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To cite this article: Pier-Luc Dupont (2022) Religious governance and the politics of equality in education, *Ethnic and Racial Studies*, 45:5, 966-987, DOI: [10.1080/01419870.2021.1905863](https://doi.org/10.1080/01419870.2021.1905863)

To link to this article: <https://doi.org/10.1080/01419870.2021.1905863>



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Published online: 01 Apr 2021.



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Religious governance and the politics of equality in education

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ABSTRACT



This article seeks to unpack UK equality politics in the educational sphere and explore how it relates to four ideologies of religious governance: secularism, multiculturalism, interculturalism and intersectionalism. More specifically it examines how these ideologies support principles of reproduction, understood as knowledge transmission, and recognition, understood as respect for difference. Findings suggest that principles of religious reproduction and recognition permeate all educational policy debates and are upheld by all stakeholders. Disagreements hinge on how to reconcile religious diversity with large-scale intergroup contact, advocated by interculturalists, and with the interests of female or LGBTQ students, foregrounded by intersectionalists. Whereas multiculturalists find themselves at the forefront of attempts to achieve equality in the curriculum, intersectionalists have been especially active in debates around accommodation and the funding of religious schools, and interculturalists have vocally opposed these schools' capacity to select students and teachers in ways that exacerbate religious and ethnic segregation.

ARTICLE HISTORY Received 5 July 2020; Accepted 12 February 2021

KEYWORDS Equality; recognition; secularism; religious diversity; intersectionality; education

1. Introduction

Over a decade since the creation of a unified British anti-discrimination architecture through the Equality Act 2010, this article explores how different stakeholders have deployed equality principles in policy debates around Muslims and education. In Britain and beyond, education has been one of the main legal battlefields of religious diversity (Hunter-Hénin 2011), and Muslims have often been involved in high profile cases (Dupont 2018a). Given the mutual influences between legal and political interpretations of human rights (Granger 2004; Oomen 2019), examining how the right to

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religious equality is construed outside the judicial sphere can throw considerable light on the prospects for anti-discrimination standards enshrined in constitutional and international laws.

Of particular theoretical interest is the extent to which stakeholders have supported transformative, forward-looking principles of “substantive” equality, which enlist the state and other powerful organizations in the struggle against structural subordination linked to a protected characteristic such as religion, gender or sexuality (Fredman 2011, 4–33). Against the view that Muslim claims often collide with these principles (Joppke 2004; Koopmans et al. 2005, 146–179), Modood (2019, 47–60) has advanced that they rather extend them to the hitherto neglected sphere of religion and belief. As a result, they can be expected to garner support from various stakeholders who do not personally identify as Muslim, as long as they regard religion as a public good that deserves to be accommodated rather than suppressed by the state (ibid: 117–134).

The article explores this hypothesis by developing a theoretically informed typology of political claims around religion and education; assembling a corpus of public statements issued between 2007 and 2018; analyzing the source and content of policy demands through the lens of the typology; and contrasting them with current legal standards. The aim is to reveal whether ideological commitments to the reproduction and recognition of religion shape policy preferences, as well as to locate on the political map stakeholders who do not take an explicit stance on religious diversity. Section 2 lays out the typology and Section 3 sets it in the UK context of islamophobia, Muslim mobilization and equality politics. Section 4 explains the socio-legal, discourse-based method used to analyse claims. Sections 5–8 break them down into four key policy fields: the compulsory curriculum, the accommodation of religious practices, state funding for Muslim schools and the religious selection of students and teachers. The conclusion assesses the usefulness of the typology as a way of understanding the rationale of equality demands in the field of education and religious diversity.

2. The theory of religious governance in education

According to traditional liberal theory, states should refrain from intervening in religious matters that inevitably fall beyond their competence (Laborde 2017, 15). Such scepticism toward the institutionalization or “establishment” of religion has long been associated with a concept of secularism that remains influential both in the United States and in France, where it structures debates around the accommodation of Islam in and beyond the educational sphere (Joppke 2015). Today, the non-establishment idea of secularism coexists with a more inclusive one, used by most multiculturalist thinkers, evoking notions of equality between different faiths and non-

religious worldviews (Maclure and Taylor 2011; Modood 2019, 145–162). For multiculturalists, religion cannot be entirely separated from compulsory education as it is inextricably linked to the knowledge, attitudes and practices children must acquire to participate in the communities that will structure their lives. Those communities may include their own families as well as their workplaces, municipalities, regions and states (Callan 1997; Levinson 1999; McDonough 2003; Merry 2007). Schools' socializing function, which is shared with parents and others, is often referred to as socio-cultural reproduction (see Fraser 2017).

At the same time, as anti-racist strands of educational scholarship have stressed (May 1999), education can instil curiosity, openness and respect toward those who belong to other communities and hold different attachments, ways of life and worldviews. The anti-racist approach to religious difference has been championed by multiculturalists under the banner of cultural recognition (Modood 2007; Parekh 2008), but it is their counterparts in the "interculturalist" camp (Cantle 2012; Zapata-Barrero 2017) who have problematized it in their theorizing. Unlike multiculturalists, who tend to emphasize discourses and national identities as the cornerstones of racism and its deconstruction, interculturalists have placed greater faith in contact theory (Pettigrew and Tropp 2006) and its prescriptions of sustained cross-cultural interactions, especially in educational settings. This focus has often led them to criticize conservative forms of multiculturalist reproduction, such as denominational schools, that can perpetuate ethno-religious segregation.

Somewhat in parallel to the secularism/multiculturalism/interculturalism literature, a last group of educational thinkers has argued that compulsory education should support not only religious and cultural diversity but also gender, sexual and other equalities (Cole 2006). In keeping with this intersectionalist insight, religious and other norms promoting discrimination and exclusion on these grounds should be transformed rather than integrally reproduced (Gewirtz and Cribb 2008). With respect to gender, such norms may include an expectation that girls should be educated to become wives and mothers; that they should not attend higher education; that they are naturally less skilled in maths, science and technology; that boys, especially older ones, should be taught by men rather than women; and that women are unfit to hold authority over men (Martin 2006). When it comes to sexuality, they may encompass views that homosexuality is unnatural or a disease that should be cured; that sharing information on queerness amounts to an unacceptable form of promotion; that sexual intercourse is only legitimate when aimed at procreation; that homosexual families pose a moral threat to society; or that it is acceptable for LGBTQ pupils to be bullied (Forrest 2006).

The relation between the normative paradigms discussed here and reproduction/recognition is summarized in [Table 1](#).

Table 1. Ideologies of religious governance.

Ideological paradigm	Religious recognition	Religious reproduction	Other recognition	Other reproduction
Non-establishment secularism	Opposed	Opposed	–	–
Multiculturalism	Supportive	Affirmative	Supportive – Cultural	Affirmative – Cultural
Interculturalism	Supportive – Contact based	Transformative – anti-racist	Supportive – Cultural	Transformative – Cultural
Intersectionalism	Supportive	Transformative – feminist, queer etc	Supportive – All protected characteristics	Transformative – All protected characteristics

3. National context

The influence of these ideological paradigms can be traced in the British politics of religious equality since the 1960s. Despite the early development of race and ethnic equality legislation, marked by the Race Relations Acts of 1965 and 1976 which prohibited discrimination and established a statutory body to promote equality (Meer and Modood 2009, 479; Modood and Meer 2010, 79), the law was slow in catching up with religious demands. Throughout the 1980s and 1990s, judicial decisions brought Jews and Sikhs within the definition of a racial or ethnic group, but Muslims were judged to be solely a religious group and, in line with secularist tenets, denied state protection on this basis. The perception that Muslims did not benefit from anti-discrimination legislation in the same way as other groups catalyzed the emergence of a Muslim political consciousness, sustained by representative organizations such as the Muslim Council of Britain (Meer 2010, 89–90). In addition to multicultural policies in education, such as the celebration of non-Christian holidays and the accommodation of religious dietary requirements, Muslims also requested changes in the fields of youth and leisure, the media and political representation (Koopmans et al. 2005, 164; Meer 2010, 24).

Published in 1997, the Runnymede Trust report *Islamophobia: A challenge for us all* significantly contributed to bringing religious issues into multiculturalist policy (Meer 2010, 98, 100–104; Lewicki 2014, 122–123). The report defined Islamophobia primarily as a problem of recognition, as anti-Muslim prejudice, but it also devoted considerable attention to its structural underpinnings and consequences. Its chapter on education decried a relatively poor attainment of Pakistani and Bangladeshi pupils at 16+ which put them at a disadvantage in higher education and the labour market. It linked the disadvantage to shortcomings in the collection of statistical data, funding for English language teaching and racial equality, the training and recruitment of Muslim teachers and school governors, and the teaching

of religion, citizenship and history. The report also called on schools to be more attentive to Muslims' cultural needs regarding dress codes, meals, collective acts of worship, fasting periods, religious holiday, prayers, single-sex groups, engagement with parents and mosques, physical education, and showering arrangements. Finally, it pointed out that despite the existence of 58 full-time independent Muslim schools in Britain, none of the 7000 state-funded schools with a religious affiliation was Muslim. According to the report, it was "difficult to avoid the suspicion that anti-Muslim prejudice [had] played a part in the rejections, since the official reasons given by the Government [had] generally seemed unconvincing" (Runnymede Trust 1997, 47).

In the following years, public discourse was overwhelmingly shaped by a concern with "social cohesion" and the future standard bearers of interculturalism, particularly Ted Cante, claimed that Muslim segregation should be remedied through greater integration (Meer and Modood 2009, 474–475; Dobbernack 2014, 127–161). There was also criticism of Islamic traditions promoting disrespect and discrimination toward women and, less frequently mentioned, sexual minorities (Modood and Ahmad 2007, 198–199, 202; Meer and Modood 2009, 481; Meer 2010, 19–20, 193–194). The Equality Act 2010 incorporated these intersectionalist perspectives into an anti-discrimination policy that had previously maintained the protected characteristics in separate silos. Institutionally, the shift was embodied in an Equality and Human Rights Commission with a mandate to promote all equality strands (Squires 2007, 2008). This profound transformation of the legal framework enjoyed broad based support among representatives of minority religious and LGBTQ communities that had received minimal protection until then (Squires 2007, 545–548), but also triggered a degree of controversy. One of the main areas of contention was the extension of the public sector duty to promote equality from race to all equality strands, which Lord Anthony Lester rejected as "divisive and unworkable" (Squires 2007, 552; Meer 2010, 172). This view was initially given some credence by the fact that secularist organizations feared the duty would increase the influence of faith in public life whereas Protestant and Catholic ones were wary of losing internal autonomy. All faith representatives also disapproved the inclusion of sexual orientation into the equality duty (Lewicki 2014, 142–144).

The struggle to enjoy equal opportunities for religious reproduction and recognition, and to ensure that policies designed to further one do not undermine the other, has been at the heart of various legal disputes with direct implications for education policy. In relation to the curriculum, courts have been called upon to determine the permissibility of religious education and worship in state-funded schools (Fredman 2018, 404), as well as to decide whether religion courses were sufficiently objective, critical and pluralistic (ibid: 420). Other cases have revolved around the tailoring or accommodation

of the curriculum and other school practices, including dress codes, so as to meet the aspirations of minority believers (Bosset and Foblets 2009, 46; Fredman 2018, 422, 427, 428). A third category of disputes has dealt with religious discrimination in the granting of state subsidies to privately managed religious schools (Fredman 2018, 404). Finally, these schools have come under scrutiny for selecting their students and teachers based on adherence to certain religious beliefs or practices (Vickers 2011). The next sections will examine the secularist, multiculturalist, interculturalist and intersectionalist claims underpinning these legal disputes.

4. Methodology

Contests over the meaning of legal principles do not take place on a level playing field, and the stakeholders who find themselves in a position to disseminate their views, steer political debate and influence the courts typically do not mirror the wider population (Lewicki and O'Toole 2017). Hence political approaches to equality tend to foreground the views of powerful actors, overlooking everyday discourses that rarely make the headlines (cf Modood and Ahmad 2007, 191). To different degrees, the texts analysed conform to this general rule. Yet to sample an acceptably diverse range of political positions on religious equality in education, a preliminary list of influential actors was drawn up by sifting through academic literature. On-line searches subsequently revealed publicly available statements whose interpellations were used to identify other key stakeholders. To facilitate discursive interpretation, only documents published since 2007 were retained. Undated contents available on institutional websites at the time of data collection, between May and September 2018, were also compiled.¹ This procedure yielded 24 usable documents. Given that securitized discursive contexts tend to elicit racist views requiring qualitatively different analytical frameworks, the sample leaves out all statements relating to the Trojan Horse controversy (see Holmwood and O'Toole 2018). In this sense the sample can be seen as reasonably representative of public discourses during periods of low religious conflict. To gain a sense of less organized voices, semi-structured interviews were also conducted with a Muslim grassroots activist and two female teachers, one of them Muslim.

For qualitative content analysis all discourses were imported and coded in NVivo. At the writing stage, themes and sub-themes were organized to foreground the contested policy fields, the political actors involved and the equality principles underpinning debates. Relevant legal standards were extracted from primary and secondary sources such as legislation, case law and official guidance. It may be helpful to note that state-funded providers of compulsory education in England fall under two legal regimes. While "maintained" schools, partly managed by local authorities, are centrally

regulated through primary and secondary legislation, “academies” are individually governed by contractual agreements with the Secretary of State. However some legislative provisions apply equally to maintained schools and academies, and the Academies Act 2010 provides that others must be incorporated into contractual agreements with only minor adjustments (Dupont 2019, 8). For these reasons, legislative standards will be presented as the default and exemptions for academies will be flagged where relevant.

Before turning to the findings, let us briefly introduce the discursive agents and the position they occupy in the British educational and political landscape. A first group is made up of stakeholders explicitly advocating a specific model of religious governance. In the secularist camp, Humanists UK, a charity created in 1896 and composed of 100,000 members and supporters as well as 70 local and special interest affiliates, takes an explicit stance in favour of non-religious philosophies and against religious privileges (Humanists UK n.d.d, n.d.e). The Muslim Council of Britain (MCB), an umbrella body for Muslim local organizations, mosques, charities and schools, established in 1997, has been described as the most influential Muslim voice in the UK (Jones et al. 2015, 210–211). It works in a broadly multiculturalist perspective, as does the Association of Muslim Schools (AMS), established in 1992 to represent Muslim schools and liaise with the Department for Education (AMS n.d.). Professor Ted Cattle, chair of a commissioned report on community cohesion published in 2001, has been a leading advocate of interculturalism, including through his Institute of Community Cohesion (now iCoCo Foundation), a think tank. Despite its name, British Muslims for Secular Democracy (BMSD), a group founded in 2010 by journalist Yasmin Alibhai-Brown, regards faith as a fundamental human need, but also insists that religious belief provides no justification for discrimination on the grounds of gender and sexuality, among others (BMSD n.d). Its intersectionalist stance is shared by Accord Coalition, a coalition of organizations working for inclusive education and of which BMSD is a member (Accord Coalition n.d.e). Other affiliates have included Humanists UK, think tanks, the representative body of Unitarian and Free Christian Churches in Great Britain, a Hindu academy, the National Education Union, an educational body affirming gender and sexuality, the youth branches of the Liberal Democrats and the Green Party, and a feminist organization against fundamentalism.

The second group of stakeholders is trickier to locate on the ideological map. Marcus Stock is a Catholic Bishop whose statement on Catholic schools was endorsed by the branch of the Catholic Church in charge of running schools in the UK. The Department for Children, Schools and Families (DfCSF), the Department for Education (DfE), HM Government and Ofsted Chief Inspector Amanda Spielman offer viewpoints from state institutions, whereas the Liberal Democrats, a political party, occupy a liminal space between the Government (which it formed in a coalition with Conservatives

from 2010 to 2015) and the opposition. Muslim Engagement and Development (MEND) is a pan-UK charity promoting Muslim engagement in media and politics through 700 volunteers (MEND n.d.). Finally, the National Union of Teachers (NUT) conveys the voice of organized teachers working in England and Wales.

5. Compulsory curriculum

English education law requires school curricula to be “broad and balanced”, promote the “spiritual, moral, cultural, mental and physical development” of pupils and prepare them for the “opportunities, responsibilities and experiences of later life”.² However the Equality Act 2010 exempts from the prohibition on religion and belief discrimination anything done by a local authority or a school governing body in connection with the curriculum.³ Religious education in particular is mandatory in all state-funded schools.⁴ In schools without a religious character, it must follow a locally agreed syllabus focusing on Christian traditions but taking into account the other main religions practiced in the country.⁵ Schools must also organize an act of collective worship every day.⁶ In non-religious ones it must be of a broadly Christian character, without emphasizing any particular denomination, and take pupils’ background into account.⁷ In religious schools it must be in accordance with the school’s religion.⁸

Since the 1970s, Muslims have been mobilizing for the elimination of anti-Muslim biases in the national curriculum (Meer 2010, 124) and the provision of Islamic education in state-funded schools (Koopmans et al. 2005, 164). Religious education continues to occupy a prominent place in curricular debates. The discourses analysed suggest widespread support for the teaching of various spiritual perspectives, including among secularists. In a specific statement on religious education, Humanists UK (n.d.c) thus points out that religious knowledge is intertwined with the arts, humanities and social sciences, and that acquiring the former can enrich pupils’ experience of the latter. BMSD (2010, 10-11) asserts that religious education is an integral part of “intellectual development”, especially as it stimulates holistic modes of thought and reasoning. Yet as Accord Coalition (n.d.a) stresses, religion is not merely a set of theories but also a series of concrete practices, embedded in communities, that students should be able to recognize as such.

Beneath this agreement on the multiculturalist principle of religious reproduction can be discerned significant discrepancies around its current translation into practice. Perhaps unsurprisingly, each stakeholder considers its own constituency to be relatively disadvantaged in the formal or informal curriculum. These contradictory conclusions arise from the specific aspect of educational policy they choose to zero in on. Foregrounding GCSE and

A-level religious studies, Humanists UK (n.d.c) decries the privileged treatment given to religious vs non-religious worldviews, whereas Accord Coalition (n.d.b), which draws attention to mandatory assemblies, decries the establishment of Christianity as the religious norm. This is in stark contrast with the MCB (2007, 18), which notes that “[s]ome community schools adopt a policy where the religion and faith of their pupils is strictly regarded as a matter of private and personal concern”. The Council highlights that this secular outlook sometimes places religious pupils “in situations where they feel pressured into acting contrary to their beliefs and conscience”. The books on Islam available in libraries are cited as an example of neglect for the religious needs of Muslims in particular, as they may be few and/or written by “non-specialist or unfriendly authors” (MCB 2007, 54).

From a constructive perspective, stakeholders set out various proposals to make the curriculum more multicultural. The NUT (2008, 10) brings out the recognition dimension of religious education by stating that it should “provide all children an understanding of the range of beliefs found in a multicultural society and the values shared by most religious and ethical worldviews”. This is very similar to the position of Accord Coalition (n.d.a), which also stresses that appreciation of diversity need not conflict with adherence to a particular life stance. Humanists UK (n.d.c) adds a more sociological and relativist twist to the argument, suggesting that religions should be addressed in the societal context of their development. In relation to collective worship, Accord Coalition (n.d.b) does not propose to abolish it outright but rather to make it inclusive of all religions and beliefs, avoiding the privileging of Christianity over other beliefs. Beyond religious education and collective worship, the issue of religious equality has also been taken into account in a module on identity and diversity introduced within citizenship education in 2007 (DfCSF 2007, 10) and aiming to explore a range of cultural identities, including religious ones (DfE 2015, 8). Without singling out any particular subject, MEND (2017, 6) advocates wider teaching on Islamophobia and other forms of racism, whereas MCB (2007, 11) calls for greater attention to be paid to mutual influences between European and Islamic civilizations.

Any debate on the reproduction of cultural identities is bound to reveal differences regarding the specific communities children should be prepared to participate in, as well as the relative weight to be given to them. Whereas BMSD (2010, 6) argues that more weight should be given to Britishness, the MCB proposes that schools should rather seek a greater “fusion” between faith and British identities (2007, 19). The fusion metaphor harks back to an interculturalist ideal according to which cultural identities should not be preserved as they are but rather transformed in order to enable harmonious relations between groups.

In addition to its cultural contents, the curriculum is also seen as responsible for transmitting more abstract “British” values that may contribute to

religious and other types of recognition. A guidance document by the DfE thus states that schools should promote “an acceptance that other people having different faiths or beliefs to oneself (or having none) should be accepted and tolerated, and should not be the cause of prejudicial or discriminatory behaviour” (2014b, 6). In intersectionalist fashion, they should also encourage broader “respect for other people” and “an understanding of the importance of identifying and combatting discrimination” (ibid: 5-6). But how can common “British”, and especially anti-discrimination, values be reconciled with the fact of religious diversity? Various stakeholders view the relationship as complementary, to the extent that religious texts and traditions are perceived as providing positive sources of moral inspiration. These stakeholders range from Amanda Spielman (2018) to the AMS (2011), the Catholic Church (Stock 2012, 17) and Accord Coalition (n.d.a). The DfE itself however takes a more cautious stance, stressing that beliefs should not be transmitted in a way that singles out LGB pupils and families (2014a, 17, 23).

6. Accommodation of religious practices

The Equality Act 2010 circumscribes schools’ duty to make reasonable adjustments to disabled students, but various provisions of education law are designed to facilitate the accommodation of religion or belief. For instance parents have a right to request an exemption from religious education or collective worship for their child,⁹ and pupils have a right to withdraw from school to receive religious education or take part in collective worship.¹⁰ Sex education must also protect students from teaching and material deemed inappropriate in light of their religious and cultural background.¹¹ In 2008 the High Court characterized the exclusion of a Sikh girl who sought to wear a Kara bracelet in breach of her school’s dress code as indirect racial and religious discrimination.¹²

The accommodation of individual religious practices figures prominently in the multiculturalist literature as a flexible way to enable cultural reproduction, and it is endorsed by a wide range of actors, both Muslim and non-Muslim, institutional or otherwise. For instance the NUT asserts that “reasonable accommodations should be made to meet the religious needs of all pupils” and lists a series of desirable practices such as providing prayer space and recognizing religious holidays (NUT 2008, 9). As the MCB stresses, these practices cannot only enhance students’ experience of schooling itself but also improve their confidence in the broader possibility of getting ahead in life without abandoning their faith (MCB 2007, 18). Embracing the interculturalist ethos of integration, the NUT points out that “the motivation behind schools making efforts to meet the religious and cultural wishes of parents and communities is often a desire to welcome diversity in the

student/pupil population” (NUT 2008, 9). Diversity here implies a transformation of social norms, and both Muslim interviewees highlight that such a transformation must be linked to an increased visibility of the practices associated to Eid, Ramadan or prayers for instance. From that perspective it would not be sufficient for these practices to be allowed only in private, concealed spaces that fail to educate those who do not adhere to the faith. One practice that readily lends itself to such visibility is the wearing of religious attire, whose protection the AMS (2016b) regards as a precondition for equal British citizenship regardless of religious background.

Stakeholders’ general enthusiasm for religious accommodation is tempered by the fact that some demands may have the effect of reproducing unequal gender norms such as those which exclude girls from learning about sex or engaging in physical activities. These demands transpire in the MCB’s information and guidance for schools, where religion is presented as a valid ground for girls not to participate in swimming classes or to separate boys and girls, respectively taught by male and female teachers, in sex and relationship education (2007, 38, 49). The thrust of these guidelines has been contested by BMSD, NUT, the Liberal Democrats and the DfE, each of them drawing the line between legitimate and illegitimate forms of accommodation in a particular way. BMSD (2010, 11, 13) and NUT (2008, 10) both insist that everyone should receive sex education, but the latter explicitly comes down in favour of single-sex classes as a way of better serving pupils’ needs, whereas the former generally warns against preventing interaction between genders. Continuing the intersectionalist critique, the Liberal Democrats (2017, 29) not only commit to making sex education available to all pupils but also to making sure it addresses a series of more controversial topics including LGBT+ relationships. DfE guidance on the implementation of the Equality Act illustrates the blurry and contested boundary between legal and illegal forms of gender segregation by indicating that while single-sex classes and sports teams are not necessarily unlawful, they should not lead to any “unfair” disadvantage for either sex (2014a, 20-21).

7. Muslim schools

Whereas local authorities in England have a statutory duty to secure diversity in school provision and increase opportunities for parental choice,¹³ the Equality Act 2010 removes this duty from the prohibition on religion and belief discrimination,¹⁴ therefore making it unusable for minority faith schools. The Act also disapplies religion and belief equality standards in schools with a religious character in nearly all matters except pupil exclusions.¹⁵

As noted above, despite Muslims' demands for schools catering to their faith, British authorities have been reluctant to fund them on a par with Christian and Jewish establishments (Koopmans et al. 2005, 164, 168). The first successful applications came in 1998, one year after the publication of the Runnymede report on islamophobia, under a recently elected New Labour government. Toward the end of its rule eleven years later, the number of state-funded Muslim schools had risen to a modest eight (Modood and Meer 2010, 88), but by 2017 Conservative-led administrations had raised the figure to 27 (Long and Bolton 2018). As Meer (2010, 108–130) observes, public funding regulations dating back to 1944 originally intended to support established Protestant and Catholic schools. Yet Muslim organizations argued that Muslim children should not have to attend evening and weekend classes to receive Islamic education, and aspired to level up religious school provision (Tinker 2009, 147–148; Tinker and Smart 2012). On the other hand, secularist organizations and various academics have portrayed religious schools as a source of division and sectarianism (Tinker 2009, 545–546; Meer 2010, 107–108, 117, 139).

The discourses analysed suggest an interesting parallel between the perceived purpose of religious schools and that of religious accommodation. In both cases there is a multiculturalist concern for the equal reproduction of minority religious identities, though in the case of schools this reproduction takes place at the collective level rather than on a case-by-case, individual basis. In other words, religious schools are regarded as a type of higher-level accommodation and therefore as a highly effective way to cater to families' religious preferences. The emphasis on family comes out strongly in the statement of Catholic Bishop Marcus Stock, who portrays parents as the "primary educators" whom schools are intended to "assist" (Stock 2012, 8), but also in MEND's argument that parents must be offered a range of educational choices (MEND 2017, 19). As with individual accommodation, funding for religious schools is also understood as a transformative influence on social norms, a point MEND makes by insisting that such schools should not be viewed as a stigmatized "exemption" but rather as "mainstream" (ibid). Adding an explicitly egalitarian perspective that goes beyond established legal standards, the NUT (2008, 8) sees it as a right for each faith group that proves sufficient need and demand to have their needs met by the maintained sector. As the DfCSF (2007, 4) highlights, the fulfilment of this right would be particularly beneficial for economically deprived religious minorities whose members have had to pay significant fees in order to send children to independent religious schools.

This principled endorsement is tempered by an interculturalist perception that Muslim schools may hamper intergroup contact and cohesion. Ted Cattle (2013) and HM Government, in its *Integrated communities strategy green paper* (2018, 26), both link state funding for religious schools to

greater ethnic segregation and, in turn, segregation to an increase in intercultural stereotyping. These warnings take on a distinctly apocalyptic tone in Cattle's use of the "balkanisation" metaphor, which echoes HM Government's concern not only with prejudice but also with "extremism". The recurrence of highly emotional language can be observed in similar opinions from a range of civil society organizations, confirming the highly controversial nature of faith schools as a political field. For instance the NUT (2008, 10) and Humanists UK (n.d.a) both deplore their "proliferation", which Humanists UK attributes in part to state funding for schools attended by ethnic minorities. Shifting the spotlight from minorities to the majority, Accord Coalition (n.d.d) accuses Christian schools of generating not only religious but also class segregation by targeting the "better-heeled", and the non-Muslim teacher interviewed observes that many politicians have attended such homogenous schools. While prestigious, can they really be regarded as "integrated" in the diverse and cosmopolitan society of the twenty-first century, an educational factor that BMSD (2010, 5) describes as "priceless"? Thus turned on its head, the challenge of integration and intercultural recognition ceases to be cast as affecting exclusively minorities and is used as a lens through which to criticize the prejudices of the ruling class itself.

For a group of stakeholders including Humanists UK, NUT and BMSD, the segregation brought about by faith schools means that non-denominational alternatives are intrinsically preferable. In this sense it is noteworthy that one of the adjectives used to designate these alternatives, "comprehensive", immediately evokes diversity of intake, whereas another, "state", simultaneously refers to schools' governing entity and to the all-encompassing national population expected to enrol. Opponents of religious schools evince differences in the degree to which they are willing to countenance their on-going presence in the British educational landscape, with Humanists UK (n.d.a) favouring a complete transfer of governance to the state, the NUT (2008, 11) propounding a relative reduction in numbers and BMSD (2010, 5) merely stating that non-denominational schools offer the best environment for children's development. Yet the religious character of an institution can also be seen as a continuum, if one takes into account not only the mode of governance but also other features such as the curriculum, the demographics of students and teachers or the built environment. On a conciliatory tone mobilizing once again the interculturalist ethos of mixing, Cattle (2013) therefore proposes that schools should rather pluralize their religious affiliation, moving from a mono- to a multi-religious character. The non-Muslim teacher interviewed argues that diversity was successfully achieved in a school where she used to work and where a Catholic affiliation seemed to drive rather than preclude linguistic and racial pluralism. Going a step further, the Muslim teacher viewed in a positive light Muslim students'

enrolment in Christian schools where they would be provided with opportunities to learn about Christianity and share elements of their own faith.

In addition to segregation, the promotion of inegalitarian principles in religious schools' curriculum emerges as a concern for many stakeholders. Again there is a parallel with accommodation, as intersectional perspectives act as a counterweight to the multiculturalist willingness to adapt school practices to varied interests and experiences. Sex education returns under the spotlight, with Humanists UK (n.d.a) suggesting that religious schools may use it to teach homophobic or gender discriminatory views. The DfE (2014b, 6) and the NUT (2008, 6) both stress that religious schools are bound, if not always by equality law, at least by non-discrimination principles, to promote equality on the basis of personal characteristics such as belief, opinion, sexual orientation, gender, race and gender identity. As with other issues, the variety of views among Muslim organizations is attested by BMSD's (2017) criticism of the sexist books found in some Muslim schools, whereas AMS (2016a), in a vigorous response to a call to ban Muslim schools altogether, insists that all such schools educate children to reject extremism.

8. Religious selection/discrimination

Under education law, undersubscribed schools have a duty to admit all students who make the request whereas oversubscribed ones must rank applications against publicly available criteria which may include residence within a designated catchment area (Department for Education 2014, 8, 12). Because of the aforementioned exemptions of religious schools from certain equality standards, faith-based admissions are allowed for at least 50 per cent of students in oversubscribed ones. With regard to teachers, the Equality Act 2010 explicitly allows religious selection in independent schools with a religious character,¹⁶ and Department for Education guidance extends this exemption to all teachers in voluntary aided schools and new academies. Support staff can also be selected on religious grounds provided belief is a "genuine occupational requirement" for the job (Long and Bolton 2018, 7–9).

For some stakeholders, multiculturalist responsiveness to families' religious preferences offers sufficient justification for the religious selection of students. Both the non-Muslim teacher and the Muslim activist frame the question in terms of guaranteeing a place for families in a school of their choice, and more specifically a school sharing their own religious affiliation. This perspective starts from the premise that places in religious schools are a scarce good which should be distributed as a matter of priority to those in the best position to enjoy it. At the same time, it assumes that religion is a key factor in parental school choice, a factor that can and should trump other kinds of "fit" between family preferences and school characteristics.

When it comes to the religious selection of teachers, endorsed by the DfCSF (2007, 12) and the MCB (2007, 60), the rationale changes significantly. In this case selection is not viewed as a matter of ensuring well-being at work but rather the adequate reproduction of religious identities and practices by those in a position of power and influence within the school setting. This position thus relies on a distinctly marketized and hierarchical conception of the educational system, casting pupils as knowledge consumers whose satisfaction should be enhanced through the soft skills of carefully screened human resources.

Opponents of religious selection regard these premises as flawed both ethically and empirically, and nowhere is this more obvious than in their use of “discrimination” rather than “selection” as an organizing concept. “Discrimination” not only connotes illegality and moral opprobrium but also suggests a more conflictive relation between individuals and schools, whereby selection potentially acts as a barrier rather than an enabler of choice. This can be the case where religious identity is not parents’ primary concern but also, as the NUT (2008, 11) points out, where schools’ admissions authorities call into question the authenticity of families’ religious beliefs. In addition, says Humanists UK (n.d.b), new academies’ capacity to apply religious criteria in the admission of all students constitutes a formidable challenge for the interculturalist principle of integration. For such reasons Accord Coalition (n.d.d) advocates the elimination of any religious discrimination in faith school admissions, and Liberal Democrats (2009, 25) observe that “many faith schools do not apply faith based admissions criteria but are no less faith schools as a result”. As for the others, Cantle (2013) characterizes them as an exception on the international stage.

In relation to teachers, interculturalist opponents of selection/discrimination accept their role as key transmitters of religious knowledge in schools but strive to find a balance between reproduction and the integration they regard as necessary for inter-religious recognition. Accord Coalition (n.d.c) frames the matter as one of excessive homogeneity among teachers as well as between teachers and pupils’ families, which effectively creates a “ghettoised” environment in terms of religious views. Like the non-Muslim teacher, it insists on the difference between upholding a certain ethos through teaching and example, as all teachers may reasonably be expected to do, and personally adhering to a specific faith, which appears unnecessary to provide a fulfilling educational experience. The Liberal Democrats (2009, 25) broadly endorse this view, calling for a repeal of legal exemptions, but make an exception in the case of religious instructors. In addition to legislative change, more voluntary forms of positive action toward ethnic integration, including the redrawing of school catchment areas, the setting of school objectives and the collection of related evidence, are advocated by Ted Cantle (2013), HM Government (2018, 28–29) and the NUT (2008, 8, 10).

9. Conclusion

This article aimed to explore whether the ideological paradigms of secularism, multiculturalism, interculturalism and intersectionalism offered a heuristically useful framework to understand political claims around education and religious equality in the contemporary UK context. Some tentative conclusions can be drawn from the results. Firstly, non-establishment secularism seems to play a marginal role in political debates, as even explicitly non-religious actors such as Humanists UK in practice support a range of policies designed to reproduce and recognize minority faiths. None of the statements included in the sample opposes religious recognition, and reproduction is only rejected by two organizations (Humanists UK and NUT) in the context of state funding for religious schools. Even in this context NUT displays some ambivalence, and Humanists UK explicitly endorses religious education. In line with the multiculturalist literature, secularism thus seems to take on predominantly inclusive meanings.

Nearly all participants simultaneously endorse religious recognition and reproduction, lending support to the thesis of multicultural ideology's enduring significance despite widespread criticism of the term itself (Kymlicka 2016; Mansouri and Modood 2021). Yet the growing influence of interculturalist perspectives can be inferred from the fact that religious segregation has become a major concern in debates around religious schools and the selection of students and teachers. These issues have not yet been emphasized by more institutionalized religious bodies such as MCB, AMS and the Catholic Church, but they figure prominently in the discourse of BMSD. Intersectionalist perspectives have been mobilized by fewer, but still a majority of, stakeholders, mainly with respect to funding for religious schools and accommodation. These stakeholders span the more transformative (Humanists UK, AMS, BMSD, Accord Coalition, NUT) to the more established ends of the political spectrum (DfE, Ofsted Chief Inspector and Liberal Democrats). Interestingly, intersectionalism appears much more central in 2014 than 2007 official education policy, despite a shift from New Labour to Conservative-led governments. This suggests a possible influence of the Equality Act 2010 on governmental approaches, though it could also be linked to various controversies where feminist and LGBT rights arguments have been adduced to oppose the transmission of Islamic knowledge (Holmwood and O'Toole 2018). Consistent with the view that all post-secular ideologies of religious governance grow out of egalitarian struggles, interculturalist and intersectionalist positions tend to be associated with actors who also support multiculturalist principles.

On the whole, the progressive nature of political demands is attested by the fact that many go beyond minimum legal requirements. Whereas the curriculum is formally exempt from anti-discrimination scrutiny, multiculturalist

ideas are used to advocate the elimination of religious biases in all subjects, with a particular emphasis on religious education. Multiculturalism also underlies demands for transposing accommodation principles into the religious sphere, even if these demands are qualified by intersectionalist concerns over the impact on female and queer students. Despite the absence of a statutory duty to ensure religious diversity of educational provision, some multiculturalists invoke equality principles to request state funding for a greater number of Muslim schools. In this case their demands are tempered both by the interculturalist aspiration to maximize intergroup contact and by intersectionalist allegations that these schools may put female and LGBTQ students at a disadvantage. Finally, religious schools' leeway to select/discriminate students and teachers on religious grounds, justified in multiculturalist terms as facilitating religious reproduction, is strongly contested by interculturalists who highlight the repercussions of segregation on religious recognition. As these examples show, stakeholders sometimes deploy similar principles but disagree on the empirical link between policy and principle. This seems to be the case when a number of religious and non-religious groups perceive curricula as biased against themselves; when religious schools are alternatively depicted as sources of indoctrination and segregation or as supportive of "British values" and inclusive of students of diverse backgrounds; or when some see it as necessary for teachers and students to adhere to a school's religious ethos, whereas others consider that knowledge and practice are sufficient to preserve it.

Notes

1. The data was originally collected for a broader country report on educational justice and Muslims in the UK (Dupont 2018b). Only about half of the original documents were retained for this targeted article.
2. Education Act 2002, Section 78.
3. Para 11 and Schedule 11 para 6.
4. Education Act 2002, Section 80.
5. School Standards and Framework Act 1998, Schedule 19, rule 2(1)(2); Education Act 1996, Section 375.
6. School Standards and Framework Act 1998, Section 70.
7. School Standards and Framework Act 1998, Schedule 20, rule 4.
8. School Standards and Framework Act 1998, Schedule 20, rule 5.
9. Education and Inspections Act 2006, Section 55.
10. School Standards and Framework Act, Section 71.
11. Education Act 1996, Section 403.
12. [2008] EWHC (Admin) 1865.
13. Education Act 1996, Section 14(3A).
14. Schedule 3 para 6.
15. Schedule 11 para 6.
16. Schedule 22 para 4.

Acknowledgements

The data collection for this study was supervised by Professor Bridget Anderson, University of Bristol, who also offered helpful advice on the first draft of the article. Preliminary results were discussed with colleagues during a seminar organized by Professor Tariq Modood with the Centre for the Study of Ethnicity and Citizenship at the School of Sociology, Politics and International Studies. I would like to express my sincere gratitude to both mentors for their contribution.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Funding

This article belongs to the research project “Towards a European Theory of Justice and Fairness (ETHOS)”, funded by the European Union’s Horizon 2020 Framework Programme under grant number 727112.

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