



## **Policy on Religious Education**

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The sole object of *Atheism* is “the advancement of atheism”. In a world in which such object has been fully achieved, there would be no religion and, therefore, no subject matter for religious education. In the real world, religion does exist and cannot be ignored in education. But, to make religious education a discrete subject, is to confer on religion an importance and a respectability of which it is not worthy. Rather, some aspects of it are the proper subject matter of several National Curriculum subjects.

Legislation, culminating in the Education Act 1944 which introduced the present regime of compulsory religious education, long divided education between “secular instruction” and “religious instruction”, the latter being just that. It was only in 1988<sup>1</sup> that it was re-christened “religious education”. That is the reason why religious education is a discrete subject.

Atheism’s central policy on religious education is, therefore:-

**It should not be compulsory for a maintained school<sup>2</sup> to give religious education as a discrete subject.**

The present law, imposing such compulsion, is as follows:-

In relation to any community, foundation or voluntary school<sup>3</sup>:-

- (a) the local education authority and the governing body shall exercise their functions with a view to securing, and
- (b) the head teacher shall secure,

that **religious education** is given in accordance with the provision for such education included in the school’s basic curriculum by virtue of section 80(1)(a) of the Education Act 2002.<sup>4</sup>

...

The curriculum for every maintained school in England shall comprise a basic curriculum which includes<sup>5</sup> provision for **religious education** for all registered pupils at the school ...<sup>6</sup>

“Compulsory religious education” means compulsory in the above sense and none other. There is no law making it compulsory for a child to receive religious education (or education in any other subject).<sup>7</sup>

However, there is the following law making it compulsory for a child to receive education:-

The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable:-

- (a) to his age, ability and aptitude, and

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<sup>1</sup> Education reform Act 1988.

<sup>2</sup> “Maintained schools” are schools that are “maintained” by the local authority. To “maintain” means, in simple terms, to defray the cost of maintaining. It is rather more complex than that, having different meanings for different types of schools: community, foundation and voluntary (sub-divided into voluntary-aided and voluntary-controlled). Academies, not being maintained by a local authority but funded by central government, are not maintained schools.

<sup>3</sup> Generically, a maintained school.

<sup>4</sup> School Standards and Framework Act 1998, Section 69(1).

<sup>5</sup> Among other things: the National Curriculum and provision for sex education.

<sup>6</sup> Education Act 2002, Section 80(1)(a).

<sup>7</sup> A school may make it compulsory for its pupils to receive education in a particular subject, and the law may make it compulsory for it to do so. But the law does not make it compulsory for pupils to attend that school, or any school at all – merely “to receive efficient full-time education”.

(b) to any special educational needs he may have,  
either by regular attendance at school or otherwise.

Therefore, if a child receives such education at school and if such school is a maintained school, that child will receive religious education unless his or her parent exercises the right for him or her to be excused from doing so<sup>8</sup>.

The above legislation, making it compulsory for a maintained school to give religious education, should be repealed. However, some aspects, of religious education, should be redeployed across the National Curriculum (which is compulsory) as follows:-

**English:** the literary aspects of religions, including holy books and mythology.

**Science:** the biological explanation for religion as a human universal.

**Citizenship:** identity, diversity, critical thinking and enquiry skills.

**Geography:** the national and world demographics of religions.

**History:** the history of religions and their relationship to historical events.

What remained, of religious education as a discrete subject, would essentially be concerned with the content of religions.

It does not necessarily follow, however, that a maintained school should be **prohibited** from giving religious education<sup>9</sup>. It could still do so voluntarily. Whether or not it did so would then be determined by its trust deed and, subject to that, by its governing body. It is likely that only "faith schools"<sup>10</sup> would continue to do so<sup>11</sup>.

If a maintained school gave religious education, it should not be entitled to make it compulsory for its pupils to receive it. This is adequately covered by existing legislation:-

If the parent<sup>12</sup> of a pupil at a community, foundation or voluntary<sup>2</sup> school requests that he may be wholly or partly excused from receiving religious education given in the school in accordance with the school's basic curriculum, the pupil shall be so excused until the request is withdrawn.<sup>13</sup>

This provision applies irrespective of whether or not the school is a "faith school".

If, as proposed, it were not compulsory for a maintained school to give religious education, then there would be no scope for the content of it to be prescribed, as in the following existing legislation:-

... the **required provision for religious education**<sup>14</sup> in the case of pupils at the school<sup>15</sup> is provision for religious education in accordance with an agreed syllabus adopted for the school or for those pupils.<sup>16</sup>

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<sup>8</sup> See below.

<sup>9</sup> *Atheism* does not advocate compulsory atheism; it opposes compulsory religion.

<sup>10</sup> "Schools with a religious character", which must be designated as such by government order.

<sup>11</sup> This will, however, interact with *Atheism's* emerging policy on "faith schools", to be published separately.

<sup>12</sup> In principle, the decision should be the pupil's, rather than the parent's (at least, for older pupils). However, this raises possibly insuperable issues of parental responsibility.

<sup>13</sup> School Standards and Framework Act 1998, Section 71(1)(a). The same act also grants similar rights to teaching staff. However, the provisions are highly complex and vary according to the type of school and the terms of employment. They also fall across several policy areas: religious education, "faith schools" and the anti-discrimination paradigm. Therefore, we will produce a separate policy on them.

<sup>14</sup> "The provision for pupils at the school which is required by section 80(1)(a) of the Education Act 2002 to be included in the school's basic curriculum".

...

Every agreed syllabus shall reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain.<sup>17</sup>

which should, in consequence, be repealed.

If a maintained school gave religious education, then the content of it would, also be determined by its trust deed and, subject to that, by its governing body. However, it would nevertheless, be constrained by the following existing legislation:-

The governing body and head teacher of every maintained school shall exercise their functions with a view to securing that the curriculum for the school<sup>18</sup> is a **balanced and broadly based** curriculum which:-

- (a) promotes the *spiritual*<sup>19</sup>, moral, cultural, mental and physical development of pupils at the school and of society, and
- (b) prepares pupils at the school for the opportunities, responsibilities and experiences of later life.<sup>20</sup>

Voluntary religious education would still form part of that curriculum and would, therefore, have to be “balanced and broadly based”. Although the legislation offers no definition of “religious education”, such requirement creates some distinction between it and “religious instruction”. The latter, by definition, cannot be “balanced and broadly based”. Furthermore, religious education cannot be “balanced and broadly based” unless it takes account of **lack** of religion.

Any religious education, not so constrained, would have to be extra-curricular and not publicly funded.

The same applies under compulsory religious education, as at present. Pending achievement of the above repeals, the distinction, between “religious education” (taking account of lack of religion) and “religious instruction” should be emphasized as clearly as possible, and only the former permitted.

Unfortunately, the “required provision for religious education ... in accordance with an **agreed syllabus**” which “shall reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain” conflicts with the “balanced and broadly based” criterion, because it fails to take account of lack of religion. However, the impact of the “agreed syllabus” can be minimized by a proper interpretation of the word “syllabus”.

The legislation uses this word but offers no definition of it. The ordinary meaning of it is:-

the topics in a course of study or teaching<sup>21</sup>.

By using it, rather than “curriculum” which is used elsewhere, Parliament must be taken to have intended to draw a distinction between the two terms. In normal usage a “curriculum” is prescriptive but a “syllabus” is merely descriptive. While the National Curriculum is required to include attainment targets<sup>22</sup>,

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<sup>15</sup> This applies to community schools and foundation and voluntary schools without a religious character. It is also the “default position” for foundation and voluntary controlled schools with a religious character.

<sup>16</sup> School Standards and Framework Act 1998, Schedule 19, Paragraph 2(2).

<sup>17</sup> Education Act 1996, Section 357(3).

<sup>18</sup> Education Act 2002, Section 79(3).

<sup>19</sup> *Atheism's* policy, set out in a separate document, is that the word “spiritual” should be removed from education legislation, and this impacts on religious education whether compulsory or voluntary.

<sup>20</sup> *Ibid*, Section 78.

<sup>21</sup> *Compact Oxford English Dictionary*.

<sup>22</sup> “In relation to a key stage, means the knowledge, skills and understanding which pupils of different abilities and maturities are expected to have by the end of that stage.”

programmes of study<sup>23</sup> and assessment arrangements<sup>24</sup>, there are no such requirements for an agreed syllabus, nor any other requirement about its structure<sup>25</sup>.

Nevertheless, agreed syllabuses now commonly include these features. Indeed, programmes of study comprise the major part of them. This accords with government non-statutory (and, therefore, non-binding) guidance on religious education, which has sought to emulate the structure of the National Curriculum. However, the result is a curriculum and not a syllabus, and only the latter is binding on schools.

An agreed syllabus itself should comprise nothing more than a list of topics. If it comprises more (particularly, programmes of study), the list should be extracted and the rest discarded. Alternative programmes of study (which, unlike the syllabus itself, would not be subject to the infamous “reflect the fact, whilst taking account” requirement<sup>26</sup>) should be developed, either by schools themselves or outside bodies.

Whilst the present regime, of compulsory religious education, can be improved by the application of the “balanced and broadly based” criterion and by the proper interpretation of “syllabus”, this is a poor second-best to *Atheism’s* central policy, the abolition of it.

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<sup>23</sup> “In relation to a key stage, means matters, skills and processes which are required to be taught to pupils of different abilities and maturities by the end of that stage.”

<sup>24</sup> “In relation to a key stage, the arrangements for assessing pupils in respect of that stage for the purpose of ascertaining what they have achieved in relation to the attainment targets for that stage.”

<sup>25</sup> However, the nature of the National Curriculum is set to change radically. According to the Government’s “*The Importance of Teaching – The Schools White Paper 2010*”, “... the National Curriculum will increasingly become a rigorous benchmark, against which schools can be judged rather than a prescriptive straitjacket ...”. Therefore, it will more closely resemble a syllabus anyway.

<sup>26</sup> See page 2.

*Atheism's* policy, on religious education, contrasts with those of the other main non-theistic organizations, the British Humanist Association ("BHA") and the National Secular Society ("NSS"). These are summarized, in their own words (but with some annotation), on the following pages.

While *Atheism's* policy is for the abolition of compulsory religious education, the BHA's policy is essentially for the retention of it but with the removal of the conflict, between the "balanced and broadly based" criterion and the infamous "reflect the fact, whilst taking account" requirement, by modifying the latter to include lack of religion. Under *Atheism's* policy, there is no scope for such modification, because there would be no compulsory religious education and, therefore, no scope for the content of it to be prescribed.

The NSS's policy is much less comprehensive, but appears also to favour the retention of compulsory religious education.

## BHA Education Policy – a summary

Extract

### Religious Education

What do we want?

We believe that in a pluralist society we should learn about each other's beliefs, including humanist ones. The reformed religious education that we propose would be called Belief and Values Education, or Philosophy, or (as in Scotland) Religious and Moral Education/Religious, Moral and Philosophical Studies, and would be characterised by inclusiveness, impartiality, objectivity, fairness, balance and relevance.

Specifically, we would like to see:

- A broader study of belief systems, including the principal non-religious life stance, 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.
- 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 worldviews.
- Omission of much of 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 national and local committee or working party on RE (including SACREs and Agreed Syllabus Conferences (ASCs), from which Circular 1/94<sup>27</sup> currently attempts to debar humanists), to provide balance and representation for the many non-religious people in the community and in schools.
- 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.
- This open and inclusive subject could take its place in the National Curriculum, as an entitlement for all pupils, though not necessarily as a compulsory core subject<sup>28, 29</sup> up to Key Stage 5<sup>30</sup>. 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<sup>31</sup> from RE, though if this were to be retained, it should be transferred to the young person concerned in Key Stage 4 (KS4) – that is, at approximately 14.

<sup>27</sup> Circular 1/94 was replaced, in January 2010, by "*Religious education in English schools: Non-statutory guidance 2010*".

<sup>28</sup> "Not necessarily as a compulsory core subject" is an oxymoron. All National Curriculum subjects (whether "core" or "other foundation" – there is no distinction within the legislation itself) are, by definition, compulsory, in the sense (which is the only meaningful one) that it is compulsory for a maintained school to provide them. It is meaningless to refer to a non-compulsory National Curriculum subject. Presumably, the intended meaning is that it would not necessarily be compulsory for a pupil to receive religious education. But there is no law making it compulsory for a pupil to receive education in any particular subject. See <sup>7</sup>.

<sup>29</sup> Comma added to remove ambiguity.

<sup>30</sup> There is no "Key Stage 5". Presumably, this means the sixth form.

<sup>31</sup> This is factually incorrect. The right to be excused is not on grounds of conscience; it is absolute, and no grounds need be shown.

The law requires that Religious Education is taught in all maintained schools. For many years it was the only compulsory topic in the curriculum. The legal requirements governing religious education were set out in the Education Reform Act of 1988 and confirmed by the Education Acts of 1996 and 1998<sup>32</sup>.

In all community schools and all foundation and voluntary schools without a religious character (in England and Wales), the content of religious education lessons is controlled by LEA-convened bodies called SACREs (Standing Advisory Committees on Religious Education)<sup>33</sup>. Unfortunately, SACREs are completely dominated by religious interests. Meanwhile, faith schools are free to teach their own RE syllabus which is permitted by law to be confessional and need not even mention the existence of any other denomination or belief.

Legally, if a parent or guardian requests it, pupils can be withdrawn from RE. However, particularly in faith schools where religious instruction can become cross curricular and creep into other subjects such as Geography and History, withdrawal is wholly impractical. More information on withdrawal from RE and Collective Worship can be found here.

The NSS would like to see all SACREs dismissed and complete reform of RE. We campaign for a completely new and unbiased Religious Education syllabus that is part of the National Curriculum and properly caters for pupils that are non-religious. Religious groups should have minimal input and any syllabus should be determined by independent academics without a religious agenda.

Secularists particularly object to religion being taught in schools as fact. If there is to be religious education, pupils should be taught about world religions in an unbiased way. They should also be made aware of secular world views such as secular humanism and atheism.

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<sup>32</sup> This is factually incorrect and incomplete. The act of 1988 was not the "Education Act" but the School Standards and Framework Act. Furthermore, part of the legislation is contained in the Education Act 2002.

<sup>33</sup> This is factually incorrect. The content of religious education lessons (the "agreed syllabus") is determined by LEA-convened bodies called ASCs (Agreed Syllabus Conferences).