodated while disregarding those of others.

⁴³ *Religious Trends, 2002-2003* (Christian Research, 2002). Figures have remained much the same 2002 - 2006.

The development of our current education policy

The advent of the *Human Rights Act*, the prospect of an expansion of the state-funded religious schools sector, and working with a range of multi-faith organisations, inspired some thinking amongst humanists. Our concerns arose out of our long-term opposition to religious schools, which we believe to be unnecessary, discriminatory and potentially divisive, but also out of humanist principles and concern for the common good and human rights. We wondered about the implications of those human rights for schools, where the “religious and philosophical convictions” of many and the right “to receive... ideas of all kinds”⁴⁴ are often ignored, and yet could be accommodated. Humanists questioned whether these rights could genuinely be observed in faith-based schools.⁴⁵ (See also Appendix C on human rights.)

It seemed clear to us that the cohesion of society was best served by schools where children could learn with, from and about each other⁴⁶, and so it seemed to us worth thinking seriously about how this co-existence could best be furthered, and how schools could become better at respecting the religious and philosophical convictions of their very diverse populations without fragmenting into separate schools for each belief group. We realised that policies that we had long promoted on grounds of justice and equality, for example changes to Religious Education and collective worship in schools, harmonised well with a more recent emphasis on human rights and social cohesion, but required some adjustment to allow for the proper rights of religious people.

Our policy proposals were drafted and presented to Government and the media in late 2001. In December 2001, BHA representatives, with Graham Allen MP, met Stephen Timms, Minister for Schools Standards, to discuss the proposals, and the meeting and the correspondence that followed was helpful in clarifying many of the issues. The proposals have also been presented informally to inter-faith groups, to humanist groups, and to the membership of the British Humanist Association, and more formally in public seminars, debates and conferences.

In March 2002, the Institute for Public Policy Research hosted a consultative seminar on the draft BHA policy proposals. Professor Marie Parker Jenkins of Derby University, contributor to the Home Office Research Study *Religious Discrimination in England and Wales* and author of *Children of Islam, a teacher's guide to meeting the needs of Muslim Pupils* (Trentham Books, 1995) presented some of her findings on religious discrimination in schools⁴⁷. A presentation from Sir Alan Davies, head of Copland Community School, followed. He showed how accommodation is managed in his multi-cultural north London school where over 40 languages are spoken and 11% of pupils are refugees, for example by setting aside space and time for Muslim prayers and by having a school ethos and assemblies which reflect and respect the many faiths and cultures within the school. This approach was popular with parents and the community and good for the self-esteem of the pupils. Pupils were committed to doing well and the school had received an excellent Ofsted report, particularly for Spiritual, Moral, Social and Cultural development.

Marilyn Mason, Education Officer of the British Humanist Association, then presented BHA’s policy proposals, and the invited academics and representatives from faith groups and organisations with interests in education then discussed each proposal. They made many thoughtful and constructive suggestions which contributed to the development of the policies, which were then turned into a consultation document. The responses to that consultation helped us to refine further the policies outlined in this report.

Although this 2006 edition contains much recent data that supports these proposals, the policies remain essentially unchanged. They have received much support, both within and beyond the humanist movement, and we believe that they continue to represent a feasible and desirable alternative to current Government policies which encourage fragmentation of the school system and selection by faith.

⁴⁴ *Human Rights Act and Convention on the Rights of the Child [CRC]*, adopted by the UN in 1989, ratified by the UK Government in 1991.

⁴⁵ See, for example, the Humanist Philosophers’ Group *Religious schools: the case against* (BHA 2001)

⁴⁶ “All children are a resource for their peers’ learning, and children from diverse cultural and religious backgrounds form a resource of great potential value in schools where their experience and knowledge are not widely shared. Teaching which drew on this resource sensitively was seen by our informants as effective in ... contributing to the development of mutual respect and understanding between ethnic groups.” Tony Cline, Guida de Abreu, Cornelius Fihosy, Hilary Gray, Hannah Lambert and Jo Neale, University of Luton (July 2002) *Minority ethnic pupils in mainly white schools* (DfES research brief 365). See www.dfes.gov.uk/research.

⁴⁷ See *Religious Discrimination in England and Wales*, Home Office Research Study 220 (2001), Chapter 3 on Education.

APPENDIX B – RELIGIOUS SCHOOLS

Some history

About one in three schools and one in four school places today are provided by faith-based organisations, primarily either as voluntary controlled or voluntary aided schools, within the publicly funded system. The so-called “dual system” is a relic of the days when church-run schools were the main – and often the only – local schools available. Throughout the nineteenth century, efforts were made to persuade Parliament to fund a system of universal education, but these were frustrated, in part by the churches themselves which saw a danger to their monopoly and shared the common prejudice of the time against educating the children of the lower classes above their station. (In Scotland, we note in passing, publicly funded schools were developed much earlier and the present situation there remains preferable to that in England and Wales.) When the 1870 Education Act was passed, the churches forced a compromise whereby they were given time to start their own schools, pre-empting any initiative by a local board of education.

The school system continued to be subject to inter-denominational strife until the 1944 *Education Act*, negotiated with difficulty by R A Butler. Under that Act, the distinction between voluntary controlled and voluntary aided schools was introduced. The former had a less marked religious character and were totally financed from public funds; the latter retained considerable religious privileges and received all their running costs and 50% of their building costs from the public purse.⁴⁸ That contribution has steadily risen since, with current contributions from public funds being 100% of running costs and 90% of building costs. The “Building Schools for the Future” programme announced in 2004 led to the further concession from the Government that it would fund 100% of rebuilding and refurbishing costs incurred under the programme. The current small size of the churches’ financial contribution would in 1944 have been seen as undermining their claim to the privileges they still enjoy in voluntary aided schools.⁴⁹

The arguments against

Faith-based schools pose major risks for future social cohesion by contributing to segregation and lack of understanding between religious (and non-religious) and ethno-religious groups. Religion can be a powerful force for division and conflict in society, and religious schools are, these days, often ethnically identified. Faith-based schools, particularly Church of England ones, also tend to select by social class: their marginally superior academic results and their better disciplinary record and “ethos” are no more than should be expected given their intake, with its strong bias towards committed, aspiring parents and a lower proportion than average of children from deprived families and pupils with special educational needs (see below).

The main educational argument against faith-based schools is a simple matter of principle: the proper role of publicly-funded schools should be to prepare children for adult life as citizens of a complex, pluralist society. Schools should take care to be impartial, fair and balanced when controversial subjects are discussed, and it is as wrong for publicly funded schools to promote particular religious faiths, making claims for their truth that are heavily disputed, as it would be for them to promote particular political viewpoints. Schools should respect the autonomy and rights of their pupils, preparing them in due course to make their own mature decisions about their beliefs and values⁵⁰. We recognise that parents generally wish their children to adopt their own values and beliefs and, sharing that attitude ourselves, we respect their wishes. However, we also respect the autonomy of the individual, even when young, and we deplore the way that some parents seek to close rather than open options for their children, and to keep them in ignorance of, rather than to inform them about and help them appraise, alternatives⁵¹.

⁴⁸ LEAs, in exercising their power to provide subsidised transport for or meet the transport costs of pupils travelling long distances to schools, are required (*Education Act* 1996, s.509) to have regard in deciding whether to do so “to any wish of his parent for him to be provided with education at a school or institution in which the religious education provided is that of the religion or denomination to which his parent adheres”, and such cases are generally decided in favour of the pupil. While they have discretion to deal similarly with pupils travelling to community schools chosen on conscientious grounds where the nearest schools are religious in character, in law they are not required to have any particular regard to such cases and in practice they rarely choose to exercise their discretion.

⁴⁹ See Harry Judge (2001), ‘Faith-based Schools and State Funding: a partial view’, *Oxford Review of Education*, 27:4; Marie Parker-Jenkins, Dimita Hartas and Barrie Irving (2002) *In Good Faith: A Critique of Religious Schools and Public Funding*.

⁵⁰ See Humanist Philosophers’ Group (2001) *Religious Schools: the case against* (BHA)

⁵¹ Our view is exactly contrary to that of the Plowden report: “Children should not be taught to doubt before faith is established”. Central Advisory Council for Education (England) (1967) *Children and their Primary Schools* (HMSO)

Of course, we do not wish the community through its laws or officials to interfere with what parents do in this way at home, that being a dangerous interference with individual liberty. Our policy, therefore, deals only with the maintained school system (including voluntary aided schools and voluntary controlled schools), save to say that we strongly support applying the same standards to private sector schools as to those in the public sector. Some independent religious schools appear to have abysmally low standards of education as well as acting primarily as religious seminaries. In the BHA's recent response to the DfES consultation on the registration and monitoring of independent schools we suggested that all independent schools, including religious ones, should: employ qualified teachers; offer a sound and balanced curriculum appropriate to age and ability and equivalent to the National Curriculum; prepare pupils for adult life in a pluralist society; and submit to regular inspection.

It should be evident from our general approach that we do not believe it would be right to run humanist schools. We approach this issue from a view of what is right for the community as a whole, not seeking sectional advantage, which would be contrary to our principles.

There are, then, both educational and social arguments against religious schools. Below we develop some of these and take issue with many of the assumptions and arguments often put forward in their favour.

- **Better academic results?**

The Government green paper *Schools Building on Success* (2001) welcomed Church of England proposals for a hundred extra church secondary schools because "they have a good record of delivering a high quality of education".

In every example of "better Church schools" that we have been confronted with (for example the London Oratory School, Catholic schools in Newham, St Christopher's high school, Accrington), the schools turn out to have a better than average intake⁵². Any selective school can achieve better than average results, and Church schools are often selective. On average, they take less than their share of deprived children and more than their share of the children of ambitious and choosy parents. This covert selection goes a long way towards explaining their apparent academic success. "Selection, even on religious grounds, is likely to attract well-behaved children from stable backgrounds," said a spokesperson for Ofsted⁵³.

A study by think tank Iris (November 2005) found that many primary schools in England take in pupils whose family circumstances are very different from the neighbourhoods they serve. One school with only 10% of pupils on free meals was in a postcode with over 45%. Overall, non-religious community schools tended to have slightly more poorer pupils than expected. Church schools had fewer. Catholic schools, in particular, had almost 9% fewer poor pupils than in their neighbourhoods.

Non-religious maintained primary schools have 20.1% of their pupils eligible for free school meals; Church of England schools have 11.3%, Roman Catholic have 15.6%, other Christian schools have 13.95%, and other religious schools 13.5%. There is a similar pattern in maintained secondary schools, where non-religious schools have 15.4% of pupils eligible for free school meals, while Church of England schools have 11.6%, Roman Catholic schools have 14.6%, other Christian schools have 6.8%, and other religious schools 18.5%^{54, 55}. The Statistical Directorate of the National Assembly for Wales, faced with similar figures in 2001, concluded: "Analysis of levels of examination performance in comparison with levels of free school meal entitlement shows that once the different levels of free school meal entitlement are taken into account, the differences in GCSE/GNVQ examination performance and absenteeism [between Church and other schools] were not statistically significant."⁵⁶

⁵² See for example: London Oratory School prospectus, quoted in *New Statesman*, 15/10/02; "Religious schools debate", *Times Educational Supplement*, 2/11/01

⁵³ *Times Educational Supplement*, 16/2/01

⁵⁴ *Maintained primary and secondary schools: number and percentage of pupils known to be eligible for free school meals*, January 2005, London Government Office Region and England

⁵⁵ Similarly, faith schools take fewer than average children with special educational needs: in primary schools 16% compared to 18.9% in non-religious schools; in secondary schools 14.1% compared to 17.1% in non-religious schools. (Percentages of SEN pupils, by type of school, DfES figures, 2005)

⁵⁶ Statistical Directorate of the National Assembly for Wales (2001) *Church School Secondary Education in Wales, Examination and Attendance Data, 2000*, SDB21/2001

A research project carried out by the National Foundation for Educational Research⁵⁷ found that Jewish schools were linked with good pupil progress, and Church schools tended to have above-average results for English, “but for other outcomes their performance was not consistently distinguishable from that of non-religious schools”. The paper also commented that “measures of pupil background...[in previous research] are necessarily crude and may underestimate the difference between pupils attending each type of school.” This is an important factor which needs to be borne in mind when considering the findings from all research (including our own) related to faith schools.” The researchers suggested that higher *total* GCSE scores in Church schools could be accounted for by their encouraging their most able pupils to take additional GCSE subjects (including, possibly, RE). There was little difference in *average* GCSE scores. Although the researchers had access to national value-added data, they noted that there were some variables, such as ethnicity, numbers of children for whom English was not the first language, and levels of parental support, on which they had no data.

Another detailed study⁵⁸ tracking the number of pupils in specialist schools eligible for free school meals over a five-year period, showed that religious foundation schools started with below-average proportions and became progressively more exclusive. The authors commented “however neutral the school admissions policies are except with respect to religion, religious schools are attracting or ‘selecting’ an increasingly privileged intake”.

It does not, of course, require academic studies to be aware of the social selection in church schools, and in other schools such as academies, perceived by some parents to have advantages. It is notorious that middle-class, ambitious parents go to great lengths to secure even a marginal advantage in schooling for their children. The head of a church school in Oldham was “happy to admit that many ‘Church of England’ parents actually attend services with the express purpose of winning a place at his school. Applicants need a reference from their vicar, and only a handful are from ethnic minorities...” “As [he] admits with astonishing candour, the religious beliefs of many of the middle class parents who secure places there vanished the moment the children leave school.”⁵⁹

Church schools benefit from perceived marginal educational advantages which attract an increasing proportion of middle-class, aspiring applicants. This improves the learning environment and examination results, thereby increasing the original attraction and reducing the likelihood of pupils from deprived backgrounds entering these schools, a process reinforced by sibling preference in admissions policies. This “virtuous circle” for church schools is necessarily complemented by a “vicious circle” of deprivation for some local community schools, and cannot be endlessly replicated.

- **A better ethos?**

Similar points can be made about the better discipline and ethos often claimed for religious schools. Having supportive parents who share the ethos of the school and a selected intake tend to reduce discipline problems. Religious schools do have a religious ethos, and their teachers do often have an enviable confidence in their moral values, but teachers in community schools frequently have these too, and the values and successes of community schools are too often underestimated. Moral education is too important to be left solely to religious schools, and schools’ ethos and values can be based on shared human values rather than on religion. There is no “magic ingredient” in religious schools, as the head of a C of E school revealed in *The Independent* on 15/6/01: “The fact that we select those who are supported by parents is the key defining factor in the kind of pupils we send out into the world.” Again, this is not a benefit that could ever be universal.

Those church schools that operate inclusive admissions policies in difficult neighbourhoods often share the same social problems and poor discipline as other schools⁶⁰.

⁵⁷ Ian Schagen, Sandie Schagen (2002) *The Impact of Faith Schools on Pupil Performance* (NFER)

⁵⁸ Stephen Gorard and Chris Taylor (2001) *Specialist Schools in England: track record and future prospects* (Cardiff University School of Social Sciences)

⁵⁹ News item and leader, *TES*, 22/6/02

⁶⁰ For example, the boys’ Catholic secondary St Joseph’s Academy came out of special measures in June 2005, after a record-breaking 11 years in the “cause for concern” category. Ofsted confirmed that it had spent longer in the “cause for concern” category than any other school (*TES*, 23/9/05).

- **Service to the whole community?**

Religious organisations, particularly the Church of England, often claim that they do not favour their own religion, that they serve the communities around them, and welcome pupils of other faiths (and even, sometimes, none).

This may have been true of some Church schools until recently. But the Archbishops' Council's report⁶¹ *The Way ahead: Church of England schools in the new millennium* (2001) "confirmed the crucial importance of the Church schools to the whole mission of the Church to children and young people, and indeed to the long-term well-being of the Church of England". It recommended reserving places for Christians and that Church schools should become more "distinctively Christian", with a mission to "Nourish those of the faith; Encourage those of other faiths; Challenge those who have no faith". The recommendation that church schools function as "distinctively Christian institutions" means that they will have difficulty in serving the whole community. Whatever claims they make that they are not explicitly evangelising, the Christian ethos and the confessional nature of worship and religious education in many Church schools will mean that there will be pressure on children to conform and that such schools can never be as inclusive as might like to be. However open their admissions policies become (as suggested by the Local Government Association and by the Secretary of State for Education Estelle Morris to the Church of England General Synod on November 14, 2001), they will remain unsuitable for many children. When only 7.4% adults go to church on an average Sunday⁶² such overtly Christian schools cannot serve the whole community. As Canon John Hall, general secretary of the Church of England board of education, has said: "The Church intends that its schools offer distinctively Christian education and are open and inclusive of all who seek such education"⁶³ – a definition of "inclusive" that excludes many. Indeed, one Church of England school's response to a complaint from a parent over discrimination against their pupil, received by the BHA in 2006, explicitly cited *The Way Ahead* in justifying the conduct of the school, highlighting that the report recommended a church school be 'distinctively and recognisably a Christian institution'.

In 2005, 6292, or 35.6%, primary schools had a religious character; of these 4468 were C of E and a total of 6258, or 99% were Christian. 593, or 17.5%, secondary schools had a religious character; of these 201 were C of E, and a total of 582, or 98%, were Christian. As even more Christian schools are created, it worsens discrimination against other religions and provokes more demands for publicly funded schools for other religious groups. The policy of the Church of England is moderate in comparison to some other churches and religious groups. The Salvation Army, the Roman Catholic Church, the Seventh Day Adventists, and other well-funded evangelical or fundamentalist groups will find irresistible the offer of almost total public funding for schools in which they can promote their narrow atypical beliefs to children.

The same considerations apply when non-Christian religions are taken into account: Islamic and Hasidic Jewish schools are not usually known for their objective treatment of religious questions. The religious education given in their schools, like that in schools run by fundamentalist Christians, is not wholly motivated by educational considerations, and the fervour with which they promote their beliefs will certainly be unrestrained by comparison with the average Anglican, or even Roman Catholic, school.

Religious schools discriminate against everyone not of that faith – in their admissions and employment policies, their curricula, and their assumptions about their religion (and the beliefs of others). Some faith-based schools will not even try to serve the whole community, and will divide children not just by religion but also ethnically – especially if Muslims, Sikhs, Seventh Day Adventists and other minority religions and denominations get more than the tiny handful of schools they have now. Northern Ireland, Bradford and parts of Scotland are examples of communities where children are educated separately (in Bradford by chance rather than design) and so grow up knowing little of each other, thus perpetuating inter-communal divisions.

It is not, in our view, a proper function of the Government, in spending public money, to subsidise religious evangelism and discrimination. It offends the principles of the open society and it denies a proper impartial education to the children who attend such schools.

⁶¹ Archbishops' Council (2001) *The Way ahead: Church of England schools in the new millennium*

⁶² *Religious Trends*, 2002-2003 (Christian Research, 2002). Figures remained much the same 2002-6.

⁶³ TES, 7/9/01

- **Choice and diversity?**

Choice is rarely feasible in small communities, and even in larger ones choice for one group is usually at the expense of another. Religious schools choose their pupils, rather than the other way round, and a proliferation of religious schools will decrease choice for the majority of parents, unless they are prepared to join, or pretend to join, a religion. The National Union of Teachers, in its response to the Government green paper *Schools – Building on Success* (June 2001), illustrated the effects on parental choice of the expansion of Church schools combined with other Government initiatives:

“One city, in the North West, has: 1 Catholic secondary school; 2 Church of England secondary schools; 1 City Technology College; and 1 Community School. The two Church of England schools are already specialist schools, focusing, in turn, on modern foreign languages and sport. The Community Secondary School itself has just applied to become a specialist school in arts. In all secondary schools in that town, there could be, in one form or another, selection by aptitude or faith in varying degrees.”

Lack of choice is a matter of immediate concern to humanists and other non-believers insofar as the local school, occasionally the only realistically available one for their children, is sometimes a faith-based school.

Proposals in the Government’s Schools White Paper of October 2005 seem unlikely to improve the situation; indeed they seem likely to increase the number of quasi-independent state-funded schools, including faith-based schools, operating their own admissions policies.

- **Minority rights?**

It is understandable that, with 6840 (in 2005) publicly-funded Christian schools, members of other faiths are demanding public funds for their schools as a right. The argument for more religious schools based on equity and justice is a persuasive one: if there is Government funding for Christian schools, there ought to be funding for other religions too. (That is emphatically not an argument for increasing the number of Church schools, which would merely increase the injustice against other religious groups.) One argument against extending funding to other religious groups is that the schools they would provide would be very different in kind from those provided by the Church of England.⁶⁴ We have argued so above, but it is a difficult argument to pursue without offending almost every religious provider (including some Anglicans who would not wish their schools to be seen as anodyne).

Another argument, based on the rights and entitlements of children, is that their right to an education that opens windows onto a wider world should override community desires to preserve and transmit beliefs and cultures through the school system. Yet another is that the need to work towards a cohesive and tolerant society should take precedence over the demands of some members of minority groups. There is often a gulf between the religious segregation that older generations and “community leaders” want, and what young people in those groups want, and informed commentators from many different groups support the humanist view that children have rights too and are best educated together, with culture and beliefs being transmitted at home or outside the main school curriculum. Over a decade ago, Bradford’s first Asian mayor said ‘I don’t want separation in any form... What we want is accommodation of our cultural needs, especially in the education system.’⁶⁵ We suggest that our proposals for accommodation within the community school would satisfy the needs of most religious groups without segregating them from the mainstream.

For us, the equity / justice argument is a good reason for rethinking the status quo. Many people have said to us, “We wouldn’t start from here but...” We would like influential people to consider seriously changing the starting place, that is, phasing out all religious schools.

(See also *Other concerned groups and individuals* (below) and Appendix C *Human rights and religion in schools*.)

⁶⁴ See Harry Judge (2001), ‘Faith-based Schools and State Funding: a partial view’, *Oxford Review of Education*, 27:4.

⁶⁵ Cited in Marie Parker-Jenkins, Dimita Hartas and Barrie Irving (2002) *In Good Faith: A Critique of Religious Schools and Public Funding*

- **Divisiveness**

Segregation of religious groups, leading to lack of mutual understanding, carries grave social risks. Religions often claim that religious duties supervene over civic ones⁶⁶ and ardent religious belief has led to serious conflict in too many places to list, coming close to home in Northern Ireland, while on Merseyside and Clydeside it has fostered divisions and occasional violence. Educating pupils in religious isolation tends to foster suspicion of those who do not share their beliefs, which can be exploited by, for example, Islamic extremist groups such as have been highlighted in the wake of September 11th 2001 but which existed long before.

We consider that the danger of faith-based schools aggravating racial tensions is too great to risk. David Blunkett MP, former Secretary of State for Education and former Home Secretary recognised those risks: speaking on *I'm not racist but . . .* on Channel 4 television on 22 September 2001, he said: "Should we have ethnically divided schools? Should we have faith schools for the Islam and Sikh community and Hindus when we have them for the Jewish and for the various Christian denominations, or would that create a divide? Faced with that contradiction I modestly agreed to some schools from faiths coming into the state and being public, but by doing so risked actually continuing to reinforce that divide. So I plead guilty to the contradictions and to the schizophrenia that we're all faced with."

Minority groups sometimes claim that their children are bullied and victimised in community schools, and it is true that bullying exists in all schools, and that racial or religious differences can be triggers for it. This is an issue that all schools must take action on – such bullying is not inevitable. We suspect, however, that religious schools are not immune from bullying, though the excuses and reasons for it will differ. The avoidance of victimisation is not in itself a reason to seek segregated education, and may in fact increase prejudice and victimisation in the community outside schools. The head teacher of one multi-cultural school, in West Yorkshire, said in September 2001: "In this school pupils learn how to trust each other, and we hope they take that out with them into the community. I cannot believe they would ever turn upon one another."⁶⁷

There are suggestions that the Department for Education and Skills acknowledges the risks, with its recent emphasis on inclusiveness and partnerships, though little that can convincingly counter divisiveness and fragmentation within the school system has emerged. However, pious hopes from Westminster are unlikely to change the way faith schools behave in the absence of any adequate controls or regulations. As the Secretary of State said after the Bradford riots "...we need to do some serious thinking . . ."⁶⁸ That serious thinking appears not yet to have started; our future social cohesion remains in jeopardy.

School Organisation Committees⁶⁹

Every local education authority is required by law to appoint a School Organisation Committee, and decisions about starting, merging or closing schools in the maintained system rest with this committee, subject to reference in defined circumstances to an adjudicator appointed by the Secretary of State. Membership of the School Organisation Committee is laid down by law in the *Education (School Organisation Committees) (England) Regulations 1999 (Statutory Instrument 1999 No. 700)*; it consists of five required groups and one optional group, each of which has one vote on the Committee. One represents the local education authority, another the Church of England, another the Roman Catholic Church. Another represents the Further Education Funding Council, and the fifth represents local schools through selected school governors, with guaranteed representation for four categories of school (community schools, foundation schools, religious voluntary schools other than C of E and RC schools, and non-religious voluntary schools), as long as at least 5% of local children attend schools in the category. A final group may be appointed by the LEA to represent any other single section of the local community determined by the authority.

⁶⁶ "Own group identified...Those who are high on this profile identify strongly with their religion... [and] are least interested in environmental issues. They are also less likely to vote, now or in the future, or to take part in demonstrations. They have the lowest rate of participation in recent community and political activities..." (*My voice, my vote, my community*, ESRC study of young people's civic action and inaction, November 2005)

⁶⁷ Article on a successful multi-cultural school in Dewsbury, West Yorkshire, *TES*, 7/9/01

⁶⁸ *Breakfast with Frost*, 15/7/01

⁶⁹ The Government's Schools White Paper (2005) seeks to abolish these.

The two main providers of religious schools therefore have two votes of a total of five (or six) in the local committees that make decisions about the creation of new religious schools, and other religious schools have a role in determining a further vote through the schools group.

We have the strongest objection to the provision in the *School Standards and Framework Act 1998* that decisions on school organisation should be assigned to these local committees on which the Church of England and the Roman Catholic Church have two votes and the local education authority only one, especially given that the decisions to be taken by these committees will include the handing over of community schools to the churches and the funding of new faith-based schools. This is fundamentally undemocratic, and an invitation to what most would see as prejudiced and self-interested decision-making. It is also a matter of immediate concern, given the Church of England's plans to open (or, more likely, take over) a large number of maintained schools.

Other concerned groups and individuals

A selection of examples and quotations from the many (from across political, religious and educational spectrums) who have expressed concern about religious schools follows⁷⁰, including extracts from several parliamentary select committees. For this revision, we have included examples from 2003-5, which demonstrate that anxieties expressed before *A Better Way Forward*'s first publication in 2002 continue undiminished.

David Ritchie, chair of the enquiry into riots in Oldham in 2001, wrote: "...segregation is a matter of deep concern since it lays the foundations for lack of contact with and understanding of people of different ethnic groups. This in turn invites misconceptions and social divides..."

In the Oldham secondary sector are two Voluntary Aided Church of England schools and two Voluntary aided Roman Catholic schools...With the exception of St Augustine's [which has opened up 10% of its places to non-Catholics] these schools are not making a significant contribution to integration between Asian and white communities and, in our view, are contributing institutionally to division within the town.
(*Oldham independent review*, sections 5.21 and 5.23)

Lord Ouseley, in his report on race relations in Bradford, written before the riots in that city, referred to "signs that communities are fragmenting along racial, cultural and faith lines. Segregation in schools is one indicator of this trend . . . There is 'virtual apartheid' in many secondary schools . . . People's negative attitudes about each other are formed and influenced in education . . ."

Ted Cantle, Chair, Community Cohesion Panel, Letter to *The Guardian*, 16/6/04: "...recent research suggests segregation in schools has increased. There has also been some evidence that faith has been used as a means of excluding pupils from non-white backgrounds and many schools - faith and non-faith - do not reflect the neighbourhoods they serve. Segregated schools would be less of a problem if they were balanced by integration in other parts of daily lives. School segregation is often compounded by separate housing, places of worship, employment and social and cultural facilities, leading to the problem of "parallel lives" described in my report."

Andrew Bennett MP, Chair of the Commons select committee on Community Cohesion, R4 Today programme, June 2004 "Children live totally parallel lives. You start off with separate schools, then you end up with separate health centres, you end up with separate supermarkets. What we want is for children to have a good understanding of each other's culture, and separating them in schools is not going to be a good idea."

Trevor Phillips, chair of the Commission for Racial Equality, told *The Guardian* (9/1/05) that "he agreed with [Chief Inspector] David Bell that faith schools should be doing more to encourage diversity by promoting tolerance of other cultures... 'We can choose whether we want to bring our diversity together in a rainbow or whether we allow our differences to fester into separate cultures and separate communities...'"

⁷⁰ More quotations, from politicians, teachers, unions, academics and others, can be found in a constantly updated collection, *Religious Schools – Useful facts, statistics and quotes*, at www.humanism.org.uk.

Bhiku Parekh wrote in *Prospect* in September 2005 "...Residential concentration is worrying when it is involuntary, confines immigrants to their own communities, schools and businesses and rule out all but minimal contact with the rest of society... If residential concentration persists, ways need to be found to encourage ethnic mixing in at least some of the other areas of social life such as schooling or work... All national integration is forged locally and local school play an especially crucial role in creating a common sense of belonging..."

When that anxiety [about assimilationism] is allayed by a programme of multicultural education, an important reason for their segregation is removed. This should also remove the demand for separate ethnic and religious schools, which sometimes stand in the way of a common sense of belonging. And if such schools exist, they should be required to teach a common curriculum and promote intercultural understanding. Indeed when the state explicitly commits itself to multicultural education in state schools, it acquires the moral right to demand it in minority schools as well."

Professor Harminder Singh, President of the Sikh Divine Fellowship: "It is the confusion between religion and politics that has caused problems in places like Israel and Kashmir. I don't agree with the idea of separate religious schools either. I understand that there are people who want to have Muslim schools, Hindu schools, and Sikh schools. But this is a hindrance to getting communities properly integrated. What we will have instead is segregation." (*Guardian* on-line discussion, 2001)

Another Sikh, Naman Prewal, from Hounslow, was reported in *TES* (12 October 2001) as strongly criticising the policy of increasing the number of faith-based schools and won applause at the Conservative party conference for saying religion should be kept at home, rather than taught in schools.

Rabbi Jonathan Romain in *The Times*, 1/10/05: "The problem with faith schools is not their purpose but their consequences. They may be designed to inculcate religious values, but they result in religious ghettos, which can destabilise the social health of the country at large. Even those faith schools that genuinely try to reach out to the wider community and teach good citizenship still segregate Jewish, Muslim or Catholic children from each other and bring them up in what amounts to an educational apartheid system. Lack of contact leads to ignorance of each other, which can breed suspicion and produce fear and hostility. The best way of finding out about members of other religions is not by reading books, but by mixing with them. I want my children to sit next to a Sikh in class, play football in the break with a Methodist, do homework with a Hindu and walk to the bus stop with a Muslim before returning to their Jewish home. That way they will see how much they have in common, realise where they differ, and find each other interesting rather than threatening. It is equally important for Catholic and Muslim youngsters to understand why my children are Jewish and what that means. Moreover, it is not just the children who are being cut off from each other in faith schools, but parents too."

Julia Pascal, playwright, said in *The Guardian* (13/12/01): "I was brought up in 1960s Manchester and Blackpool as a northern English Jew, exposed to a wide multiculturalism before the word was invented... This worry about separation comes from my own experience. Judaism and Islam are profoundly patriarchal religions and girls will never have the opportunity to taste the choices offered in the secular world if they are restricted to single faith schools and prevented from mixing with other cultures... Why not abolish all faith schools and remove the morning religious service from state schools? Let's go for a completely secular system and leave religion to the home."

Rabbi Lionel Blue, on *Thought for the Day*, R4, 29/8/05: "I'm sympathetic [to one-faith schools] ... but I worry lest they turn into partisan or class ghettos, so I think they ought to provide places for a sizeable minority of children, Christian or otherwise, of other faiths or none. By respecting their spiritual needs, pupils, teachers and parents would teach themselves what pluralism really means in practice and what it requires from all of us..."

Clive Lawton, executive director of Limmud, chair of development charity Tzedek , and former head teacher of King David high school in Liverpool , TotallyJewish.com, 27/10/05: "... do our schools do enough to encourage their pupils to fit into the modern multi-cultural society to which we all aspire and from which Jews are bound to benefit? For example, how many Jewish schools – I know some do, but I suspect only the minority – regularly invite visitors from other religions to address their children? How many make a point of reminding their children how important it is to do jury service or pay taxes? Do they encourage their children to get involved in local, national and international political concerns, not just to protect Jewish interests but because they are British citizens?"

The Muslim peer Lord Alli has said that the events of September 11th underlined the need for Britain and other countries to reduce “fear and tension” within their own communities. “Anything which encourages isolation and segregation in communities through education – where people usually have the chance to learn about co-existence – is a recipe for disaster.” (*The Times*, 22/9/01)

Another Muslim, Ghulam Shazad, community worker and school governor in Rochdale, said that the religious needs of children are met after school in the mosques and said: “If we have single-faith schools I am concerned that it will not help the growth of children. If you live in a multi-cultural, multi-faith society there must be interaction.” He would prefer religious teachers to come into schools for 45 minutes a day to ensure that Muslims had access to proper faith education. (*TES*, 3/5/02)

Yasmin Alibhai-Brown, the Muslim social researcher and commentator, in her thoughtful analysis of multiculturalism (*After Multiculturalism*, The Foreign Policy Centre, May 2000) wrote: “Traditional multiculturalism proposes the path of least resistance to deal with the many anachronisms, protections and privileges which the Church of England receives. Most importantly, traditional multiculturalists believe that equity means that funding Church of England, Roman Catholic and Jewish schools must also mean state funding for Muslim and Hindu schools where there is sufficient demand, as there often clearly is. After Multiculturalism, we need to take a different approach - to fairly represent the society we live in without breaking it up further into minority groups aided and abetted by the State. The Church of England would be disestablished; the blasphemy laws should be scrapped, not extended, and there should not be state funding for state schools of any religion.”

Fareena Alam, in *TES*, 25/6/04: “... a strengthening of local democratic culture is needed, where schools become sites where daily negotiations over difference and identity take place openly, between equals. The Muslim community must turn their educational agenda from faith schools to concern for the future of state education. It is in our interests to see a progressive system where harmony and understanding run deep thanks to dialogue and meaningful encounters... little attention is being paid to the role state schools can play as agents of cohesion. A bold and creative approach is needed to turn our schools into enablers of citizenship.”

Dr Ghayasuddin Siddiqui, leader of the Muslim Parliament of Great Britain, 20/1/05, urged the country’s 100 Islamic faith schools to review the “core values” they are teaching. He backed chief inspector of schools David Bell, who warned on Monday that Muslim schools must not be allowed to undermine the coherence of British society.

Dr Siddiqui said: “Muslim schools will be doing a great disservice to their pupils if they do not attend to the criticism made by the chief inspector of schools.”

He added: “It is time that Muslim schools seriously consider admitting a proportion of children from other faiths to give their Muslim pupils an atmosphere of reality.” Muslim children would learn from an early age that they live in a multi-cultural society if they are interacting on a daily basis with non-Muslim children, he said. “The way some of the children are taught in Muslim schools they come out feeling they don’t have to interact with anybody,” he said.

Yasmin Alibhai-Brown, in *The Independent*, 24/1/05: “All of us have a right to religious practice and a cultural heritage but not live as states within the state. Racists do not believe in common humanity, neither do cultural or religious separatists. And where Muslims go, others will follow. More faith-based schools, more separate community projects, more bitterness.”

Freida Hussain MBE, Leicester head, reported in the *TES*, 13/5/05: ‘Over the past decade, secondary schools here have polarised along religious lines. “There is a divide,” says Mrs Hussain. “I have no easy answers to that.” She has spoken out against the creation of a voluntary-aided Islamic school in Leicester, and was reported by the school’s sponsors to the Commission for Racial Equality for her views. Politicians in the city and nationally are trying to be politically correct, she says, and “signing up to things that long term will not help to build bridges... If those children have only been to school with other Muslims, how will they have the social skills to move into further education and the world of work?”...’

Ziauddin Sardar, in *New Statesman*, 25/07/05: ...Two other Muslim institutions also need to change - faith schools and charities. Muslim faith schools, while doing an admirable job, often engender the mentality of exclusiveness in their pupils. "I fear," says Abdool Karim Vakil, chair of the Muslim Institute's Brainstorming Symposium, "that they are not producing rounded individuals who can relate to broader British culture." The only way for such schools to promote healthy multiculturalism is if they have a large non-Muslim intake. Vakil suggests that it should be mandatory for Muslim schools to accept at least 20 per cent of their pupils from other faith groups.

Arzu Merali, a researcher for the Islamic Human Rights Commission, in October 2005 reported found that fewer than half of 1,125 British Muslims in a recent study wanted their children to attend schools of their own faith. ...Gender was a factor that showed a slight difference between preferring Muslim schooling to mainstream schooling.

- 42.9% of females (from a total of 410 female respondents) preferred Muslim schooling
- 49.7% of males (from a total of 724 male respondents) preferred Muslim schooling.

Mona Siddiqui, a director of the Centre for the Study of Islam, the University of Glasgow, in *The Sunday Times*, Scotland, 18/12/05: "If supporters of faith schools think state schools are failing Muslim children, it might just be that Muslim communities themselves are failing their young. What evidence do we have that the intellectual and social stagnation we see in so many Muslim communities has anything to do with the failure of state education?"

A British Hindu, Mr Ganesh Lal, wrote to *The Times* (17/12/01): "I certainly do not want separate schools; I certainly do not want to be treated any differently from the rest of the population, and I do not want to be represented by a Hindu 'parliament'. I do want to enjoy and to celebrate freedom of worship, freedom under the law and the great tolerance of the British people."

Some Christians have also rejected the policy. Matthew F Smith wrote from the **Unitarian Church** Headquarters to *The Independent* on 10 September 2001: "Not all faith communities welcome the prospect of an increase in the number of state-funded religious schools. The move is strongly opposed by the General Assembly of Unitarian and Free Christian Churches. As religious liberals, Unitarians see the proposals as a retrograde step which can only impede the integration of Britain's pluralist communities and may well contribute to social tension . . . Rather than encouraging sectarian schooling, such as exists in Northern Ireland, the Government must focus its undivided attention on improving schools across the board."

The General Assembly of Unitarian and Free Christian Churches in 2001 adopted a motion affirming "the value of education taking place in a multi-faith and non-sectarian environment. For this reason we oppose any move by HM government and the Scottish Executive to support any increase in the number of schools with a religious foundation."

The Priest in Charge of St Peter's, Petersham, Richard Bentley, wrote in a letter to *The Independent* (15/2/01): "In its indecent haste to benefit from the Government's misguided delight in church schools, the Church of England is colluding with forces which continue to divide society and disinherit children. Church members should only feel shame at the repeated assertion that the quality of church schools is somehow superior to the love and professional dedication shown by staff in state schools...It is these schools, truly open to applications from all races and religions, which have the moral and professional authority to claim that they have at heart the good of our whole society."

And a **Methodist minister**, Rev Paul King, wrote to *The Observer* (6/1/02): "Methodist ministers are not supposed to agree with Professor Richard Dawkins, and often I do not, but he is quite right to oppose faith schools. He is absolutely right to flag up the inappropriateness and even danger of encouraging faith schools, which are almost bound to encourage attitudes that we desperately need to eradicate. Can we not learn to bring our children together at an early stage, to affirm their common humanity and, yes, provide them with a first class education in religion and ethics, not on the basis of a single faith but on the basis of needing to know and understand all options?"

As to the way religious schools promote segregation, **Menzies Campbell MP** referred on *Question Time* BBC1 (27 September 2001), to his experience of "education divided on religious lines" in Scotland and

spoke of the risks of being “brought up to believe in the exclusivity of your own religion”, and a woman in the studio audience referred to fights between her Roman Catholic and a neighbouring Anglican school. In a phone-in vote after a **BBC Radio 4 Straw Poll** programme on faith schools, broadcast on 9th and 10th August 2002, 66% of listeners voted against religious schools, with 34% in favour.

Rev Tim Robinson, Letter to *TES*, 10/1/03: “...I teach in a Middlesbrough school which is comprehensive in name only. Growing numbers of more able pupils are creamed off by selection to city technology colleges. A new city academy opened in the town in September this year. A further one, a Christian foundation, opens at the beginning of the next academic year. We cannot compete with these colleges’ resourcing or their ability to select... So much for inclusivity (a profoundly Christian principle). I believe that the Church should be working within the whole educational framework and not creating comfortable ghettos from which many are excluded...”

The Revd Stephen Jones, Carnforth, Lancs, Letter to *The Tablet*, 8 February 2003:..”The fact is that popular schools which are meant to be comprehensive in character are choosing which pupils they are prepared to educate. The interview system is wide open to abuse which is almost impossible to check upon... Every year the system produces considerable numbers of people who are disappointed and disillusioned (I use this word deliberately and carefully). Church schools, if they are oversubscribed, are frequently offending against natural justice...”

Paul Patrick, head of Cardinal Wiseman RC high school, Ealing, in *TES*, 25/7/03: "I am still appalled and ashamed by some of the admissions procedures in Catholic schools nationally the covert selection of more academic kids and the turning away of those with special needs. If one of the criteria is how often parents read in Mass, what chance does a single parent working in a supermarket in Southall have?"

Father Sumner, former Chair of the Oldham Inter-Faith forum in evidence to the Select Committee of Office of the Deputy Prime Minister, reported May 2004: “Where schools become almost all white, or exclusively so, and almost all one faith, or exclusively so, and people choose to go there precisely because they do not have to mix with people of other faiths, I think there is a problem about cohesion.”

Canon John Hall, the Church of England’s chief education officer, said in *Church Times* , 21/1/05: “...Anglican schools educated children of all faiths and none, but it was unlikely that minority faith schools would take in many pupils from other traditions...”

Margaret McGowan of the Advisory Centre for Education, has said: “In selecting children for state-funded faith schools, head teachers are only supposed to ask questions about a family’s commitment to religion. But some make innocent-sounding inquiries about, for example, where they go on holiday, or what type of car the parents drive.” The article in which this appeared (*Bella*, June 2000) reported her claim that “their aim is to select middle-class parents in the belief that they’ll produce better-performing pupils. That, in turn, will keep the school high in performance league tables.”

Lynn Gadd, headteacher at Copthall comprehensive girls’ school in north London, which has a wide ethnic and religious spread, including some Jainists and a large number of Muslims, said that many faith schools try to teach tolerance for other religions, but they start with a disadvantage. “We have it easy,” she says. “It’s fine for us to be a varied and supportive community. Tolerance is best bred in a non-faith school. Faith schools give strength to one faith and weaken the others. What we can do with all these faiths is draw the parallels and draw them together.” (*Guardian Education*, 13/11/01)

Pupils in discussion groups run by the Save the Children Fund also expressed the fear that Government plans for more religious secondaries would increase racism. One said: “I like all religions and faiths - this will increase racism. This is a very bad idea.” and another said: “It would be a good idea if people from different faiths went to the same school so we could learn from each other.” (*TES*, 17 August 2001).

Sixth-formers of all communities surveyed for the Ouseley enquiry in 2001 showed a desire to mix across racial divides and frustration at “not knowing any Asians” or “not meeting any white people”.

And **another pupil** wrote to *The Guardian*: “I attend a C of E state secondary. Most of our assemblies are led by either the school chaplain or a visiting vicar, and a recent series has been on ‘the benefits of being a Christian’. You could say my religion is that of not having one, but this belief was dismissed by speakers,

and generalisations like 'most atheists get depressed and commit suicide' were made. Not very tolerant of my faith, is it? I had assumed that the purpose of RE was to learn about religions. But in this faith school, if we tackle an issue such as 'can war be justified?' the Christian viewpoint will be discussed but not the Buddhist or Hindu or Islamic views. I'm in year 10 at one of the three faith schools chosen to act as a model for the government's 100 or so new ones. This worries me, because although the teaching quality is very good, we have never recognised Ramadan, Diwali or any non-Christian festival. If I have a human right to practise my own religion, it certainly doesn't feel that way."

John Dunford, general secretary of the Secondary Heads Association, *The Guardian*, June 2004: "To create a stable, multi-cultural society we need successful multi-cultural schools and not a proliferation of single-faith schools."

Education and Skills Select Committee Fourth Report, 22 May 2003: "Faith schools have, uniquely for providers of generalist education in the maintained sector, been permitted to interview applicants and their parents in order to ascertain religious affiliation and commitment where this is explicit in the admissions requirements. Professor Richard Pring of Oxford University told us that research on this practice has suggested that "selection based ostensibly on 'faith' skewed the social class intake of Church schools". This may in turn account for the marginally higher than average academic achievements of pupils in faith schools. A recent study by Professor Anne West and Audrey Hind at the London School of Economics on the operation of overt and covert selection in school admission [*Secondary school admissions in England: Exploring the extent of overt and covert selection*] found that 10% of Voluntary Aided schools reported interviewing parents and 16% reported interviewing pupils."

Mary Candless, Director of Policy at the Northern Ireland Council for Voluntary Action, in evidence to the Select Committee of the Office of the Deputy Prime Minister, reported May 2004, expressed concerns about the growth of faith schools: "We have separate schools. I was amazed, when the debate on faith schools was being held in the media, that there was never any reference to Northern Ireland . We have a system of faith schools which has failed entirely to promote any form of social cohesion."

The Office of the Deputy Prime Minister's select committee 2004 report on the race riots in Oldham, Bradford and Burnley in 2001: "There are many schools whose students do not reflect the range of cultural groups in their locality and so do not help to promote social cohesion. This is a result of parental choice, the quality of some schools and the growth of faith schools." Parents often have misconceptions about multicultural schools, the committee said, believing that they performed worse than schools which attracted pupils from a single ethnic background. The MPs said that single-faith schools "tended not to see their role in promoting social inclusion". Evidence from Northern Ireland suggested that they were a force for segregation.

"Evidence to the Inquiry raised concerns that, while faith schools could instil high standards in both morals and behaviour among young people, few tended to promote social cohesion unless there were determined policies to promote integration through the curriculum."

Margaret Hodge MP, work and pensions minister, *Guardian* et al, 15/10/05: Faith schools should be shut down unless they agree to engage with pupils of other faiths...Faith schools should be required to support tolerance and integration. "We need Ofsted to ensure the curriculum and values of faith schools are consistent with the national curriculum and with promoting tolerance. We should insist on admissions policies that do not exclude those of other faiths..."

APPENDIX C – HUMAN RIGHTS AND RELIGION IN SCHOOLS

Humanists note with approval that the *Human Rights Act*, the *European Convention on Human Rights*⁷¹ and the European Community directive against discrimination in employment and occupation⁷² (and hence the Employment equality (Religion or Belief) Regulations 2003), use the terms “religion or belief” or “religious and philosophical convictions” thus including humanists. Litigation (including a UK case in 2000)⁷³ has established this breadth of interpretation. Regrettably, some of these rights currently apply rather narrowly, for example only to public authorities. The Equality Bill of 2005/6, soon to pass into law, addresses some of these issues, but exemptions from the provisions for religious schools are regrettably wide.

In general, however, a culture where rights are more fully understood and assertively demanded and where there is more consistency of application, should be anticipated. If rights are a good thing and irrelevant or unfair discrimination a bad thing, as is widely accepted, there is good reason to include everyone, in as wide range of contexts as possible, in the protections and obligations that ensue. Many of these rights still need interpretation and testing, and may have implications for schools that have barely been explored yet. If they are not it will be to the detriment of some minority groups, as most parents have neither the money, time or desire to drag their children into extended legal battles over these issues, and so may be denied their rights. But institutions that pride themselves on their moral values, as schools quite rightly do, should perhaps enter into the spirit of such legislation rather than wait to be challenged on it.

Children’s rights

It may seem paradoxical to use human rights to argue against religious schools, but less so if one begins with children’s rights as expressed in the *Convention on the Rights of the Child (CRC)*, adopted by the UN in 1989, and ratified by the British Government in 1991.

- **“States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child’s parents, legal guardians, or family members.” (CRC, Article 2, 2)**

The exclusion of children from religious schools on the grounds of parental belief must be contrary to the intentions of the *CRC*, and a proliferation of religious schools will increase discrimination on the grounds of family belief. For example, the admissions procedures of many church schools discriminate in favour of Christians, as does an Anglican ethos that claims to “nourish those of the faith, encourage those of other faiths, and challenge those of no faith”⁷⁴. A recent correspondent to the BHA wrote of her daughter: “She and a group of friends, all atheists or Jewish, began attending church, with children in tow...one Jewish mother who could not bring herself to attend is now regretting it as she is not being offered acceptable school places. My daughter’s hypocrisy and the required letter from the priest have paid off...”

- **“In all actions concerning children...the best interests of the child shall be a primary consideration.” (CRC, Article 3, 1)**
“...the education of the child shall be directed to... the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups...” (CRC, Article 29, 1d)

The expansion of religious schools could result in more children getting a limited type of education, preferred by their parents but not necessarily in their best interests. In practice, by dividing children by religion and narrowing down their experience, some religious schools will prepare their pupils for segregated

⁷¹ “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance” [Article 9]

⁷² Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, which at Article 1 “lay[s] down a general framework for combating discrimination on the grounds of religion or belief, disability, age or sexual orientation as regards employment and occupation”

⁷³ ‘Following Arrowsmith v UK (1978) 3 EHRR 110 and Kokkinakis v Greece (1994) 17 EHRR 397, Article 9 embraced not only religious beliefs but also non-religious and humanist beliefs and referred not only to the holding of such beliefs but also to some extent to the expression thereof.’ - *re Crawley Green Road Cemetery, Luton - St Alban's Consistory Court: Dec. 2000*

⁷⁴ Archbishops’ Council (2001) *The Way ahead: Church of England schools in the new millennium*

lives with limited future options. Humanists question whether all religious schools can really commit and contribute to a “free society”, “equality of sexes” and “tolerance”.

- **“States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.” (CRC, Article 12, I)**

Will local children be included in consultations on proposed religious schools? Will parents consider their children’s views about attending such schools? How much are children’s opinions being taken into account? The young are often critical of the amount and representation of religion in schools; for example, only 16% of pupils like school assemblies, 41% dislike them, and 55% thought they should be able to choose whether to attend⁷⁵. Children do not currently have the right to choose – rights of excusal (from collective worship and RE), are, in fact, only parental rights.

And young people, including those from ethnic minorities, generally favour integration, as shown in a survey by Save the Children⁷⁶ and in reports by Ted Cantle and Herman Ouseley:

“We have been particularly struck by the views of younger people, who, in strong terms, emphasised the need to break down barriers by promoting knowledge and understanding of different cultures.

...Many of those we spoke to preferred integration on many levels and those who had experienced schools with a mixture of faiths, races and cultures were very positive about that environment...”⁷⁷

“What was most inspiring was the great desire among young people for better education, more social and cultural interaction ... Some young people have pleaded desperately for this to overcome the negativity that they feel is blighting their lives and leaves them ignorant of other cultures and lifestyles...”⁷⁸

- **“The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds...” (CRC, Article 13, I)**

This sounds educationally uncontroversial, and would be admirably assisted by the inclusive school assemblies and impartial, fair and balanced Belief and Values Education we advocate. It is less evident that current practices in schools conform to the spirit of these statements. It is also questionable whether children in all faith-based schools have this freedom. Some doubtless do, but some faith-based schools exist in order to protect children from ideas that are different from those of the parental faith group, or disapproved of by that group. Religious schools and academies are not obliged, as community schools are by law, to teach Religious Education covering the principal religions of this country (though even that is woefully narrow when one considers the diversity of beliefs that children could and should learn about in a plural society). The Humanist Philosophers’ Group suggests that “in a free and open society, beliefs about fundamental religious and value commitments should be adopted autonomously and voluntarily”⁷⁹ but some religious schools are unlikely to accept that.

⁷⁵ Economic and Social Research Council (1999) Children 5-16 Research Briefing: Civil Rights in Schools (ESRC)

⁷⁶ Reported in “Young sceptics say faith schools breed racism” (TES, 17/8/01)

⁷⁷ Ted Cantle (2001), *Community Cohesion* (Home Office)

⁷⁸ Herman Ouseley (2001), *Community Pride not Prejudice* (Bradford Vision)

⁷⁹ Humanist Philosophers’ Group (2001) *Religious schools: the case against* (BHA)

Parents' rights

Up to now, parents' rights (and choices) have tended to take precedence in the debate about religious schools, though it is questionable whether they should always trump other good ends such as children's rights or the cohesion of society, or whether the proposals to increase diversity of school provision will in fact be effective in securing parental rights.

- “...In the exercise of any functions which it assumes in relation to education and teaching, the state shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.” (*Human Rights Act 1998 [HRA], First Protocol, Article 2*)

Although this clause has been used to argue for diversity of provision and parental choice, it could in fact be better used to argue for common schools that respect many beliefs and offer facilities and opportunities for observance and teaching in conformity with them. Religious schools are unlikely to secure real choice. It is often the school that chooses the pupil rather than the parent that chooses the school, so parents may not get the education they want for their child even where there is, supposedly, choice. Choice tends to favour large well organised groups, and there will always remain many places where religious minorities are too small to demand or sustain their own schools. And choice or rights for one group often limit the choice or rights of everyone else; for example, there are parts of the country where it is already difficult to find an ordinary (non-church) maintained primary school. Humanist (and other) parents could well complain that the act of worship and current Religious Education syllabuses compromise their rights as parents to have their children taught “in conformity with our own religious and philosophical convictions”.

Amnesty International UK has said of this Article that it “guarantees people the right to access to existing educational institutions; it does not require the government to establish or fund a particular type of education. The requirement to respect parents' convictions is intended to prevent indoctrination by the state. However schools can teach about religion and philosophy if they do so in an objective, critical, and pluralistic manner.”⁸⁰

The Humanist Philosophers' Group suggests that “neither parents nor faith communities have a right to call upon the state to help them inculcate their particular religious beliefs in their children...”⁸¹

- “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or in private, to manifest his religion or belief, in worship, teaching, practice and observance.” (*HRA, Article 9, 1*)

Presumably “everyone” includes children, but it is unclear how these rights can be adequately respected in religious schools, many of which exist to support and perpetuate one faith rather than to permit the observance of other religions, freedom of thought or changes of belief. Certainly religious schools will be better at permitting the practice of their own religion and at affirming that religion than community schools are, though that raises the question of whether this is rightly the business of the state.

Some vigorous opposition to religious schools has come from women of Asian backgrounds who complain that religious schools stem from an undemocratic multi-culturalist model that would deny them the right to change, or to integrate or assimilate, if they want to:

“For girls, single-faith schools can become yet another agency that polices their behaviour. Who defines these so-called values and culture? The British state is once again identifying Asian tradition and values with those of the patriarchal forces within the community and excluding other voices that challenge those stereotypes...”⁸²

⁸⁰ Amnesty International (September – October 2000), *Amnesty*

⁸¹ Humanist Philosophers' Group (2001) *Religious schools: the case against* (BHA)

⁸² South Asia Solidarity Group and Asian Women Unite! (2002), *Statement*

It is not only religious schools that infringe the right to “freedom of thought, conscience and religion”. Most community schools give pupils little or no opportunity to practice or observe any religion other than Christianity, and children do not have the right to opt themselves out of religious observance on grounds of belief or conscience. Much appears to depend on the religious beliefs of the head teacher, or, in the case of academies⁸³, on the religious belief of the main sponsor:

“When pupils start their first year at Emmanuel College in Gateshead, Tyneside, they are given a list of items they must bring with them: ruler, pens, pencils, compass, calculator - the usual paraphernalia.

But there is another, rather unexpected, pair of items on the list: two Bibles, the Holy Bible: New International Version and the Gideon New Testament and Psalms . These must be carried by Emmanuel College students at all times. ‘Sometimes there were checks,’ said 17-year-old former pupil Hollie Brown. ‘You were punished if you didn't have your Bible. It was like some sort of cult.’ Certainly some of the school's practices appear to come close to brain-washing. Each week pupils must attend two-hour ‘Special Lectures’ concerning spiritual subjects and use these as the basis of a compulsory long essay at the end of the school year. No backsliding is permitted.”⁸⁴

Practices such as these appear to be both discriminatory (against non-Christians) and an infringement of the right to freedom of conscience.

- **And finally, the *Race Relations (Amendment) Act 2000* places a duty on public authorities, including Whitehall departments and local councils, that they “shall, in carrying out its functions, have a due regard to the need (a) to eliminate unlawful racial discrimination and (b) to promote equality of opportunity and good relations between persons of different racial groups.”**

It is difficult to see how religious schools can assist this process, when some of them, because of the existence of ethno-religious groups, will divide children racially. The Government's rather belated recognition of this problem has led to its demand for inclusive policies and for partnerships between schools. But if inclusion and partnerships are genuine and thorough, the *raisons d'être* of many religious schools will be undermined, as some religious groups have already realised. If they are not, some religious schools will not meet their legal obligations to avoid discrimination and promote good race relations.

We have been assured by the Home Office that the *Human Rights Act* and the *Race Relations (Amendment) Act 2000* apply to providers of services on behalf of public authorities, even if (for example) that provision has been contracted out. It would be interesting to know whether the DfES regards the trustees of faith-based schools (and the growing number of academies and other quasi-independent schools) as bound in this way.

⁸³ Although they are nominally independent schools in law, all running costs for CTCs / academies such as Emmanuel College are met by the DfES: “There are no continuing financial obligations on CTC or Academy sponsors beyond the initial contribution to capital costs. However, CTCs are required to meet at least 20% of the costs of any capital project funded by the Department.” (DfES written reply to Graham Allen MP, 19/7/02)

⁸⁴ *The Observer*, 17/3/02.

APPENDIX D – COLLECTIVE WORSHIP AND SCHOOL ASSEMBLIES

The law on collective worship: its history up to the present day

There was no legal requirement for an act of worship in what are now community schools before the 1944 *Education Act*⁸⁵. That Act's emphasis on religion in schools was seen by many as a symbolic act of piety at the end of a long war. At that time there was a much more uniform population, with very widespread (at least nominal) adherence to the Christian religion. The social context has since changed out of recognition. Many schools adapted to the changes in the nature of society during the 1960s and 1970s by reducing the religious element of their school assemblies and substituting generally acceptable reflections of a moral character, but this process was arrested and reversed by the 1988 Education Act in a reactionary provision almost universally deplored.

The most recent legal statement of the requirements for collective worship is contained in the 1998 *School Standards and Framework Act*. These build on similar requirements in Section 346 of the 1996 *Education Act*, the 1988 *Education Reform Act*, and Section 25 of R A Butler's 1944 *Education Act*, where the legal requirement for collective worship began. Section 70 of the 1998 Act states that, subject to the parental right of excusal or other special arrangements for their child, "each pupil in attendance at a community, foundation or voluntary school shall on each school day take part in an act of collective worship." Schedule 20 to the 1998 Act gives more detailed information on the worship requirements, which are for worship of a "wholly or mainly of a broadly Christian character." It notes the different practical arrangements that are allowed: "a single act of worship for all pupils or separate acts of worship for pupils in different age groups or in different school groups." A "school group" is defined as "any group in which pupils are taught or take part in other school activities".

Circular 1/94 (Welsh Office Circular 10/94), paragraph 63, advised that a "broadly Christian" act of worship must contain some elements which relate to the traditions of Christian belief and which accord a special status to Jesus Christ.

Our criticisms

The guidance given in *Circular 1/94* has been singularly unhelpful to schools wishing to develop inclusive school assemblies. The law and guidance do not respect the rights and consciences of non-Christians: teachers who feel obliged and pupil who are obliged (unless their parents excuse them) to attend a religious act of worship that for very many will have no meaning and will sometimes be conscientiously objectionable⁸⁶. Why should non-Christians attend a Christian act of worship? Why should atheists attend any form of religious ceremony? Why should heads and other teachers take on a priestly role, one which many detest? The BHA view, shared by many religious groups and teaching unions is that worship is out of place in schools. The repeated demands of recent Education Acts for collective worship that is "wholly or mainly of a broadly Christian character" are unworkable, hypocritical, counter-productive and divisive. Ofsted has reported widespread non-compliance, particularly in secondary schools, and called worship and prayer "problematic" notions for schools.⁸⁷

We do not see it as more than a mitigation of a basically wrong practice – indeed, an implicit admission that the law seeks to impose on everyone practices that are acceptable only to a section of the population – that the law allows a minority of acts of worship to be other than Christian and allows schools to apply for a "determination" allowing a variation of practice that may better suit the religious make-up of their pupil population.

The law does give a right of excusal, but only to parents and (most) teachers. Most humanist parents prefer not to exercise it, since to do so might mark their children as different and dissenting; they might besides

⁸⁵ There were requirements, however, that if any act of worship were conducted it should be non-denominational.

⁸⁶ The Handbook to the Hampshire RE Agreed Syllabus as long ago as 1980 noted that "For a significant number of pupils Assemblies for Worship are the most objectionable example of compulsion the school offers. For them, such Assemblies involve not only constraint but hypocrisy and infringement of their integrity."

⁸⁷ Ofsted (1998) *Secondary Education*; and David Bell, Her Majesty's Chief Inspector of Schools, in a speech on 21/4/04 (published by Ofsted) said: "At present more than three-quarters of schools fail to meet this requirement [for daily collective worship]." More than half the secondary schools in Wales inspected in the past four years broke the law by failing to pray every day, a BBC survey revealed in December 2005.

miss opportunities for Spiritual, Moral, Social and Cultural development, and information given out at the school assembly. Pupils themselves, even over the age of majority, have no right of excusal.⁸⁸ This appears to run contrary to the *Human Rights Act*⁸⁹, which guarantees freedom of religion or belief and offers protection to individuals against discrimination based on religion or belief by public authorities.

Many representative and expert organisations object to the statutory act of worship, as was shown when the Religious Education Council, the National Association of SACREs and the Inter-Faith Network jointly sponsored a national consultation. *Collective Worship Reviewed* (1998) proposed reform based on a statutory requirement for regular assemblies of a spiritual and moral character in place of the present act of worship, and was supported not only by the British Humanist Association but also by large majorities of respondents to each of the three sponsors, and by the following:

Christian Education Movement
Professional Council for RE
Conference of University Lecturers in RE,
Association of RE Inspectors, Advisers and Consultants.
National Association of Head Teachers
Secondary Heads Association
Association of Teachers and Lecturers
National Association of Schoolmasters/Union of Women Teachers
National Union of Teachers
Local Government Association
Society of Education Officers
Values Education Council
National Confederation of Parent Teachers Associations
Methodist Church
Free Church Federal Council
Buddhist Society
Sikh Education Council
Board of Deputies of British Jews

Only three organisations – the Muslim Education Trust, the Evangelical Alliance and the Church of England Board of Education – failed to vote for this option or either of the others on offer, simple repeal of the law or the *status quo* – while the Catholic Education Service voted for the *status quo*.

What do we want?

While we are against school acts of worship, we are strongly in favour of inclusive school assemblies, which can contribute to the Spiritual, Moral, Social and Cultural development of all pupils, not least in building shared values and a sense of community. Many educationalists agree with us, many schools do indeed practise this, and some SACREs and resources for assemblies offer very good advice on how to conduct inclusive assemblies. The BHA has also developed advice which we make available to the many teachers who seek help from us on this subject. It is a pity that practice which is workable, honest, and educationally and socially valuable, remains illegal and subject to criticism from Ofsted.

We would like to see changes in legislation which give schools much more flexibility about how they conduct assemblies, the withdrawal of *Circular 1/94*, and new guidance from the DfES recommending inclusive assemblies, suitable for all.

⁸⁸ Nor do many teachers feel they have an effective right, since to stand on their legal rights would impose extra duties on their colleagues, and could affect promotions and careers.

⁸⁹ “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.” (Article 9.1, *ECHR*)

APPENDIX E - RELIGIOUS EDUCATION

The law on RE

Religious Education is legally distinct from all other school subjects, being required in all maintained schools but not part of the National Curriculum: its syllabus is, uniquely, prepared by statutory local committees (Agreed Syllabus Conferences) of a quasi-political nature. There has been substantial change and improvement in its nature since the first decades after the 1944 Act, when it usually amounted to confessional Bible study. Religious *Education* (very different from Religious *Knowledge* or Religious *Instruction*) moved towards a more open and objective study of belief systems, including non-religious ones, in the 60s, 70s and 80s, but that reform was set back by the 1988 *Education Reform Act*, which was in many ways a backlash. The law currently requires that:

- Religious education should be taught to all pupils, except for those withdrawn at the wish of their parents.
- As part of the curriculum, religious education should promote the “spiritual, moral, mental and physical development of pupils”.
- Religious education in community and voluntary controlled schools should be taught in accordance with an agreed syllabus.
- An agreed syllabus should “reflect the fact that the religious traditions of Great Britain are in the main Christian, while taking account of teachings and practices of the other principal religions represented in Great Britain”

The law was interpreted by *Circular 1/94*, issued as guidance to LEAs by the DfES. On RE, it states, “The law has always maintained that syllabuses must be non-denominational. Accordingly, they must not require teaching by means of any catechism or formulary, which is distinctive of any particular religious denomination.”⁹⁰ Teaching about a particular catechism or formulary, for example as part of a comparative study, is not prohibited. Syllabuses must not be designed to convert pupils, or to urge any particular religion or religious belief on pupils.”

The Editor of the *British Journal of Religious Education* described the 1988 *ERA* at the time as “the most obscure and complicated piece of RE legislation in the history of this country.”⁹¹ Partly because of this, and partly because of the local nature of the management of RE, interpretations of the law and practice vary considerably.

Our criticisms

Broadly, our criticisms of RE as now practised and as exemplified in many local syllabuses, are as follows:

- Although no longer confessional in approach, and so to that extent educational, many local RE syllabuses confine themselves almost exclusively to what they regard as the “principal religions” (Christianity, plus Islam, Judaism, Sikhism, Hinduism and Buddhism) and teach about them largely in their own terms. In 1944 “Religious Instruction” meant Christianity. Today, RE embraces religions from across the world but usually ignores the beliefs of those with a non-religious life-stance, most of whom, implicitly or explicitly, share a humanist philosophy. We find it extraordinary that Buddhism, which in essence is a non-theistic life stance adhered to by only a tiny minority in the UK, should be so fully covered, while Humanism is excluded. This is an anachronism in a society where religious belief serious enough to express itself in attendance at a place of worship is now confined to well under 10% of the population⁹² and where explicit unbelief is common.
- The QCA has recommended in its non-statutory National Framework for RE (2004) that “there are opportunities for all pupils to study: ... secular philosophies such as humanism”, and the Framework has many more broadly inclusive statements in its introductory sections and guidance on

⁹⁰ This follows closely section 26 of the 1944 *Education Act*.

⁹¹ John Hull (1989) *Editorial, British Journal of Religious Education* (Vol. 11: 3, Summer, 1989)

⁹² Approximately 7.4% of adults attend a Christian church, to which something has to be added for non-Christian religions (*Religious Trends*, 2002/2003 table 2.14.1., Christian Research, 2002).

the various key stages than previous national guidance – a response, we believe, to our own work in the field. However it has so far offered no guidance on what to teach about Humanism and the non-statutory nature of the Framework means that it may be ignored, partly or completely, by local syllabus conferences and by those responsible for RE in faith-based schools.

- The message still conveyed by many RE syllabuses and text-books (strengthened by the curious title of Attainment Target 2, “Learning *from* Religion”) is that the choice for pupils is between one of these six religions. Thus, though the QCA is justified in claiming that RE does not “promot[e] one religion over another”⁹³, and that it “values diversity” and “respect for all”⁹⁴, it does still promote religious belief over non-belief.
- As well as the subject title, the language often used in RE suggests to non-believers that they are exceptional and excluded (for example, by talking of “faiths” and “religions” where a broader term such as “life stance” or “philosophy” or “belief” or “worldview” would be inclusive of them). When it states or implies that religion is the sole basis of morality, RE excludes and offends the non-religious.
- There is usually little or no social or historical context for the study of religions, and rarely any external view or comparisons.
- There has been a narrow legal interpretation of the term “Religious Education” in many syllabuses, as being education about religions (usually the “principal” six) and not education about religion. This means that the nature of religious belief lies outside most of them.
- Despite the omissions described above, syllabuses are usually overburdened with factual content, because so much detailed knowledge about each “principal religion” is required, making the subject difficult to manage and less than interesting. This is one reason for the frequent criticism of RE as unstimulating, repetitive, and less demanding than other Humanities subjects⁹⁵.
- For many of the above reasons, RE tends to alienate and undermine rather than encourage “feeling confident about their own beliefs and identity” amongst the many pupils from a non-religious background – as many as 65% of 12-19 year olds have described themselves as atheist or agnostic⁹⁶.

The 2004 non-statutory National Framework for RE, if widely accepted as a framework for local syllabuses, would do much to improve the situation.⁹⁷ However, its recommendations would still not apply to faith schools and to state-funded independent schools such as academies.

The rise in numbers taking GCSE and A Level Religious Studies is often cited in defence of the status quo. However, GCSE figures can be explained by the popularity of the GCSE short course route to an RS qualification in schools which are judged on numbers of GCSE passes and which are legally obliged to offer RE to all their pupils. At A level RS it is not the study of religion or religions that is growing in popularity; it is, overwhelmingly, the study of modules on ethics and the philosophy of religion⁹⁸.

⁹³ QCA (2000) *Non-statutory guidance on RE*

⁹⁴ QCA (2004) *Non-statutory National Framework for RE*

⁹⁵ For example: Barbara Wintersgill, HMI for RE, *Task-setting in Religious Education at Key Stage 3: A Comparison with English and History (Resource)*, Summer 2000); Ofsted *Secondary Subject Report on RE 2000/1*

⁹⁶ 65% young people are not religious, according to *Young People in Britain : The Attitudes and Experiences of 12-19 Year Olds*, a research report for the DfES (2004).

⁹⁷ For a fuller critique of current RE, with proposals for better practice, see paper given to an IPPR seminar on Religious Education by Marilyn Mason, BHA Education Officer on January 20th 2004, “Religious Education – could do better?”

⁹⁸ See, for example, the 2003 figures for AS and AL choices: Philosophy and Ethics: AS – 26,138; AL – 13,157; All Christian papers: AS – 6,308; AL – 3,609; World Religions: AS – 4,398; AL – 1,857

What do we want?

A vital task for all schools is the moral education of children, which includes the encouragement of understanding and respect between different groups in society. This is too important to be delegated entirely to RE, and is best done across the curriculum, both formal and informal. Sometimes it will require explicit teaching in subjects such as RE, Personal Social and Health Education (PSHE), and Citizenship Education (a development much assisted by Professor Sir Bernard Crick, a distinguished humanist).

We believe that the vast majority of community schools would welcome guidance on RE and RE syllabuses that would enable and encourage it to make its full and proper contribution to inclusive Citizenship education, PSHE and Spiritual Cultural Social and Moral development, and that it would be better placed to make that contribution if it were broadened to include the full range of life stances, religious and philosophical. For example, pupils and parents respond positively to teaching about their own beliefs in RE, and to opportunities for children to learn about other beliefs.⁹⁹ Humanist parents and children, and others who live responsible lives without religious beliefs, would also respond positively to teaching about their own beliefs in RE, and to the increased understanding of their perspectives and values that would result.

Including non-religious approaches to life and considering a wider range of answers to the ultimate questions of life, including the basis for morality, would enhance RE and make it a more relevant, challenging and exciting contribution to the student's personal search for answers to these ultimate questions. This reformed subject, called Belief and Values Education, or Philosophy, or (as in Scotland) Religious and Moral Education / Religious, Moral and Philosophical Studies, would be characterised by inclusiveness, impartiality, objectivity, fairness, balance and relevance.

Specifically, we would like to see, in every local syllabus or in a national RE syllabus:

- A broad study of belief systems, including the principal non-religious world view, Humanism, and its beliefs, history, contemporary practices and perspectives – acknowledging the common ground between humanists and religious believers, especially common human values, as well as Humanism's alternative and contrasting perspectives on many issues.

It is worth noting that under the *Human Rights Act* laws are to be interpreted so as to eliminate discrimination between one "religion or belief" (a formulation which certainly includes Humanism) and another. The present law on RE, in specifying that pupils should be taught about the "other principal religions represented in Great Britain" should therefore be interpreted under the *HRA* to require teaching about the "other principal religions *and beliefs* represented in Great Britain." (There is no legal limit to the number of beliefs to be studied.)

- More on the social and historical context of belief systems, and on how they are related, what they share and where they differ.
- Concentration in depth on the core values, doctrines and cultural practices of religions and other worldviews.
- Omission of much the incidental detail that currently clutters up syllabuses, which should be based on a realistic assessment of how much an *outsider* needs to know and understand about other people's beliefs. Detailed religious instruction for *insiders* belongs in voluntary faith-based classes, in or out of school, not in the main curriculum.
- Less reliance on faith communities when drawing up syllabuses (whether national or local) and more on educationalists and teachers. However, while this reliance remains, we would like to see humanists on every committee or working party on RE (national or local), to provide balance and representation for the many non-religious people in the community and in schools.

⁹⁹ Tony Cline, Guida de Abreu, Cornelius Fihosy, Hilary Gray, Hannah Lambert and Jo Neale, University of Luton (July 2002) *Minority ethnic pupils in mainly white schools* (DfES research brief 365). See www.dfes.gov.uk/research.

- More and better qualified RE teachers, able to recognise and teach about the full range of beliefs in their classes, and to address philosophical and ethical issues with knowledge and confidence.

As with our perspective on the act of worship, we have many allies in seeking reform of RE. The Religious Education Council has stated: “Humanism and other non-theistic beliefs ought to be part of a pupil’s RE”¹⁰⁰. Scottish syllabuses, with their broader subject titles and remits, explicitly include Humanism. GCSE, A/AS Level, the 2004 non-statutory National Framework for RE, and many locally agreed RE syllabuses now acknowledge the rights and needs of non-religious pupils, and we welcome these developments, which have not been particularly controversial within schools or the RE community; nor have they led to the weakening of the subject that is sometimes feared.

We favour the open and inclusive subject, Belief and Values Education, we have described in this section taking its place in the National Curriculum, as an entitlement for all pupils, though not necessarily as a compulsory core subject up to Key Stage 5. If it were genuinely educational (as opposed to confessional), impartial, fair and balanced, there would no longer be any need for the right to be excused on grounds of conscience from RE, though if this were to be retained, it should be transferred to the young person concerned in KS4 – that is, at approximately 14.

Standing Advisory Councils for Religious Education (SACREs)

The advice that the DfES gives in *Circular 1/94*, excluding Humanists from full membership of SACREs and Agreed Syllabus Conferences (ASCs), is questionable in the light of human rights legislation.¹⁰¹ Many humanists were originally appointed to these bodies in Group A (Christian denominations other than the Church of England plus other faiths) but the advice from *Circular 1/94*, para 104, was that humanists could not be included. Co-option onto the SACRE – but not onto Group A – is still possible, but this is unsatisfactory, since much of the work of many SACREs is done in the group meetings and votes attach to groups and not to individual members; co-opted humanists therefore have no voting rights. Co-option onto an ASC appears to be impossible as no power to do so is specified in the legislation.

In practice, many SACREs have co-opted humanists (a few have elected them as chairs) and some have made them full members and thus (membership generally being common) of the corresponding ASC. Humanist representatives have also often been invited to attend ASCs to advise and comment (see *Circular 1/94*, Section 102).

The perspective from which humanists approach the work of the SACRE and ASC has much in common with the members of the “other faiths” group, and we see our exclusion as illogical, undemocratic, and potentially open to challenge under the *Human Rights Act*¹⁰². SACREs, and other multi-faith and inter-faith groups, should, as a matter of course, include humanists, who represent a large section of the community, as well as representatives from minority religious groups that would otherwise be ignored.

¹⁰⁰ Religious Education Council (1991) *RE, Attainment and the National Curriculum*

¹⁰¹ Section 3 of the Human Rights Act (HRA) requires that legislation previous to the HRA be interpreted to meet its requirements; so that, for example, references to “religion” should be interpreted to mean “religion and belief”. Thus a case can be made for humanists to be full members of Committee A (which includes “other religions”).

¹⁰² Following the Human Rights Act, all references to “religion” in pre-existing legislation should be understood to include “religion and belief”. This has substantial implications for religious education and the position on humanists on SACREs.