

Religious Freedom in Education?

Charles L. Glenn, December 2012

How far should and may the State go in prescribing how and to what ends children will be educated without violating the freedom of parents and of faith-based organizations?

Only over the past two hundred years or so, and much more recently in most of the world, has the State concerned itself with popular schooling. As I've shown in several historical studies (Glenn 1988, 1995, 2011), it has done so primarily as a means of social control and only secondarily to promote individual opportunity.

The first effective diffusion of popular schooling in France, for example, occurred in the wake of the revolution of 1830. As in other countries, the primary motivation for the extension of popular schooling was not economic but political; recent events had made it clear that an ever-larger share of the population would inevitably be drawn into political participation, if not through voting then through insurrection. It was urgent, for the protection of civil order and of property, that the common people be educated in the appropriate habits and attitudes. These reforms were overseen by François Guizot, who explained the role of public schools in these terms: "The state obviously needs a great lay body, a great association deeply united to society, knowing it well, living at its heart, united also to the state, owing its power and direction to the state, such a corporation exercising on youth that moral influence which shapes it to order, to rules." In each village, Guizot wrote, the State would govern bodies by the gendarme, and minds by the schoolteacher.

During the 1880s, Jules Ferry laid the definitive foundations for the *école de la République* which continues to be evoked by French politicians. Ferry and his allies were convinced, as a French historian has put it, "that a *spiritual power* was necessary to establish a republic" and that it was up to the school to inculcate what one education official called a "*Foi laïque*," a secular religion. It is this continuing conviction that the public school, rather than being neutral as between conflicting systems of belief, should itself manifest and promote beliefs considered politically essential that led to recent bitter controversies over whether Muslim girls should be allowed to cover their hair in school, or Jewish boys to wear yarmulkes.

As recently as October 2012, a commission appointed by the government of François Hollande issued a report, *Refondons l'école de la République* (let us re-establish the school of the Republic), urging that citizenship should be developed on the basis of "a collection of common values, strong and providing structure, central reference-points of the national community – in the first rank of which is secularism." French *laïcité* is not simply the absence of religion, but an alternative belief-system; the present Minister of Education, Vincent Peillon, is author of a book about one of Ferry's

allies, *Une religion pour la République: la foi laïque de Ferdinand Buisson* [A Religion for the Republic: The Secular Faith of Ferdinand Buisson].

Similarly, as I showed in *The Myth of the Common School* (1988), Horace Mann and his allies across the United States promoted with considerable resonance the conviction that public schools had a unique and indispensable role in forming citizens. With the waves of European immigration that began in the late 1840s, this conviction was directed particularly against what was perceived as the threat that Catholic schools would prevent the children of these immigrants from becoming loyal Americans. The myth of the common public school continues to have tremendous influence in political debates, despite the complete lack of evidence that graduates of private, including faith-based, schools are to the slightest degree less worthy citizens than those of public schools.

My contention is that giving primacy to the State in the formation of its future citizens represents a profound threat to freedom: not only religious freedom and that of parents, but also, over the long term, to that of liberal democracy itself. I will argue that the State has an unquestionable duty to ensure justice, including adequate preparation of every child in the academic competencies required for successful adult life, but that this does *not* mean that the State should itself seek to *educate* in the sense of forming the character and values of children. That task should be left to families and to the schools to which most of them entrust their children.

As context, it may be helpful to note how this issue has been posed in international law. The *Universal Declaration of Human Rights* (1948) states that “parents have a prior right to choose the kind of education that shall be given to their children” (article 26, 3). According to the *International Covenant on Economic, Social and Cultural Rights* (1966),

the States Parties to the present Covenant undertake to have respect for the liberty of parents . . . to choose for their children schools, other than those established by public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions (article 13,3).

Similarly, the *First Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms* provides that “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” (article 2).

This principle was incorporated into the constitutions of a number of the post-communist nations of Eastern Europe. For example, the Bulgarian Constitution (1991) stipulates that “the raising and the education of children until they come of legal age is a

right and an obligation of their parents; the state provides assistance” (article 47, 1). That of Estonia (1992) provides that “parents shall have the final decision in choosing education for their children” (article 37). Croatia (1990) provides that “parents shall have the duty to bring up, support and school their children, and shall have the right and freedom independently to decide on the upbringing of children” (article 63). Hungary states in its Constitution (1989) that “parents shall have the right to choose the type of education they wish to ensure for their children” (article 67, 2).

The context for such provisions in both international covenants and post-communist constitutions was a reaction against the abuses of education by totalitarian regimes that had been determined to eliminate any ‘thought crimes’ such as deviation from the party line through a thorough indoctrination of children and youth.

Let me give a little background to explain what brings me and what I bring to this topic. For more than twenty years I was the Massachusetts state official responsible for enforcing the laws on equal opportunity in education and managing the funding for the education of minority, immigrant, and urban youth in general; I thus became very familiar with the exercise of state authority, especially through enforcing desegregation in a dozen cities and drafting the regulations for bilingual education and sex equity. This practical experience made me always concerned to seek the right balance-point between conflicting rights and social goals, as reflected in the title of my latest publication (with co-editor Jan De Groof), *Balancing Freedom, Autonomy, and Accountability in Education* (Nijmegen: Wolf Legal Publishers 2012), a four-volume survey of policies governing k-12 schooling in 65 countries. Our contention is that public policies should seek to balance among the freedom of parents to choose an education for their children, the autonomy of educators to create distinctive schools, and the accountability of such schools (and homeschoolers) to government for the adequacy of the instruction provided, as measured by results.

Here it may be appropriate to emphasize a distinction that is clear in a number of languages but often overlooked in English, between *instruction* as the teaching of skills and information, and *education* as the development of character and life-orientation. Every young person needs both. The former, I argue, may be regulated by the State in order to ensure that every child will be able to function in further schooling and in adult life, while the latter should be entrusted to families and the educators they choose.

My first book, *The Myth of the Common School*, explored the historical background to the struggle between government and religious groups over schooling in France, The Netherlands, and the United States. I have continued to chew away at this issue in more than a dozen subsequent books, some historical and others comparative, exploring how, in Michael McConnell’s characterization, “Advocates of the secular state, following in the tradition of Horace Mann and John Dewey, hold that the government’s control over education should be used to inculcate a common set of democratic ideals in keeping with the principles of the regime” (106) . . . and how that has been resisted

by individuals and communities of faith. One of those books looked at the effects of government funding and regulation on faith-based schools and social agencies in the United States and several European countries; its title, *The Ambiguous Embrace*, gives an indication of my conclusions.

The issue has been given a new urgency for me by a number of meetings in Europe over the past several years, concerned with how education systems should respond to the challenge of Islam, as well as by emerging threats in several countries to the freedom of Protestant and Catholic schools to retain their distinctive character. I am serving on a new National Commission on Faith Based Schools; our first meeting was a few weeks ago at the headquarters of Agudath Israel in New York City, and included a representative of Islamic schools.

In contrast with the United States, every nation of Western Europe except Italy has some constitutional or statutory provision for funding non-public schools – mostly but not exclusively religious – chosen by parents. Although the popularity of such schools is evident from their continuing growth in ‘market share’, concerns are now being expressed that the ever-more-visible presence of Islam and the threat to social and civic concord which many believe that to represent is making parental choice a luxury that these countries can no longer afford. In The Netherlands, where 70 percent of pupils attend non-public schools, fifty of which are Islamic, the debate is especially acute.

The question comes down to this: is it necessary, for the sake of social peace and civic unity, for the State to use its authority and its resources to ensure that all children, from whatever religious or cultural background, receive an education that develops in them the same attitudes and a common civic identity, and that distances them from the beliefs and traditions of their parents? This view is currently most often associated with the political Left, though it has also been articulated by the Right; through much of the nineteenth century the Left was opposed to efforts by conservative regimes to use schooling to promote their interests, just as now the roles tend to be reversed. It would not be unfair to say that both sides promote the educational goals of regimes with which they approve, and become opponents of state intervention when the other side is in power. My own position, as will become apparent, is aligned with neither Left nor Right, but with what I like to call the ‘radical Middle,’ the freedom claims of individuals and minority groups to be allowed to raise their children according to their own convictions while resisting the ‘tyranny of the majority’ of which Tocqueville warned.

Inevitably, any effort by the State to use its power and resources to impose upon children a government-defined model of personal character and values would derail the hopes and intentions that many deeply-religious parents have for their children. As Rob Reich points out, “[t]he demands and effects of liberal citizenship are decidedly non-neutral, favoring some cultural groups over others. Liberalism consciously and purposefully urges upon citizens a certain kind of character that outlines at least

minimally the kind of person we are to be, which in turn affects the way cultural groups are able to form the character of their adherents” (38). The religious liberty of these parents to nurture their children in accordance with their deepest convictions would thus be frustrated by the State, which would in effect usurp the parental role.

Of course, there is nothing new about this program, or about the conviction that the child belongs to the State rather than to his or her parents, and it has been promoted as a key element of utopian projects of social and political reform since Plato had Socrates propose that infants be taken from their parents and raised in public nurseries. The project of creating a more worthy public through education has appeared in many guises and under various political banners. What is perhaps curious is that many Liberals, with their strong commitment to individual freedom and forgetting the warnings of John Stuart Mill, should currently embrace a dominant state role in education.

I am not opposed to state authority or to vigorous state action, when it is appropriate. As a Calvinist, I believe that government is appointed by God to restrain evil and to ensure justice. I agree that the reach of government appropriately extends to faith-based schools and even to families when there is good evidence that children are being abused or neglected.

On the other hand, I agree with Abner Greene in challenging absolute state sovereignty in a Hobbesian or Hegelian sense, holding with him that Sovereignty . . . is permeable, not plenary. We the citizens are, first, human beings with an assortment of normative commitments, only some of which are to the state. There is no good reason to privilege the state as a source of norms . . . the state should sometimes let us live by lights other than its laws, by crafting legislative accommodation or judicial exemptions (282).

In particular, I challenge the idea dear to Plato and Rousseau and to many contemporary Liberals, that society should be based on shared beliefs and that it is the State’s business to use its authority and resources to promote such beliefs. Such, of course, is the essential totalitarian project. As Jules Steinberg put it in his study of Locke and Rousseau,

the members of contemporary democratic societies do not comprise the kind of “community of belief,” nor do they possess a shared set of common moral commitments, which are necessary conditions of the applicability of the idea of consent as a source of moral obligation and moral legitimacy. Instead, we confront societies whose members are divided into divergent “communities of belief” who, “far from being . . . homogeneous with one another, frequently hold values in conflict with one another’s – even values antithetical to one another’s” (124).

That being the case, it is important that the State act on the basis of strict neutrality toward alternative conceptions of the ‘Good Life.’ The term ‘neutrality’ is often abused, in fact, to justify a position on education which excludes religious perspectives while giving free rein to environmentalist, feminist, libertarian, or other ‘comprehensive’

perspectives. To quote McConnell again, “what passes for ‘neutrality,’ according to pluralist thinkers, is actually a deeply embedded ideological preference for some modes of reasoning and ways of life over others – rationalism and choice over tradition and conscience” (104).

We should heed Abner Greene’s warning that “a mere desire for uniformity will almost never suffice as a compelling state interest, and we should also be cautious before accepting paternalistic justifications for the application of law to religious and other deeply-held, normative views” (118). Surely the experience of our profoundly pluralistic yet generally successful society shows that Nicholas Rescher is correct:

[t]he stability and tranquility needed for the constructive management of a society’s business need not root in agreement – and not even in a second-order agreement in the processes for solving first-order conflicts – as long as the mechanisms in place are ones that people are prepared (for however variant and discordant reasons) to allow to operate in the resolution of communal problems (168).

I am what Linda McClain refers to as a ‘civil society-revivalist’, in sympathy with Mary Ann Glendon, Bill Galston, and others committed to societal pluralism. Obeying the law, I contend, is a rational decision, not a moral obligation. Harold Laski wrote, nearly a hundred years ago, that

[e]very government claims that it is wrong to break the law. To the pluralist that judgement can only be made when it is known what law is broken and under what circumstances. There are realms of conduct, both individual and collective, into which, under circumstances, he would deny that the state has a right to enter (215). Just half that long ago, I spent some time in jail in North Carolina, and courted arrest in Selma, Alabama, by disobeying laws that I believed to be unjust, as measured against a higher authority than the State. People do that all the time, and Liberals often commend them, recognizing that the State is not always right. How is it, then, that the same Liberals tend to accept without question the superior wisdom of the State, acting through its officials, to that of parents in determining what is in the best interest of children? So long as it is not their own children . . .

Let me reiterate: the State does have a role, and an important one, in ensuring that every child can receive an adequate education, but the State should not itself be an educator, lest it overstep the limits of its appropriate role. *A pédagogie d’État* that concerns itself with what children and youth believe and to what they give their loyalty is a profound threat to freedom. We are the inheritors of a long and toxic tradition, in political thought, of the State as the benevolent shaper of a unified society in which, as Socrates puts it in *The Republic*, division of opinion is the greatest evil. Laski pointed out how pervasive this idea has been:

The state is today the one compulsory form of association, and for more than two thousand years we have been taught that its purpose is the perfect life. It thus seems to acquire a flavour of generality which is absent from other institutions. It

becomes instinct with a universal interest to which, it appears, no other association may without inaccuracy lay claim. Its sovereignty thus seems to represent the protection of the universal aspect of men – what Rousseau called the common good – against the intrusion of more private aspects There seems, at least today, no certain method of escape from its demands. Its conscience is supreme over any private conception of good the individual may hold. . . . The area of its enterprise has consistently grown until today there is no field of human activity over which, in some degree, its pervading influence may not be detected (185).

Contrary to this tradition of political thought, an idea out of Catholic social teaching, subsidiarity, was adopted by the European Union in its founding Treaty of Maastricht; from the Latin *subsidium* (help or assistance), subsidiarity is taken to mean that authority should rest as close to those affected as possible, with the State in a helping role. I prefer a related concept out of the Dutch neo-Calvinist tradition, ‘sphere sovereignty’. Abraham Kuyper taught that there are distinct ‘orders of creation,’ each with its own authority and responsibility direct from God: “the family, the business, science, art and so forth are all social spheres, which do not owe their existence to the state, and which do not derive the law of their life from the superiority of the state, but obey a high authority within their own bosom; an authority which rules by the grace of God, just as the sovereignty of the State does” (90).

One of these spheres, of course, is the State itself, which “possesses the threefold right and duty: 1. Whenever different spheres clash, to compel mutual regard for the boundary-lines of each; 2. To defend individuals and the weak ones, in those spheres, against the abuse of power of the rest; and 3. To coerce all together to bear personal and financial burdens for the maintenance of the natural unity of the State” (97).

The State must not seek, however, to occupy or usurp the function of any of the other spheres. As Herman Dooyeweerd insisted, sphere sovereignty does not merely prescribe a practical “hands off” policy; rather, the boundaries that separate the spheres are a part of the very nature of things. Neither the state nor the church has any business viewing the other spheres as somehow subordinate to them.

Education at all levels is such a sphere, and while schools and educators should cooperate with the family and may work closely with the church, as well as respond to legitimate requirements set by the State, it should not be thought of as branch offices of the State . . . or indeed of a church. This is why Dutch Protestant schools, which enroll one-third of the nation’s pupils, do not ‘belong’ to churches but to independent boards, a pattern increasingly followed by Catholic and even municipal schools, each of which enroll about another third of the pupils.

What, then, is the role of government with respect to education? It is *not* to define for us the nature of the ‘perfect life’; for that, we must be free to turn to religious or philosophical traditions, to the little platoons of trust and sharing within which we live, or

to solitary wrestling in the midnight hour. Whether we speak of conscience, or of God, or of primary loyalties, we acknowledge claims upon us that ‘go all the way down’ and which enable us to judge whether what the State is asking of us in a particular instance is just or unjust, to be obeyed or to be disobeyed whatever the cost.

No, the role of government is not to define what sort of person we should become, but to specify the required outcomes of instruction in measurable terms, and hold schools (and homeschooling families) accountable for achieving those outcomes. These outcomes should include the skills needed for employment and for daily life, as well as an understanding of the framework of laws, procedures, rights, and obligations that undergird civic life. They should not include the beliefs, values, and loyalties that also make up an essential part of a good education but are the responsibility of civil society: families and the educators to whom they entrust their children, but also youth groups, sport programs, centers for recreation and the arts, and religious associations. These all perform essential functions that government should value and support – for example, by tax exemptions and by use of public facilities – but which it should not seek to direct. Do we need to be reminded of efforts by totalitarian governments to ‘mobilize’ youth through Hitlerjugend, Young Pioneers, and the like?

It may have been noticed that I used the term ‘instruction’ rather than ‘education’ in the preceding paragraph. This is a distinction that, as noted above, is quite clear in many languages, but not as clear as it should be in ordinary English usage. ‘Instruction’ is teaching someone how to do something, or communicating facts and the relationships among them; ‘education’ is shaping the human beings, a life-long process that occurs in many different settings and relationships, what the Germans call *Bildung*.

Government in a liberal democracy should not seek to be an *educator*, nor should it prescribe the values that schools (public as well as private) seek to teach. Unfortunately, calling on government to do so seems to be an irresistible temptation for many contemporary Liberals who, in other domains, would strongly resist the idea of State prescription of beliefs and attitudes. A typical – and by no means extreme – example of this view is a book by Rob Reich, *Bridging Liberalism and Multiculturalism in Education* (2002). Reich’s central concern, one he shares with Amy Gutmann and many other Liberals, is that every child should become ‘autonomous,’ making his or her own choices about the life to live and the norms by which to live it, since otherwise, they contend, a liberal democracy cannot thrive. Autonomy, Reich admits, “is culturally non-neutral, a trait that has transformative potential for the various allegiances and affiliations of individuals and that, moreover, is not desired or fostered in all cultures” (42). In effect, too bad for them! Reich is unapologetic about the fact that this project of civic education will have repercussions that extend into areas over which the State has no jurisdiction:

In fostering the capacity for this free and equal citizenship, the liberal state asks its citizens to draw upon the political virtues and exercise skills and habits in the public sphere that have consequences for the plurality of ways of life led by the very same

citizens in their private lives. . . . Developing autonomous citizens is partial to those cultural groups that themselves emphasize or cultivate autonomy and potentially corrosive of those that do not (46-7).

Bottom line for Reich: “an education for autonomy and the political virtues runs counter to the very possibility of the Amish or Fundamentalist parents pursuing their own conceptions of the good” (48). But doesn’t our constitutional and moral commitment to religious freedom and to multiculturalism and societal pluralism protect the right of these groups to live by their own sense of religious obligation? Not at all, he says, since “nurturing the capacity for and exercise of autonomy must come *before* we respect it. The state should violate respect for autonomy in efforts to foster its exercise” (108). After all, a “state that promotes minimalist autonomy will circumscribe and narrow the kinds of lives likely to flourish” (117), and this is as it should be.

Not that Reich has any illusions about how effectively public schools carry out what he considers their mission of promoting the civic virtue of autonomy and independent thinking. He generously concedes that, “some evidence suggests that in some circumstances, parents who homeschool their children may be better at achieving the state’s and the child’s educational interests than public or private schools,” and he goes on to point out that “some and perhaps many schools do a poor job of countering the peer pressure to which children are so likely to succumb” (159). In fact, studies have shown that one of the primary reasons that parents and their adolescent children choose homeschooling is to avoid the pressures for conformity so characteristic of the peer culture dominant in public schools.

Reich is in fact prepared to allow homeschooling, but under state control not only of its *instructional* outcomes but of its *educational* goals and methods:

the state should require parents to use multicultural curricula that provide such exposure and engagement. They must, in other words, convince relevant officials that the educational environment of the home fits somewhere within the ambit of the liberal multicultural education (169).

And this means, inevitably, that those parents and those educators in faith-based schools who do not conform to this liberal program but continue to insist upon the authority of religious tradition would be subject to an unspecified enforcement action to prevent them from continuing to frustrate the benevolent purposes of the State. “Certain kinds of homeschools and fundamentalist religious schools that consciously insulate children from the value diversity of a culturally plural state would be disallowed” (200).

A distinction made by Linda McClain in her book on families is helpful here. She writes,

I accept political liberalism’s tenet that government may persuade to promote the virtues (or values) characterizing the ideal of the good citizen, such as tolerance, civility, reciprocity, and cooperation. I also accept its caveat that government should

not promote personal virtues characterizing ways of life belonging to particular comprehensive moral doctrines (or ideals of the good person) (47).

That seems to me an appropriate distinction, and it also seems evident that 'autonomy' as defined by Reich and others constitutes a 'personal virtue' that is a key doctrine of the 'comprehensive moral doctrine' of Liberalism; Reich makes very clear that it is intrinsic to being what he considers a good person.

The implication is that, just as government may not persuade with respect to religion (McClain 43), so it should not persuade with respect to a secular life-ideal that – as Reich admits – tends to undermine many of the ways of life of cultural and religious groups in a pluralistic society. These groups constitute what McClain characterizes as “enclaves of protected discourse and action,’ where ‘counterpublics’ can work out and nurture alternative conceptions of self, community, and justice” (82).

But what about 'autonomy'? Hanan Alexander has suggested, recently, that in fact the

autonomous moral self required for liberal democratic citizenship . . . is to be found not in Kant's universal rationality or in Rawlsian public reason, but in thick, dynamic ethical and religious traditions that offer concrete visions of what it means to be a good person and to live in a just society, acquired through subject-subject relations both among people – parents and children, teachers and students, children and their peers – and between students and the traditions into which they would be initiated. . . . [Thus,] religious education, as well as other forms of moral and ethical education, should not merely be allowed or tolerated in a liberal democracy. It lies at the very heart of that which is required to educate morally autonomous democratic citizens (160).

Similarly, Nancy Rosenblum, warning that “the Leviathan state should not aggregate to itself, destroy, or absorb functions that [faith-based] groups naturally perform with greater moral authority, vitality, and legitimacy” (17), has suggested how this might actually function:

publicly supported religiously integrated education is actually a more reliable and effective form of democratic education than secular education offered in public schools. Because public education generally shies away from controversial comprehensive values of any kind, its civic education is “thin.” By contrast, religious groups bring their own stories and sacred histories to bear in support of democracy, endorsing civic virtues and democratic institutions from their own points of view, and thickening the grounds of commitment to democracy (19).

She goes on to urge that the State not interfere with *how* these groups promote citizenship (162).

There is a curious paradox in the argument, by Reich and others, that autonomy in the young is to be developed through state-mandated instructional methods and goals,

preferably in state-run schools. Thus he warns that “rights to separate schooling or exemptions from education . . . have the potential to undermine the development of civic virtues, such as autonomy and mutual respect, that are fundamental to the legitimacy and stability of the liberal state” (7). So autonomy of families and schools should be restricted to promote autonomy of children? One is reminded of Rousseau’s insistence that citizens would have to be forced to be free! Is it not more likely that children and youth develop the skills and the confidence to act in appropriately autonomous ways by observing adults – their parents and their teachers – making authentic decisions with respect to their education? What sort of model of autonomous adulthood is a teacher in a bureaucratically-managed public school, with curriculum and teaching methods prescribed and every detail of teacher responsibility spelled out in a detailed contract?

As the communist regimes in Eastern Europe were crumbling, I was commissioned by the US Department of Education to write a report on the new developments which this permitted in schooling, subsequently published as *Educational Freedom in Eastern Europe* (1995). What was most striking about my findings was the energies that were released as groups of teachers and parents were able to create new schools to serve particular groups of children, and how in the process habits of trust and cooperation developed that had long been suppressed under regimes that had allowed little scope for civil society initiatives. We are seeing the same phenomenon today in the flourishing of charter schools in Boston and around the country, schools created around a shared, focused, and profoundly *local* vision of education.

An illuminating description of this process, and its power, is found in a new book by my Boston University colleague Scott Seider, *Character Compass: How Powerful School Culture Can Point Students Toward Success*. Seider provides a detailed description of how three charter public schools in Boston set about developing character in their students through instruction, rituals, and norms for relationships within the school. In each case, he argues (and the school leaders agree) character development is a crucial aspect of the success of these schools in producing remarkable results as measured by standardized tests, bringing their Black and Latino students to levels equal or above those of students in the most affluent suburbs. What is most noteworthy, for our purposes, is that each of the schools clearly articulates a set of character goals quite distinct from those of the other schools studied. These are public schools, and they conform to government requirements with respect to the *instructional* aspect of their mission, the common standards set for all public schools, but they make effective use of their freedom to determine their own *educational* goals.

By contrast, as sociologist Alan Peshkin has pointed out, often the “public schools’ material advantages are overshadowed by their comparatively poor discipline, social problems, undedicated teachers, and indifferent parents, and also by their inability to develop character and to teach the truth” (84). As research by Peshkin, James Coleman, Anthony Bryk, and other distinguished social scientists has demonstrated, this

focus on strong school culture has been a key characteristic of thousands of faith-based schools, enabling them to produce strong academic results on per-pupil budgets far below those of public schools. As Coleman observed, “[a] principal of a [public] school today in which attendance is based on residency has no set of dominant community values to uphold. Instead, there are a number of contending values, each claiming legitimacy, and at least some of them capable of being backed up by legal suits in court” (11-12).

Even Amy Gutmann, while insisting that “public, not private, schooling is an essential welfare good for children as well as the primary means by which citizens can morally educate future citizens” (70), concedes that, while the “evidence is scanty, . . . it suggests that private schools may on average do better than public schools in bringing all their students up to a relatively high level of learning, in teaching American history and civics in an intellectually challenging manner, and even in racially integrating classrooms” (65). Peshkin found, in studying a fundamentalist Christian school in Illinois, that its students were “significantly less alienated” than those at the local public high school (189). Among the latter,

75 percent . . . responded that school should emphasize character development, but only 39 percent reported that in fact it did so (325). . . . 59 percent of them said that “earning a lot of money” was very important to them, compared with 10 percent of the Bethany students (329). . . . 93 percent of the Bethany students compared with 80 percent of the public high school students responded that they would approve of a black family moving next door (332). . . . 93 percent of the Bethany and 95 percent of the public school students agreed that “people who don’t believe in God should have the same right to freedom of speech as anyone else” (333). . . . 83 and 84 percent respectively disagreed with the statement that “only people who believe in God can be good Americans” (334). . . . 72 percent of the public school students but only 33 percent of the Bethany students agreed that “it’s hard to get ahead without cutting corners here and there” (335).

It is not my intention here to make an argument for faith-based schools, but to challenge the common assumption that they tend to make their students narrow and bigoted, perhaps unfit to be citizens of a liberal democracy. The contrary seems to be the case, as has been demonstrated recently by a remarkable survey of many thousands of graduates of different types of schools in the United States (2011) and Canada (2012), available at <https://www.cardus.ca/store/publications/>. Indeed, can anyone confidently assert that the attitude in the typical evangelical school is more derogatory and intolerant toward gay marriage, for example, than the attitude in the typical public school in an affluent Boston suburb is toward fundamentalist Christianity?

What studies of faith-based schools and the more recent studies of charter schools make evident is that students flourish best, and develop the qualities that make for good

citizens, in schools that offer a clear and shared value-orientation. Steven Vryhof suggests that

[i] an increasingly fragmented and community-poor world, children need both cultural memory – their story, their identity, their anchor points – and a cultural vision – their imagined future, their worldview and life view, providing purpose and meaning for a lifetime. Schools have a role in preserving and passing on the memory of the community and its vision for the future. But memory and vision are faith issues, deeply embedded into communities (48).

Such communities provide rich soil for a good education, and a context within which young people can put down the roots that will enable them to resist the pressures of an often-toxic media and youth culture. Vryhof goes on to point out that a key assumption of the government school ethos is that an institution with no single dominating worldview is the best environment for young minds seeking and questioning and choosing. But is a smorgasbord of options best? Shouldn't an institution stand for something, whether that be a traditional religious faith or a secular but still distinctive ethos? Inquiry is most productive when it is in service to some pressing and deeply serious question. Teaching is more passionate and personal, and cuts more deeply, when it grows out of deep convictions, out of a strong identity (51).

Berkeley law professors John Coons and Stephen Sugarman made the same point in their now-classic 1978 argument for educational vouchers:

The most important experience within schools of choice may be the child's observation of trusted adults gripped by a moral concern which is shared and endorsed by his own family. The content of that concern may be less important than its central position in the life of the institution. Even where particular values seem narrow and one-sided, a child's engagement with them at a crucial stage of his development might secure his allegiance to that ideal of human reciprocity which is indispensable to our view of autonomy (83).

Should we be concerned about faith-based groups that set themselves in deliberate opposition to the prevailing culture? Dutch policymakers have sought to ensure that only those immigrants be allowed into The Netherlands who are willing to accept topless beaches and other manifestations of cultural permissiveness. But, after all, there are many aspects of American society and American popular culture that I find objectionable, and I suspect that most of us could produce such a list; this surely does not disqualify us as citizens. Melissa Williams has suggested that

Some – the deeply religious, perhaps – will decline to praise the principle of individual liberty or autonomy because they see it used to justify self-indulgence and licentiousness rather than a strong sense of moral responsibility. Others will reject the idea of citizenship itself because they have been told – as Macedo and Feinberg

tell them – that citizenship requires a primary loyalty to the political community, and they are not willing to give primacy to that community over their cultural communities

Why consider such resistance to the prevailing culture a threat to the orderly and successful functioning of society (so long, of course, as the group in question is not planning or enabling threats to public safety)? After all, “these individuals are not necessarily enemies of democracy, indeed, they might be quite eager to participate in democratic dialogue if the price of admission were not conformity to a particular vision of citizen identity” (234). Surely a liberal pluralistic democracy has no business making such a demand!

Nor does it have any business seeking to use the authority and resources of the State to require all those charged with the education of youth – whether parents or teachers – to seek to cultivate in them a single, government-approved, model of character . . .

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