



## Policy on the Word “Spiritual” in Education Legislation

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The word “spiritual” should be removed from education legislation. It occurs in two areas:-

### General responsibility of local authority for education

1. A local education authority shall (so far as their powers enable them to do so) contribute towards the **spiritual**, moral, mental and physical development of the community by securing that efficient primary education, and secondary education are available to meet the needs of the population of their area.<sup>1</sup>

### General requirements in relation to curriculum

2. The curriculum for a maintained school or maintained nursery school satisfies the requirements of this section if it is a balanced and broadly based curriculum which promotes the **spiritual**, moral, cultural, mental and physical development of pupils at the school and of society.<sup>2</sup>

“Spiritual” is not defined in the statutes, but its normal meaning is:-

Relating to or affecting the human spirit or soul as opposed to material or physical things<sup>3</sup>.

There is no evidence for, and much evidence against, the existence of a discarnate soul. Belief, in its existence, is entirely a matter of religious faith. In the Court of Appeal’s decision in *Relate v. McFarlane*, Sir John Laws LJ stated:-

But the conferment of any legal protection or preference upon a particular substantive moral position on the ground only that it is espoused by the adherents of a particular faith, however long its tradition, however rich its culture, is deeply unprincipled. It imposes compulsory law, not to advance the general good on objective grounds, but to give effect to the force of subjective opinion. This must be so, since in the eye of everyone save the believer religious faith is necessarily subjective, being incommunicable by any kind of proof or evidence. It may of course be **true**; but the ascertainment of such a truth lies beyond the means by which laws are made in a reasonable society. Therefore it lies only in the heart of the believer, who is alone bound by it. No one else is or can be so bound, unless by his own free choice he accepts its claims.

The promulgation of law for the protection of a position held purely on religious grounds cannot therefore be justified. It is irrational, as preferring the subjective over the objective. But it is also divisive, capricious and arbitrary. We do not live in a society where all the people share uniform religious beliefs. The precepts of any one religion – any belief system – cannot, by force of their religious origins, sound any louder in the general law than the precepts of any other. If they did, those out in the cold would be less than citizens; and our constitution would be on the way to a theocracy, which is of necessity autocratic. The law of a theocracy is dictated without option to the people, not made by their judges and governments. The individual conscience is free to accept such dictated law; but the State, if its people are to be free, has the burdensome duty of thinking for itself.

This relates to the espousal of a particular substantive moral position, but the same applies to belief in the existence of a discarnate soul. Therefore, the word “spiritual”, with this meaning, has no place in a statute.

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<sup>1</sup> Education Act 1996, Section 13(1).

<sup>2</sup> Education Act 2002, Section 78(1)(a).

<sup>3</sup> *Oxford Dictionary of English*.

The origins, of the above statutory provisions, are in the Education Act 1944, at which time such meaning was accepted without question. Since then, the term “spiritual development” has proved increasingly problematical in educational circles and a different meaning has been developed. Ofsted’s current definition is:-

Spiritual development is the development of the non-material element of a human being which animates and sustains us and, depending on our point of view, either ends or continues in some form when we die. It is about the development of a sense of identity, self-worth, personal insight, meaning and purpose. It is about the development of a pupil’s “spirit”. Some people may call it the development of a pupil’s “soul”; others as the development of “personality” or “character”.<sup>4</sup>

This offers alternative meanings of “spirit”: “soul” and ““personality” or “character””. These appear to correspond to the distinction between “continues in some form when we die” and “ends when we die”, but both are characterized as “the non-material element of a human being”. However, “personality” and “character” are not non-material; they are mental phenomena, which are identical to neuronal phenomena. Therefore, they are correctly captured by the word “mental” but not by the word “spiritual”.

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<sup>4</sup> *Promoting and evaluating pupils’ spiritual, moral, social and cultural development*, 2004.