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Spring 1-1-2011

Liberal-Democratic Education and the Challenge of Religion

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Recommended Citation

LIBERAL-DEMOCRATIC EDUCATION AND THE CHALLENGE OF RELIGION

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A thesis submitted to the

Faculty of the Graduate School of the

University of Colorado in partial fulfillment

of the requirement for the degree of

Doctor of Philosophy

Department of Philosophy, 2011

This thesis entitled:

Liberal-Democratic Education and the Challenge of Religion

written by Jay K Lynch

has been approved for the Department of Philosophy

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Date_____

The final copy of this thesis has been examined by the signatories, and we

find that both the content and the form meet acceptable presentation standards

of scholarly work in the above mentioned discipline.

Lynch, Jay K (Ph.D., Philosophy)
Liberal-Democratic Education and the Challenge of Religion
Thesis Directed by Professor Claudia Mills

This work is a response to the mounting criticisms of what I refer to as 'traditional liberal-democratic education.' I defend a characteristically liberal-democratic approach to education and schooling from recent internal and external challenges. I argue that the traditional liberal-democratic commitments to common schooling, emancipatory education, and secular instruction are well-founded and can be acceptably reconciled with the challenges of multiculturalism and religious diversity found in the modern state.

This defense is twofold. First, I defend these principals from recent theoretical reproach leveled on the grounds that they employ an objectionable view of autonomy, fail to recognize the parental and community right to educate, and are inadequate to foster civic magnanimity among future citizens. Second, I employ these principals in defending several particular policy proposals concerning a number of contentious policy issues currently at forefront in the conflict between religious belief and liberal-democratic education. In particular, I demonstrate how a commitment to these principals can guide us in coming to appropriate conclusions about the role of homeschooling and private schools, the appropriateness of teaching Intelligent Design Theory in the classroom, and the importance of recognizing and accommodating religious expression in schools.

Acknowledgments

First and foremost I would like to acknowledge my family for their ceaseless love and support. In particular, I would like to thank my mother who has always been my most ardent believer and whose love knows no bounds. I would also like to thank my beautiful partner, Briton, who entered my life as I was beginning the process of writing and whose unyielding encouragement and patience was indispensible. And finally, I would like to thank my son, Kaimani, who was born only five days after my dissertation defense and whose impending birth provided an important incentive to finish this thesis. There is a little piece of each of you in this work.

In addition, I would like to express my sincerest gratitude to Claudia Mills, my dissertation advisor, whose support and encouragement were crucial in the completion of this work. Claudia read several drafts of this dissertation and was always prepared with insightful and constructive suggestions that undoubtedly improved the quality of this work immensely.

Contents

Introduction

Liberal-democratic theory has had a difficult time as of late. The liberal-democratic commitment to protecting individuals from state power and treating persons as free and equal by refraining from the imposition of any particular cultural code has proven to be a difficult ideal. Although formulated in a way intended to accommodate maximal diversity in a society, liberal-democratic theorists have seen their position buckle under the massive weight of deeply entrenched diversity found in modern societies. So much so, that many philosophers have argued that liberalism is dead and that what is needed is a 'post-liberal' theory that is better suited to accommodate the multicultural and pluralistic nature of modern society.[1]

Nowhere is the conflict between the ideals of liberalism and the cleavages created by cultural and religious pluralism more apparent than in the realm of schooling and education. The traditional liberal-democratic commitments to autonomy, reciprocity, neutrality, and liberty have all been assailed by critics as unable to support liberal policies that exclude religious teaching in classrooms, limit religious expression in schools, and deny a parental right to withdraw children from objectionable instruction. Widespread liberal support for educational policies such common schooling, secular instruction, and emancipatory education is increasingly criticized as inconsistent with liberal values as well as simply inadequate to deal with the reality of profound religious and cultural differences. Liberalism, by divorcing politics from social, religious, and cultural disagreement, has simply fomented greater hostility and discontent among those who disagree with its latent values while at the same time limiting the

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[1] See, for example, Hampton (1996), Gray (1995), and Thiessen (2001).

state's ability to ensure conditions of genuine equality and freedom within the broader culture.

Consequently, liberal-democratic theory is charged with being unable to maintain its

commitment to pluralism without greater educational accommodation of the cultural and

religious beliefs of citizens—accommodation that requires revising or abandoning many of

liberal-democracy's most established educational tenets.

Unfortunately, few leading liberal-democratic defenders address the issue of religion in

the context of schooling and education in their writings. Classical liberal authors who spent

extensive time discussing religion—for example, John Locke, J. S. Mill, and John Dewey—

believed that religious groups would eventually become more liberal or move away from a God-

centric perspective to one that centered on humanity.[2] While this view was perhaps

understandably optimistic at the time these authors were writing, it is surely untenable today.

Although there has certainly been some liberalizing movements made by religious groups, large

numbers of religious believers are still staunchly conservative or extreme in their positions and

this is unlikely to change soon. If anything, many religious cleavages have only grown more

pronounced in recent decades. And yet even contemporary liberal authors have remained

largely silent on the issue of religion and schooling in the liberal-democratic state. [3] But it is

precisely in the area of education and schooling, critics argue, that the inadequacy and failure

of liberal-democratic theory in responding to religious diversity is most trenchantly observed.

For it is not until we critically examine liberal-democratic beliefs about the nature of autonomy,

the role of political authority, the importance of mutual respect, and the acquisition of liberal

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[2] See Locke (2003), Mill, J.S. (2010), Rockefeller (1991).
[3] Little, if anything, on education or schooling can be found in most liberal classics; see, Rawls (1971; 1993); Dworkin (1978; 2002), Raz (1986), Gauthier (1986).

virtues—with an eye toward the upbringing and education of children—that we recognize the problems inherent in the traditional liberal-democratic project. And the resolution of these problems is believed to require attenuating liberal theory with communitarian, conservative, or postmodernist ideals. Genuine respect for religious and cultural diversity, it is charged, means abandoning liberal-democratic education as it is widely conceived.

In response to these criticisms, many of the traditional educational commitments of liberal-democracy have been abandoned or revised by liberal supporters seeking to accommodate pluralism. In fact, charges of bias in teaching secular humanism in public schools or 'liberal duplicity' in focusing on individual rights while ignoring the rights of communities have prompted various concessions on the part of many liberal-democratic proponents. Efforts to retain liberal-democracy's commitment to tolerance and neutrality have often resulted in a misguided attempt to accommodate all diversity: liberalism without a spine, Stephen Macedo would say (2000).

This work is a response to these mounting criticisms of what I refer to as 'traditional liberal-democratic education.' I defend a characteristically liberal-democratic approach to education and schooling from recent internal and external challenges. I argue that traditional liberal-democratic commitments to universal schooling, emancipatory education, and secular instruction are well-founded and can be acceptably reconciled with the challenges of multiculturalism and religious diversity found in the modern state. Rather than abandoning these policies, I argue that the liberal-democratic state would do better to meet the challenge in implementation that they present in order to best realize their egalitarian promise. My

approach entails defending various liberal-democratic ideals from recent reproach, responding to attempts to reinterpret liberal commitments in ways that undermine its educational commitments, and revising liberal principles found to be lacking in light of legitimate criticisms.

Furthermore, contra recent detractors, I contend that the traditional liberal-democratic approach to education is best suited for meeting the requirements of justice and the duties we owe to future citizens in a pluralistic society. Abandoning traditional liberal-democratic educational commitments entails reneging on our moral and political responsibilities to ensure that each subsequent generation of children is free and capable of living a flourishing and worthwhile life in a society where they possess an inalienable right to an informed and efficacious voice. Liberal-democratic theory, as we will see, is not neutral and it ineluctably promotes a particular vision of the good life that will make some ways of life more difficult to lead. However, insofar as it is recognized that individuals alone are the proper object of moral concern—with cultures, traditions, and religions only derivatively so—the constraints of liberalism are seen to be burdensome only to those who wish to deny or limit the liberty of others through mechanisms of social coercion.

The first section of this work introduces the basic principles behind the liberal-democratic theory to which I ascribe and the educational commitments that fall from this view. Chapters one and two outline the basic theories of liberalism and democracy highlighting their unique theoretical commitments. I do not offer a sustained defense of theses views, nor is one necessary as the majority of the critics I engage are generally critiquing liberal-democracy 'from the inside.' I do, however, provide several arguments in support of some of the more

distinctive elements of my position.[4] Subsequent to this exposition, chapter three enumerates

several elements that when taken together constitute what I characterize as the traditional

liberal-democratic view of education. These elements have often been presented as a foil for

recent criticisms, and I will make a case for retaining a recognizable version of each of them.

Beginning with the fourth chapter I address several criticisms leveled against traditional

liberal-democratic educational theory. Chapter four addresses a number of challenges

pertaining to the concept of autonomy. Numerous critics have argued, for instance, that the

liberal depiction of autonomy is inconsistent with human nature or that its promotion leads to

undesirable educational consequences such as moral relativism. Chapter five addresses several

concerns raised by critics regarding the proper ascription of rights in a liberal-democratic

society. In particular, many theorists have argued that traditional liberal-democratic theory

fails to give adequate concern for the rights of parents or groups in delineating educational

authority and that this leads to mistaken educational prescriptions. Chapter six considers

several arguments appealing to the importance of civic magnanimity. A number of critics have

argued that traditional liberal-democratic education fails to teach students mutual respect or

foster intelligent belief about issues of paramount concern in a liberal-democratic society.

The final section of this work tackles several practical challenges to the traditional

liberal-democratic model of education. Chapters seven, eight, and nine move from the abstract

arguments made in the previous chapters to defend several specific educational policies in light

of the previous conclusions. Chapter seven addresses the issue of private schools and

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[4] For instance, my beliefs about the relationship between liberalism and democracy and the primary role of democratic institutions will undoubtedly be quite contentious.

homeschooling in the liberal-democratic state. Chapter eight considers the role for religious instruction by way of discussing the issue of teaching Intelligent Design. Finally, chapter nine tackles the topic of religious expression in schools and attempts to delineate the proper limits of liberal-democratic accommodation for religious dress, devotionals, and holidays.

One final note on the approach adopted. This work is philosophical in character and, as such, I deliberately leave aside questions of constitutional law. As Shelly Burtt comments, "Public schools may have the constitutional authority to insist on particular policies, but the more interesting question *is should they*.   Should they have such rights in the first place based on liberal-democratic principles?" (1994: 54). This work defends a particular vision of how liberal-democratic schools should educate students while being responsive to the intractable religious diversity that characterizes modern pluralistic states.

Section One:

Liberalism, Democracy, and Liberal-Democratic Education

It is not uncommon for authors who discuss the issue of liberal-democratic education consciously or unconsciously to conflate liberalism and democracy as though they were merely short hand for the same thing. This is understandable to some degree. Few liberals, for example, would deny that a right to political participation is a fundamental liberty that the state ought to protect. Conversely, proponents of democracy would rarely reject the rightful possession of liberties possessed by citizens outside the political sphere. This approach, however, often obfuscates the ways in which these two basic political commitments each have unique and important consequences for educational policy.

Furthermore, many important works on education within the liberal-democratic tradition elevate either democracy or liberalism in developing their views rather than pursuing a genuinely balanced theory.[5] Undoubtedly, much of this has to do with the widespread belief among some liberals that democracy is merely of instrumental value. As Harry Brighouse notes, for many liberals "it is not that individuals are fundamentally owed a say in how our common life is governed, but that giving all individuals such a say is the institutionally most reliable way of protecting those rights that really are fundamental, or those values that really do matter" (2000: 14). Democracy matters simply because it is the best way to ensure the preservation of liberal values. Those with more democratic leanings, however, argue that liberal theorizing is too theoretical and detached from the way educational policy is actually decided and debated to be of much practical use to communities and societies—particularly given the deep cleavages within liberal theory itself (Gutmann 1985: 9). It is suggested that

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[5] For examples of authors who privilege democracy over liberalism in developing a theory of education see: Gutmann (1985), Dewey (1916), Tarrant (1989), Steiner (1994). Authors who privilege liberalism over democracy include: Callan (1997), Levinson (1999), Macedo (2000), Strike (1982), and Brighouse (2000).

focusing on how we go about democratically settling our educational disagreements is preferable to developing abstract liberal principles that will find little consensus in our diverse society.

As a result of these differences in methodology, many of the arguments and policy views expressed in the writings of these authors are often conflicting. For instance, Amy Gutmann argues in her important work *Democratic Education* for democratic control over particular values—such as the development of autonomy—that many liberals have argued are sacrosanct. Conversely, theorists who perceive democracy as merely tangential to their project of developing a liberal theory of education fail to recognize the importance that democracy plays in adjudicating disagreements involving ostensibly 'self-evident' liberal principles.

In contrast to these positions, I propose to outline an account of liberal-democratic education that recognizes both liberalism and democracy as equally fundamental components of a just state. I resist efforts to privilege one or the other and, at the same time, believe it would be a mistake merely to combine them without teasing out their unique implications. Inevitably this approach leads to increased complexity in trying to combine these distinct theories; however, I believe it is essential in developing a successful theory of liberal-democratic education to consider them individually.

In the first chapter of this section I outline the basic commitments of liberalism. I explain the fundamental place that personal freedom has for liberal theory and the way this value relates to the ideas of autonomy, neutrality, and civic virtue. In the following chapter I elucidate my views on democracy. I argue that democracy is a requirement of justice—of

treating people as moral equals—and that its value is commensurate to those commonly associated with liberalism. I then argue for democracy's fundamental commitment to conscious social reproduction and the improving of citizens' understandings of their interests and the common good. Finally, in the third chapter, I offer an outline of the fundamental commitments of a consistent liberal-democratic theory of education combining the core values of both liberalism and democracy.

1. Liberalism

1.1 Introducing Liberalism

Liberalism, reduced to its most central tenet, is the belief that every human being possesses certain natural and inalienable liberties. The primary role of the liberal state is "to secure the political conditions that are necessary for the exercise of personal freedom" (Shklar 1998: 21). And while this doctrine has a long tradition in western political thought, it is within the pages of John Locke's *Second Treatise on Government* that we find the culmination of this theory. In this work Locke defends the claim that all humans are "equal and independent" and argues from this fact to the conclusion that governments and individuals are forbidden from interfering with the "life, health, liberty, or possessions" of another (2003: 9). The natural equality and independence of humanity protect each person, Locke argues, from interference or submission to another's projects or purposes. This is accomplished by establishing a moral sphere of liberty securing the equal freedom of every individual to choose his or her own path in life. Liberalism presumes that individual persons—not cultures, societies, or the common good—are the sole objects of moral concern (Brighouse 2000: 5).

Liberal theory, then, begins with the fundamental declaration that every human is born free and equal. Liberal states, accordingly, are those that recognize that "each person possesses a kind of sovereignty over his own life and that such sovereignty entails that he be accorded a zone of protected activity within which he is to be free from the encroachment of others" (Lomasky 1987: 11). Given that no individual is naturally the property or subject of another, any attempt by the state or fellow citizens to compel servitude or subordination is

morally illegitimate and violates a person's natural independence. It is only within liberal states, which guarantee an individual's basic liberties, that persons are extended their proper moral freedom.

Any state that recognizes the existence of a basic right to individual freedom is, at least to some extent, a liberal one. The influence of liberalism on modern political thought can be observed most readily in the constitutions of most western democracies which invariably guarantee some set of basic rights to all citizens. The modern use of term 'liberal' to distinguish someone who identifies with various socially progressive causes such as universal health coverage or gay marriage is an unfortunate recent convention, and I will only note here that this is *not* what I mean when I talk about liberalism or liberal theory. My use of the term 'liberal' follows the classical tradition in simply acknowledging a commitment to personal freedom and the existence of basic human rights that cannot be infringed by the state or fellow humans.

Modern liberal theory has attempted to extend Locke's seminal argument in defense of individual freedom in several important ways. Most notably, modern liberal theorists have, on the one hand, struggled with trying to identify the proper nature and scope of human liberty to be recognized by the liberal state. Liberals have disagreed sharply about which liberties are truly basic and which are not. Is there a basic right to an education, to meaningful work, or basic dignity? Liberals have adopted contrary positions with respect to these potential rights, and these disagreements continue, most conspicuously, in current U.S. debates about the existence of a right to universal healthcare. Once discussion moves beyond a general

commitment to the 'self-evident' liberal values of equality, freedom, and liberty, to questions of how these ideals are to be implemented in practice, through the recognition of rights and the writing of laws, we find deep and often intractable differences. It is no surprise, then, that no two liberal states exist today that interpret the commitments of liberalism in precisely the same way. Instead, liberal states are faced with a number of crucial and pressing questions: Is it possible to come to an agreement on the correct catalog of fundamental natural liberties and then correctly define their scope? Is it possible for the welfare liberal to demonstrate convincingly the existence of a positive right to housing to the classical liberal who believes only in negative duties? Is there an acceptable way of prioritizing the rights secured by liberalism in situations where they conflict?

On the other hand, liberal theorists have sought to reconcile liberalism's commitment to recognizing the freedom of each individual to choose his or her own path in life with the unavoidable necessity of imposing the basic tenets of liberalism on all those residing within the liberal state. More troubling than disagreements about what liberties are genuinely basic is the fact that the citizens of liberal states aren't even in agreement concerning the value of liberty itself. There are illiberal elements within every liberal state—citizens, for example, who reject liberty in favor of imposing their preferred worldview on others. Liberalism's commitment to recognizing individual liberty conflicts with the beliefs of those citizens who deny, for paternalist, cultural, or religious reasons, the value or existence of those basic liberties protected by the liberal state. Given the opportunity, for example, many groups within liberal states would likely seek to deny equal rights to women or African Americans, punish those who speak out against a favored doctrine, or compel all citizens to live according to some set of

sectarian values. The liberal state prevents this from happening by constraining the freedom of these citizens to live the lives they find most worthwhile. It is inevitable that even the most innocuous and limited liberal government engage in significant coercion. So how can liberalism's respect for individual liberty be reconciled with the beliefs of those citizens whose conceptions of the good life involve denying this respect to others? How can the liberal state successfully justify its coercive elements to those citizens who fail to find appeals to the 'self-evident' nature of basic human liberties persuasive?

Hindering efforts to answer these challenges is the recognition that the differences of opinion that exist among citizens, differences that resist any definitive resolution to these concerns, are a permanent fixture of modern liberal states. That is, the plurality of beliefs concerning these questions are not fully amenable to compromise, whether through extended deliberations or critical analysis, but must be acknowledged as reasonable, although decidedly conflicting, ways of comprehending the world. Ultimately we must simply accept this fact of reasonable pluralism, as the philosopher John Rawls calls it, and recognize that it would be impossible to achieve consensus concerning the character or legitimacy of liberalism once we step outside ideal theorizing (1993). We can rightfully presume that citizens will continue reasonably to disagree about the value and nature of liberal ideals in perpetuity.

Faced with the fact of reasonable pluralism, liberal theorists have sought to minimize or overcome these differences in ways that retain liberalism's perceived legitimacy. The first way is by appealing to liberalism's inherent commitment to accommodating and preserving the differences among citizens. Unlike other political systems, liberalism erects and safeguards a

framework of substantive moral rights and liberties, possessed equally by all citizens, coupled

with appropriately defined notions of toleration and neutrality toward citizens' divergent

beliefs. The extension and protection of liberties such as the right to free speech, association,

political participation, and conscience are grounded, in part, by the belief that citizens generally

possess the best insight into their own good and the conviction that the state ought to refrain,

as much as possible, from imposing a specific conception of the good life given reasonable

disagreement about what this is. The liberties secured by liberalism are meant to provide the

widest latitude possible for individuals to define and live their lives as they see fit without

interference from the state or fellow citizens. Rather than seeking to eliminate difference, a

plethora of beliefs and values expressed by the citizenry is an anticipated and desirable

consequence of the liberties and free institutions that are the hallmark of liberal ideals. These

liberties also protect the most vulnerable and weakest among the citizenry from the potentially

oppressive weight of the strongest or most numerous. Liberalism thus successfully preserves

and encourages difference and disagreement about the important elements of our collective

lives and is, for that reason, viewed by liberals as the most equitable means for accommodating

the fact of reasonable pluralism that exists in modern states.

Liberalism's recognition of reasonable pluralism can secondarily be seen in its attempt

to justify the substantive rights and liberties it champions in a way that is mutually acceptable

to all citizens. Liberal theorists have sought to reconcile their commitment to respecting the

diversity found in the modern state while developing a political theory that necessarily requires

extensive coercion in the form of laws and various social institutions. The objective is to defend

a set of enforceable political principles (broadly identified as 'liberal') through a legitimization

process that acknowledges and respects the differences that come as a result of citizens'
conflicting conceptions of the good life. Yet how is it possible to justify liberal political
principles in a way that respects all reasonable worldviews—particularly when some of these
views reject the central commitments of liberalism? This is perhaps the most serious challenge
facing liberalism.

Traditionally, there have been two contenders for answering this challenge. Both
alternatives seek to defend the same conclusion—the legitimacy of a state characterized by
liberal freedoms and institutions—but find the justification of this state in different locations.
The two views are generally distinguished in the literature by the labels *comprehensive
liberalism* and *political liberalism*. The comprehensive liberal affirms the existence of a
comprehensive value inherent in all characteristically good human lives. Examples of the sort
of comprehensive values advanced by advocates of this view include individuality, rationality,
or autonomy. It is on the basis of these comprehensive values found in all good lives that
traditional liberal freedoms and basic rights are defended and the legitimacy of the state is
preserved. Political liberalism, on the other hand, rejects the existence of any comprehensive
value exhibited in all good human lives—such an approach is charged with rejecting the fact of
reasonable pluralism—and argues that predicating the legitimacy of the state on such illusory
commonalities must ultimately fail and result in oppression (Rawls 1993: 37). There simply is
no moral value or doctrine upon which to build the principles of liberalism that can be
reconciled with every citizen's view of the good life. As a result, political liberals argue that the
only way to achieve mutually agreeable political principles is by employing a theoretical
framework that stands apart from citizens' competing values and identities.

1.2 The Commitments of Liberalism

In this section I outline several core commitments of liberal theory that are particularly relevant to the issue of education and schooling. As I stated previously, I do not intend to provide an exhaustive defense of liberalism in this work or settle the important and complex debates broached in the previous section. Furthermore, I don't presume that all liberals would agree with the entirety of my following description although I do believe that the general tenets would be acceptable to most committed liberals. That being said, I will attempt to provide a concise defense of those claims that liberals might find most contentious.

1.2.1 Autonomy

After having just stated that I would try to avoid making contentious claims about the basic features of liberalism, I begin with one: most liberals endorse, either explicitly or implicitly, the value of autonomy. What precisely is meant by autonomy? The concept of autonomy is a difficult one and liberal theorists have employed many definitions. The traditional liberal definition of autonomy, still widely employed today, is based on the idea that autonomous persons possess a genuine capacity to evaluate and revise their conception of the good life. Perhaps more precisely, the autonomous person lives as an active participant in his or her own life by living according to values and pursuing goals that are self-chosen. Autonomous persons are, as Joseph Raz argues, part authors of their own lives who

> …can shape their life and determine its course. They are not merely rational agents who can choose between options after evaluating relevant information, but agents who can in addition adopt

personal projects, develop relationships, and accept commitments to causes, through which their personal integrity and sense of dignity and self-respect are made concrete. (1986: 154)

John Rawls describes the autonomous person as one who acts "from principles that they would acknowledge under conditions that best express their nature as free and equal rational beings" (1971: 515). Liberal support for autonomy is a result of the broader liberal commitment to ensuring that citizens have the freedom to be self-governing agents leading lives from the inside and not bound by outside forces or the "present and the particular" (Bailey 1984: 20). This is what Ronald Dworkin has calls the 'endorsement constraint'—the idea that no life goes better when it is not endorsed by the individual living it (1989).

This description of the autonomous person entails various conditions required for the exercise of autonomy. For Raz these include sufficient mental abilities, an adequate range of options, freedom from coercion, and integrity (1986: 154). It is clear that one cannot be genuinely autonomous if lacking the mental capacity to form and pursue complex plans, or if one is compelled to make decisions in the face of violence or coercion. Other obstacles to autonomy include beliefs made as a result of another's purposeful deception, false information, or beliefs that are the consequence of 'adaptive preferences' in the face of injustice or indoctrination. Autonomy requires access to different ways of life, a willingness to consider alternative views fairly and assess them in light of new evidence, and a minimally robust critical rationality.

It should be noted that the autonomy valued in a liberal state is not secured merely by the state's refraining from interfering with citizens' ability to pursue their conception of the good life (and preventing others citizens from doing so as well), but must also actively involve

the state's encouraging its citizens to evaluate, consider, and perhaps even change their conception of the good life. As Will Kymlicka points out, liberal freedoms are not simply about the freedom to pursue one's beliefs but also include the freedom to try to change the beliefs of others (proselytizing), speak against the beliefs of one's group (heresy), and to renounce one's faith and choose another (apostasy) (1995: 82). None of these freedoms is entailed by a commitment simply to forming one's vision of the good life and pursuing it—they rely on "the assumption that revising one's ends is possible, and sometimes desirable, because one's current ends are not always worthy of allegiance" (Kymlicka 1995: 82). The liberal understanding of autonomy involves not only preserving the opportunity for individuals to pursue their goals and conceptions of the good, but it also includes the need to foster the capacity of citizens to be able to evaluate and change those conceptions as well. Liberalism is not sufficiently approximated in a state in which individuals are simply free to pursue the life to which they have been indoctrinated or born into—it must include the capacity to evaluate and even change their worldview in light of further investigations.

Of course a liberal state committed to the value of autonomy is, as some readers are likely to have surmised, a strand of comprehensive liberalism. That is, it explicitly endorses the value of autonomy in a good life. For this reason, many political liberals have found it objectionable. Political liberals, of whom John Rawls is certainly the most prominent, argue that liberalism, properly justified, does not presuppose the value of autonomy and that to do so is illegitimately oppressive of those ways of life that reject it. For it is quite clear that many ways of life do not place much (if any) value in the capacity for autonomy. If John Rawls and his contemporary followers are correct in arguing that political liberalism can be justified while at

the same time avoid committing itself to any contentious value—by justifying its principles on grounds that all citizens can accept—we might rightly abandon autonomy as an illegitimate imposition.

I believe the project of political liberalism, however, fails and ultimately does end up endorsing the value of autonomy. Because the idea of autonomy is such a central part of this work, I want to take some time to explain the reasons behind this judgment. If it can be shown that political liberalism is unsuccessful in providing an autonomy-free justification for the liberal state, this would go a long way toward buttressing the importance of autonomy in liberal educational theory. In fact, I would contend that perhaps the most persuasive approach to demonstrating autonomy's centrality in liberalism is to reveal that even the most determined efforts to exclude autonomy ultimately end up endorsing it.

The political liberal seeks to justify liberal political principles—principles that include elements such as the recognition of individual freedoms, basic human rights, toleration, and political participation—in a way that is consistent with respecting the deeply divergent views of modern citizens. This justification is necessary because the political liberal is committed to the idea that "only a political conception of justice that all citizens might be reasonably expected to endorse can serve as the basis of public reason and justification" (Rawls 1993: 137). However, it seems farfetched to think that citizens could ever agree on what principles of justice should govern the basic structure of society. If the fact of pluralism is indeed taken seriously, then it appears unlikely that there could ever be a conception of justice that all citizens could reasonably accept. How can this dilemma be resolved?

Certainly the most influential and well-developed theory of political liberalism is found in the writings of John Rawls, and it is his theory that I will juxtapose with the rival comprehensive alternative I endorse. Political liberals such as Rawls are openly mistrustful of 'perfectionism,' which is characterized as an "attempt to identify superior aspects of human existence or traits of character and, once having identified them, to use them as goals in political life" (Galston 1991: 79). Given that the institutions and laws of a state are coercive and constrain the freedoms of citizens, coupled with the fact of pluralism that resists any attempt to identify a universal comprehensive conception of the good, perfectionist or comprehensive liberal theories are charged with necessarily oppressing those citizens who reject whatever values or character traits are deemed essential to a good human life. So Rawls's project is to justify the existence of a state characterized by liberal principles without appealing to any particular social good or human characteristic; that is, without privileging any particular conception of the good life over another.

Rawls's basic strategy is to distinguish citizens' narrower *political* conceptions of justice (conceptions that apply solely to the basic structure of society) from the broader and more inclusive *comprehensive* moral doctrines they affirm—hence the label 'political liberalism.' Political liberals seek to identify those basic political commitments shared by all reasonable citizens who wish genuinely to reflect and discuss the appropriate principles that ought to shape the basic structure of society. These political commitments, Rawls thinks, can be identified while refraining from making any substantive judgments concerning the value of competing conceptions of the good life. Rawls argues that it is possible to identify some public conception of justice (and its associated political goods and values) that all reasonable citizens

can consent to, insofar as they are committed to reflection concerning constitutional essentials, apart from their deeper moral disagreements. This is what Rawls calls an "overlapping consensus" (1993: 40).

The desirability of political liberalism comes from its supposed neutrality concerning differing conceptions of the good life and its capacity for accommodating the differing worldviews found in a modern state by focusing solely on the *basic structure* of society. The basic structure of society is characterized as covering only the political, economic, and social institutions of the state while refraining from interjecting itself into more contentious moral disputes. It thereby omits legislating with respect to the broader moral conceptions among citizens and avoids exercising political authority in the name of some comprehensive moral doctrine that citizens might reasonably disagree with. This is based on the idea that state policies should be justified "without appealing to the presumed intrinsic superiority of any particular conception of the good life."[6]

For Rawls's purposes, this is understood as a constraint on the sorts of reasons that can be given in order to justify public policies and institutions. Rawls has referred to this subset of permissible reasons as "public reason," and it disallows any reasons that rely on the acceptance of a comprehensive moral doctrine for their validity (1993: 212). In other words, public reason prohibits the employing of reasons that rely on comprehensive moral beliefs when discussing constitutional essentials or the basic structure of society. This restriction, Rawls argues, is necessary for the coercive power of the state to be legitimate because it is only when the

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[6] Larmore, *Patterns of Moral Complexity* p.44; quoted in Galston (1991: 101).

constitutional essentials of the state can be reasonably endorsed by all of its citizens that it avoids oppression.

Thus any proposals about the basic structure of society are legitimate only if they are grounded on arguments/principles that can be supported by reasons that other citizens could genuinely accept. As Rawls explains, "citizens are to conduct their fundamental discussions within the framework of what each regards as a political conception of justice based on values that the others can reasonably be expected to endorse and each is, in good faith, prepared to defend that conception so understood" (1993: 226). This requires that justifications given for constitutional essentials avoid the intractable metaphysical, philosophical, and religious differences that characterize our pluralist society and instead rely on publicly accessible reasons. By restricting discussions of justice to the basic structure through the use of public reason, Rawls believes we can reach an overlapping consensus in which the basic principles of justice that characterize liberalism can be affirmed within citizens' differing comprehensive moral doctrines. As a result, political authority exercised in defense of the central ideals of liberal politics is legitimated insofar as they are recognized as components of all reasonable ethical views.

At this point one might think that Rawls's approach appears merely to shift the problem of justifying liberalism rather than providing a solution to the dilemma. In the same way that the comprehensive liberal seeks to justify political authority by appealing to some comprehensive doctrine, Rawls's political liberalism seems to justify liberalism by appealing to the virtue of public reason in the political sphere. While we may no longer need to find some

attribute of the good life that all citizens are willing to endorse, it seems Rawls has presupposed the value of a willingness on the part of citizens to accept the value of public reason in discussions about constitutional essentials. But this is surely not a feature that all ethical doctrines can accept. Not only is it difficult to think of any universal public reasons by which all citizens would be willing to restrict their political discussions, but even if we could locate some they are probably going to be too "narrow, skewed, or odd to provide an adequate basis for public policy" (Galston 1991: 104).

Rawls attempts to motivate the legitimacy of public reason by focusing on identifying the characteristics of "reasonable religious, philosophical, and moral doctrines in a society" (1993: 210). Rawls's argument relies on the claim that while not all comprehensive doctrines in a society will be willing to accept public reason as a legitimate constraint on discussions of a society's basic structure, all *reasonable* doctrines will and, furthermore, a liberal society need not acknowledge unreasonable doctrines insofar as such doctrines are incompatible with a stable and just (i.e., non oppressive) society. As Callan notes, there must be some measure of selectivity with respect to diversity, and this is why Rawls starts with the fact of 'reasonable pluralism' rather than "pluralism pure and simple" (1997: 21). Rawls thinks that the appropriate measure of selectivity excludes all groups that reject the principle of public reason in political discussions.

Rawls claims that reasonable doctrines are espoused only by reasonable individuals. What characterizes a reasonable individual? There are two aspects that Rawls discusses. The first is that the reasonable individual is identified by a willingness to "propose principles and

standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so," and a by complementary openness to discussing the "fair terms that others propose" (1993: 49). Reasonable persons, as opposed to the merely rational or unreasonable, possess a certain moral sensibility which signifies a desire on their part to engage in fair social cooperation—an essential quality of citizenship for any stable society. Rawls equates this aspect of the reasonable individual with the notion of reciprocity.

The second feature of the reasonable individual is the acceptance of what he terms "the burdens of judgment" and recognition of the way in which these burdens lead to the inevitability of public disagreement (Rawls 1993: 54). Rawls argues that the plurality of reasonable but irreconcilable disagreement in modern society results from the inevitable logical obstacles involved in the process of coming to a well-reasoned judgment about an issue. That is, when coming to a reasoned decision about a particular issue, we are faced with a number of evaluative judgments that are not necessarily open to rational revision. Rawls's examples of these judgments include the following: evidence concerning difficult issues is often conflicting; our basic concepts are to some extent vague and indeterminate; our weighing of evidence is shaped extensively by our experiences and values; there are always a limited number of views up for consideration in a given social landscape, etc. (1993: 56-57).

Rawls claims that the burdens of judgment explain much of the source of reasonable disagreement in society. They make it clear that we should not expect, even under conditions where sources of unreasonable disagreement (ignorance, prejudice, self-interest, willful blindness, etc.) are absent, "that conscientious persons with full powers of reason, even after

free discussion, will all arrive at the same conclusion" (1993: 58). The reasonable person, then, accepts these limitations on arriving at a considered judgment on an issue and is therefore willing to acknowledge these limitations when seeking fair terms of cooperation. Accepting the burdens of judgment entails not believing that my own particular doctrine is infallible or that other doctrines cannot be equally reasonable to my own. Someone who accepts the burdens of judgment, therefore, would find it unacceptable for some citizens to attempt to impose their moral doctrine on other citizens with conflicting reasonable doctrines. Instead, the reasonable person accepts public reason as a means to finding principles of justice that all citizens can accept and does not promote a single doctrine as the only reasonable way to live. This is where the acceptance of public reason comes in for Rawls with respect to every reasonable doctrine.

Thus, reasonable comprehensive doctrines are those that are consistent with the acceptance of the burdens of judgment. Rawls thus "reinterprets the fact of pluralism, as the fact of the burdens of judgment (that are themselves the source of pluralism)" (Levinson 1999: 16). In other words, the broad fact of pluralism that Rawls initially acknowledges and characterizes in his admittedly loose definition of reasonable comprehensive doctrines is narrowed to the fact of different comprehensive doctrines that recognize the burdens of judgment. The line Rawls draws in circumscribing those views deserving of liberal respect and those that which do not, consequently, reflects whether or not a given view accepts or rejects the burdens of judgment and, accordingly, of the idea of public reason. Those views that fall outside this account of reasonableness need not be accommodated because they are unable to "honor fair terms of social cooperation in their relations with the rest of society" (1993: 199).

Views that do not acknowledge the burdens of judgment are simply incompatible with stable

and just political societies which require basic civic virtues like mutual respect and fairness.[7]

As a result, worldviews that fall outside of this new characterization of pluralism need

not be respected in choosing political principles of justice because they are not instances of

reasonable diversity. For example, citizens who reject the burdens of judgment by continuing

to insist on formulating principles of justice based on a single comprehensive doctrine and

reject seeking principles that accommodate all reasonable views need not be accommodated in

formulating principles of justice. This would appear to exclude not only those individuals

unwilling to acknowledge the fallibility of their beliefs, religious fundamentalists as one

example, but any philosophical defender of a liberal virtue such as autonomy who casts

opponents as unreasonable.[8]

But this requirement on reasonable individuals as those accepting the burdens of

judgment, as noted by many authors, is far too restrictive for Rawls's purposes. Rawls's

account appears to exclude numerous groups that contribute to the diversity in a liberal

society. In particular, any group that claims to possess some true belief and is unwilling to

question this belief or consider the possibility that its acceptance has involved certain errors in

the exercise of reasoning is excluded on the grounds of being unreasonable. Any group whose

belief rests entirely on an unwavering faith that is not open to question is excluded on the

grounds of being unreasonable. Any group that fails to acknowledge the equal reasonableness

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[7] See Macedo (2000) for an excellent educational defense of Rawls' political liberalism.
[8] Rawls does try to distinguish between recognizing the burdens of judgment solely in the political realm while maintaining a unwavering certainty of one's beliefs in the non-political arena—but it is questionable whether or not this can be done or even demanded of citizens. See Callan (1997: 30-31).

of contending moral doctrines fails to meet the standards set by the burdens of judgment. As a result, "Rawls's conception of public reason cannot be free-standing relative to an audience as inclusive as the one to which his argument is explicitly tied" (Callan 1997: 33). In fact, it seems to exclude much of the pluralism that Rawls so desperately seeks to retain.

Ultimately, it seems that acceptance of Rawls's burdens of judgment has the consequence of requiring that citizens exercise a minimal level of autonomy. This can be seen when we examine the likely impact such acceptance would have on the individual. An individual who affirms the burdens of judgment must be made aware of the great diversity of reasonable disagreement that characterizes modern society, she must be cognizant of the difference between a reasonable belief and complete truth, she must acknowledge that alternative moral doctrines cannot be merely dismissed in a cursory fashion but must be seriously investigated and confronted on their own terms and in accordance with agreed upon methods of inquiry, and she must be able to separate herself from her own conception of the good so that she might recognize that her way of life is not the only reasonable one. These requirements entail the capacity for evaluating and potentially revising one's values and beliefs—they give rise to the development of a capacity for autonomy. The capacity for autonomy is therefore tacitly affirmed by Rawls as a value worth promoting in society and hence a political good. However, autonomy is not a value that is universally esteemed in society; in fact, it would necessitate that many individuals in modern society "fundamentally reconceive their relationship to their communities and churches, the character of their beliefs, the content of their values, and even their conception of their own identities" (Levinson 1999: 17).

Furthermore, as Will Kymlicka has argued, Rawls's theory fails to explain why citizens who reject the burdens of judgment in their general lives would choose to accept it within political contexts. He writes, "If the members of a religious community see their religious ends as constitutive, so that they have no ability to stand back and assess these ends, why would they accept a political conception of the person which assumes that they do have that ability…" (Kymlicka 1995: 160). Additionally, accepting such a bifurcated ideal would impose the cost of precluding "any system of internal restrictions which limit the right of individuals within the group to revise their conceptions of the good" (Kymlicka 1995: 161). That is, by accepting the value of public reasonableness in political contexts, groups would be unable to justify the imposition of laws that prohibit, for instance, the capacity of members to leave or speak against their religious community. This, of course, is a prohibition that many groups would wish to impose. Thus, accepting the value of autonomy and individual freedom in the political arena— i.e., the capacity to change and revise one's conception of the good—will ineluctably entail serious consequences for the exercise of religion in the private sphere. It will, in effect, lead to the promotion of autonomy in private life and thus will be favored only by those who already privately value autonomy. This is why Stephen Macedo, a contemporary defender of Rawls, is mistaken when he claims, "Civic liberalism is not neutral in its effects, but it at least disallows the use of political power to directly promote anyone's contestable comprehensive ideals" (2000: 185).

Rawls thus fails in his attempt to provide a genuinely 'free-standing' conception of liberal justice and ultimately smuggles in an attenuated sense of autonomy as a political good. Even if Rawls restricts his justification for autonomy to civic reasons, it is evident that the skills

and values associated with this capacity cannot be restricted to this domain alone. Requiring the possession of autonomy in the political sphere entails the capacity for autonomy in citizens' personal moral lives while also constraining the ability of citizens to promote anti-autonomy political policies. As a consequence, political liberalism turns out to be far more exclusionary than Rawls suggests. Rawls's political liberalism would have the effect of excluding numerous groups from liberal citizenship on the grounds that they reject political autonomy and thus undermines his effort to secure universal assent to liberal principles.

While a demonstration of Rawls's failure to defend the viability of autonomy-free liberalism does not justify concluding decisively that political liberalism as a whole is a *non sequitur*, I would argue that Rawls's argument does suggest that a capacity for autonomy is an essential element of any contemporary liberal theory. Liberal theory simply cannot get off the ground unless there is at least a weak favoring of a life characterized by the capacity to evaluate and revise one's conception of the good life regardless of whether this is for merely political or perfectionist reasons. Simply stated, the liberties and freedoms that liberalism secures are legitimate only in the eyes of those citizens who believe that the ability independently to choose the life they wish to lead is a valuable component of a good life. Thus, I concur with Levinson when she writes that contemporary liberal theory must minimally endorse "a state which values citizens' exercise of autonomy but does not discriminate against those who do not exercise autonomy in their own lives," a theory she labels *weak perfectionism* (1999: 21). However, even this weak perfectionism imposes unmistakable burdens on certain citizens and impedes their ability to pursue a chosen lifestyle.

The question of whether this weak perfectionism is distinguishable or preferable to more full-blown comprehensive liberal theories that purposefully advance the virtue of autonomy is a matter of debate. Many writers argue that even if Rawlsian weak perfectionism is theoretically distinguishable from more robust autonomy-endorsing liberalism, in practice the two are virtually indistinguishable.[9] In the end, it seems that it is perhaps just a matter of differing theoretical justifications for similar policy prescriptions.

At this point one might wonder how extensive the liberal favoring of autonomy must be—in particular, does the state's recognition of autonomy's value entail that it not only protect the opportunity of citizens to exercise their capacity for autonomy but also cultivate its development? Harry Brighouse says no, arguing that "people's lives go better when they deploy the skills associated with autonomy, but this does not yield any obligation to persuade them to deploy them: autonomy must be facilitated, not necessarily promoted" (2000: 80). I would argue, however, that a contrary conclusion follows from the liberal recognition of autonomy as a social good. That is, "it does not make sense to admit that there is value in exercising autonomy, but to deny that there is value in developing it (which development is, obviously enough, a precondition to its exercise)" (Levinson 1999: 37). It would seem paradoxical, for instance, to value the virtue of courage in one's child and yet resist promoting the development of this virtue, particularly at an early age when it is most easily acquired. The very same reason that autonomy is perceived as valuable in the liberal state leads ineluctably to the belief that the state should seek to secure the opportunity for citizens meaningfully to exercise this capacity. If the state views the exercise of autonomy as valuable, then it should

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[9] See, Gutmann (1995) and for a reply Macedo (1995).

view the development of autonomy as valuable as well. Furthermore, it seems practically

unfeasible to provide children with the skills of autonomy while remaining neutral on the

question of whether they ought to employ these skills. It is inevitable that an adequate training

in the skills of autonomy will predispose children to employ them and that a clear distinction

between facilitation and promotion is perhaps largely untenable. Consequently, it is not at all

clear that even if this distinction between autonomy promotion and facilitation can be

sustained, any difference in liberal educational policy would result.

1.2.2 Neutrality

I would be willing to venture that no values are more closely associated with liberal

theory than those of neutrality and toleration. It is not uncommon for liberals to appeal to

these ideals in defending ideas like 'separation of church and state' or efforts to promote

multiculturalism. Liberalism is often characterized by an unwillingness to take sides on morally,

culturally, or religiously controversial views. In fact, it is liberalism's commitment to individual

freedom that is evident in its equal respect for the liberty of persons to choose the life that they

wish to live and its restraint in imposing laws or policies that favor one way of life over the

other (Dworkin 1978). As we've previously discussed, modern states are characterized by an

enduring plurality of incommensurable but reasonable ways of life and the liberal state adopts

a position of 'benign neglect' with respect to these competing ways of life.

On this understanding, the liberal state does not promote any particular way of life but

"presides benignly over them, intervening only to adjudicate conflict, to prevent any particular

way of life from tyrannizing over others, and to ensure that all adhere to the principles that

constitute society's basic structure" (Galston 1991: 80). Thus, the liberal state maintains a position of neutrality concerning the best life for individuals, only engaging in acts of coercion when needed to protect the freedoms of fellow citizens or preventing actions that might endanger the continued existence of the liberal state.

The liberal state's affinity for neutrality is closely related to its endorsement of toleration. In fact, it is the "generalization of toleration within the liberal state" that could most reasonably be said to lead to the principle of state neutrality (Galeotti 2002: 27). The idea of state toleration most famously had its beginnings in early modern Europe as a response to the religious wars that resulted in the deaths of untold numbers. The fundamental idea of toleration was based on the notion that a nation should separate issues related to the maintenance and upholding of order in the state from issues that were tangential to this function—e.g., religious, moral, racial, gender, or cultural matters. State neutrality universalizes this commitment to toleration by relevantly restricting its coercive scope. It tolerates by refusing to permit alleged facts about the impropriety, unreasonableness, or falsity of particular citizens' values, commitments, or beliefs as reasons to justify silencing or suppressing them.

When discussing neutrality, however, we must take several things into account. First of all, any sophisticated liberal recognizes that complete neutrality is simply impossible and that there are a number of different ways neutrality can be interpreted and defended. Any state action (or inaction) will often have disparate effects on different ways of life—making it easier to pursue some while increasing the burdens on others. Consider a state decision to increase

ease of interstate travel by constructing a road through a number of wilderness areas. While

this decision would make the lives of some citizens more comfortable (truckers and

commuters), it would at the same time have the effect of making it more difficult for those

citizens whose way of life includes a significant interest in having access to pristine wilderness.[10]

The fact that any state will need to make numerous such decisions makes clear that neutrality

of effect is unsustainable in any significantly pluralistic society.

Secondly, because of the immense difficultly in producing neutrality of effect, most

liberals interpret neutrality in terms of intent. That is, the liberal state is neutral insofar as it

seeks to justify its policies based on principles that do not favor or denigrate any particular

conception of the good life. Although it would still be impossible to meet this standard of

neutrality completely, it is more easily approached and better suits the motivations behind

toleration. For instance, while a liberal state could not legitimately prohibit a religious

gathering based on its opposition to the participants' religious views, it could act to prohibit it

based on safety concerns. A concern with safety does not imply the inferiority of any religious

way of life even if the effect is to prevent the activity of a particular religious group. Thus, as

long as the intention of state acts of coercion are not based on an intention to favor or

disadvantage some ways of life over others, it remains neutral in terms of demonstrating equal

respect for citizens individual commitments.

Finally, although neutrality is perhaps the value most closely associated with liberalism,

it is not its most central principle. While some liberals would undoubtedly disagree with this

claim, neutrality is generally viewed as a consequence of the more fundamental liberal

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[10] See Brighouse (2000).

commitments to autonomy, individual freedom, and toleration rather than being liberalism's

central motivating commitment.[11] For instance, one need only look to liberalism's contentious

commitment to the individual as the sole object of moral concern to recognize that its policies

will not be neutral between the potentially conflicting claims of individuals and groups.

Absolute neutrality is neither practically possible nor consistent with the advancement of the

basic liberal virtues.

<div align="center">1.2.3 Liberal Virtue</div>

No state, a liberal one included, can persevere in the face of an absence of civic virtue.

Most classical liberals eschewed discussion of the need for civic virtue, confident that just

institutions would be sufficient to sustain the liberal state. However, most liberal theorists now

recognize that a healthy liberal state depends on the presence of a citizenry equipped to

support it. Even a perfectly constructed liberal state that successfully secured the rights and

needs of all its citizens could not survive if

> …when elections are held, scarcely anyone bothers to vote. The mass media ignore politics because the consumers to whom they cater do not care. Freedom of speech has been reduced to a spectral existence because speech is no longer commonly used to defend a distinctive vision of the good and the right or to say anything that might initiate serious ethical dialogue with another. That is so because citizens are either indifferent to questions of good and evil, seeing the point of their lives simply as the satisfaction of their desires, or else they commit themselves so rigidly to a particular doctrine that dialogue with those who are not like-minded is thought to be repellent or futile. (Callan 1997: 2)

I believe Callan is correct in concluding that a liberal state characterized by such apathy, rigidity

in belief, and lack of civic spirit among its citizenry seems "poised for collapse" (1997: 2). The

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[11] Ackerman (1981), for instance, argues for a "Neutrality Principle" as being the centerpiece of liberalism. For a trenchant criticism, see Galston (1991).

success of the laws, policies, and institutions of a liberal state, or any state for that matter, depends fundamentally on the characters and dispositions of the citizens who make up that state. As Levinson writes, "no matter what institutions and freedoms are built into the basic structure and constitution of the state, their realization will always depend on the character and commitments of its citizens…" (1999: 102).

In *Liberal Purposes* William Galston influentially argues that responsible citizenship requires four types of virtues: a) general virtues—courage, law-abidingness, loyalty; b) social virtues—independence, open-mindedness; c) economic virtues—work ethic, willingness to delay gratification; and d) political virtues—respect for the rights of others, capacity to evaluate elected leaders, and moderation in political demands (1991: 220-226). Certainly many of these virtues, as Galston notes, are necessary for the stability and sustainability of *any* political community regardless of its political or economic system. A state simply could not endure if its citizens refused to defend it if necessary, if they were simply too lazy to work and failed to take any sense of pride in their projects, or if they lacked a sense of loyalty to the foundational principles of the state and to their fellow citizens.

Yet there are also virtues that are particular to the well functioning of modern pluralistic liberal societies. Candidates for these virtues include toleration, self-restraint, openness to compromise or accommodation, and a commitment to political participation. The modern liberal state is characterized by deep and pervasive differences in citizens' conceptions of the good, and it is vital that citizens are receptive to openly and honestly discussing their differences with the goal of reaching mutually acceptable policies. This entails a level of respect

for the beliefs of others, even if they are perceived as strange or repugnant, and an equal willingness to provide reasons for one's favored beliefs. The most fundamental principles underlying liberalism—equality, fairness, freedom, etc.—are ambiguous and can reasonably be defended in distinct ways. Thus, they suggest the importance of serious discussion and debate concerning policies and laws that appeal to them.

Of course, difference will never be eliminated in the liberal state even through sincere, respectful, and honest discussion. As a result, it is essential that there exist a strong commitment among citizens to the virtue of toleration. Even views perceived by the masses to be wrong, immoral, or misguided still warrant respect and protection in the liberal community. And while not every citizen must possess all of these liberal virtues so far discussed, or possess them completely, the liberal state does require "a critical threshold—there must be a sufficient number of citizens who possess these virtues to a sufficient degree" (Kymlicka 2001: 299).

The need for the civic virtues enumerated above, however, directly leads to the question of how the liberal state can engender these qualities in its citizens. How can a liberal society ensure that its citizens embody these virtues and dispositions? While there are undoubtedly a number of places in which these virtues might be cultivated—including an individual's family, work, or community associations—most theorists point to the educational system as the locus best suited to meet this objective. The best place for citizens to develop the necessary habits and characters supportive of the values and ideals of a liberal community is in the course of their educations.

2. Democracy

2.1 Introducing Democracy

Every society is organized in part by rules that constrain the lives of its citizens. In our society this is accomplished through the means of a constitution, laws, and other governmental decrees. But the rules present in any given society are not inevitable—they are likely to change or be abandoned if the society lasts long enough—and these laws will not be shared by all other societies. Even in societies that are grounded in core principles that are perceived to be inviolable, such as a liberal state's commitment to liberties like free speech and freedom of religion, these principles will likely evolve as a result of changing interpretations, applications, and perhaps even the recognition of additional liberties not yet acknowledged in current law. These revisions will sometimes engender fundamental and pervasive changes to the laws enforced in state — civil rights legislation in 1960s being a particularly salient example. Given this fact, we might wonder what entity is entitled to make these inevitable determinations concerning a state's laws and policies. One answer, the democratic answer, is to say that 'the people' should make these decisions.

It is unlikely that modern readers in Western nations will require much convincing concerning the value or legitimacy of democratic governance. So widespread and deeply felt is this commitment that claims about the justness of democracy are likely to be perceived by most members of these nations as mere platitudes. Overwhelmingly, citizens in these nations believe in the democratic idea that the people have a right to rule—that decisions about what laws and policies a people live under ought to be made by the citizens or at least by

representatives the citizens have elected. They are deeply opposed to the idea that a single

individual, or even select group of individuals, should have a right to legislate without the

people having ultimate say. In fact, there is such an unshakeable certainty in the correctness of

democratic governance that countries such as the United States are able to invade other

nations under the pretense of 'spreading democracy' while domestically facing only muted

criticism for doing so. Furthermore, even the on the extreme ends of the political spectrum

here in the U.S. we find both sides clamoring to demonstrate that their ideals and principles

most faithfully preserve the values of democracy.[12]

Given these observations about Western nations, and because this paper is primarily

focused on the role of education in a liberal-democracy, I do not intend to offer a

comprehensive defense of democracy. It is important, however, to remind ourselves of why we

value democracy, particularly from a liberal perspective, if we are judiciously to weigh the costs

of such support against the constraints democracy places on its citizens. As I will argue, a

commitment to democracy does not come free as some theorists have assumed.

A good place to begin a search for democracy's legitimacy is within liberal theory itself.

Most liberal arguments in defense of democracy are instrumental in nature. It is claimed that

democratic governments are more likely to ensure that everyone's rights and interests are

protected than any possible alternative. As Richard Arneson argues, "Democratic rights are

protective. Their primary function is to safeguard other, more fundamental rights. Democratic

rights are justified in a given institutional setting just to the extent that they serve this function

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[12] Consider right-wing pundit Rush Limbaugh's claim to be the "Defender of Democracy" and Amy Goodman's left-leaning radio show entitled "Democracy Now!"

better than do alternative feasible arrangements" (2003: 95). The right to free speech, for instance, is more likely to be maintained if all citizens are free to participate in the political process than if decisions are made autocratically. It is not as though there is a fundamental right to participate in a collective decision-making process; rather, this right is merely instrumentally valuable insofar as it is best suited to secure the rights, equality, and freedom fundamental to liberalism.[13] This justification for democratic governance, however, entails that if democracy was found not to best achieve these goals (e.g., a perfectly wise and fair philosopher king or queen was found to do better), then democracy would no longer be warranted in the liberal state. For many proponents of democracy, including myself, this is an unpalatable conclusion.

In opposition to this view, I believe that democracy is intrinsically valuable. Citizens possess a moral right to have an equal say in how their community or society is governed. Democracy is valuable insofar as "equality among citizens in the collective decision-making process is required by justice" (Christiano 2003: 8). Let me take a moment briefly to defend this position prior to discussing the fundamental commitments associated with democratic governance. It should of course be obvious that in defending democracy's intrinsic worth I am not discounting the many important instrumental values that democracy possesses as well.

My own belief in the intrinsic value of democracy is influenced by Thomas Christiano's excellent work in democratic theory. Christiano argues that democratic governance is intrinsically just because it alone realizes the moral and, I would contend, liberal commitment

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[13] For other examples of this instrumentalist defense of democracy, see Buchanan and Tullock (1999), and Dworkin (2002).

to considering the interests of all citizens equally. Given the intractable presence of disagreement in modern society, coupled with liberalism's commitment to the personal freedom of each individual to live his or her life as each sees fit, it follows that each individual ought to have an equal say in decisions that affect citizens collectively. To allow some citizens greater say in how collective decisions are made betrays the liberal commitment to personal freedom by allowing some lives to go better than others.

It might be objected that a benevolent dictator, with a more complete understanding of each citizen's interests, might be better equipped to maximize each citizen's well-being. Yet this runs into a number of worries. The first is related to the idea raised by Dworkin that no life goes better when it is not endorsed from the inside (1989). Even if a benevolent dictator with supreme knowledge knew precisely what was in my best interests, if I did not recognize this fact myself, then my life would, in fact, not be improved. Second, it would be untenable to assess the success of democratic institutions by whether or not they are meeting some standard of equal well-being rather than the alternative approach of securing equal resources to influence collective decisions. This is for several reasons. First, rarely do citizens actually possess a clear understanding of their interests themselves—individuals' interests are always in a state of flux and change due to improvements in their understanding or changing preferences—and there is the important issue of incommensurability in weighing the competing interests of citizens (Christiano 1996: 64-66). Given that citizens' interests will forever remain indeterminate and incommensurable, realizing the principle of equal consideration of interests requires equal resources—i.e., votes, education, etc.—to improve their understanding of their interests and pursue them by means of participating as an equal

member of the political process. I will expand on this argument later in the chapter when I discuss the responsibilities of democratic institutions.

2.2 What Kind of Democracy?

Just as there is no single argument for justifying democracy, there is no single characterization of what the proper elements of democracy are. It is exceedingly difficult to pinpoint any necessary or sufficient conditions that accurately identify all and only those states that are legitimate democracies. The constitutions and laws of various recognized democracies differ from one another in important and significant ways.

Focusing on the fundamental democratic commitment to *political equality*, however, does provide a minimal standard. Robert Dahl has identified five criteria that he claims must be met if all citizens in a society are to realize democracy's commitment to providing each with an equal say in the government's decisions and policies (1998). In the event one of these criteria is absent, an association will not involve political equals and therefore cannot claim to be democratic. Dahl's criteria are:

1. Effective Participation
2. Voting Equality
3. Enlightened Understanding
4. Control of the Agenda
5. Inclusion of All Competent Adults

To see why these criteria are necessary, consider the following:

- An association where a group was given greater opportunities to express and try to convince others of their views in relation to competing views. Without effective

participation, a small collection of individuals might be able unfairly to skew group decisions by having their views dominate discussions and curtailing the participation of individuals expressing opposing beliefs.

- A policy of counting some votes more based on the amount of land or money a voter possesses. This would also undermine the democratic belief in equality of rule.

- A state in which some individuals are kept continually uneducated, uninformed, or unable to check alternative sources of information.

- A state that allows a group to institute a constitution that allows for the first three criteria (seeming fully democratic) but says that matters up for discussion can only be introduced by a executive committee—which is made up of the wealthiest members of society (or certain religious affiliation or group that controls the source of debate).

Of course, no democratic state has ever fully lived up to these criteria. While any credible democratic state must meet the standards cited above to some degree, rarely are they put into practice entirely and many have argued that true political equality simply is impossible to achieve.[14] Yet even granting the truth of this observation, Dahl's criteria do provide a useful benchmark for assessing the performance of associations that claim to be democratic and clearly favor certain conceptions of democracy over others. More specifically, these criteria inform the characteristics of a good democracy and provide support for the recent deliberative turn in democratic theory.

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[14] See Downs (1957) for an influential defense of this view.

In recent years democratic theory has undergone a substantial shift from a predominantly aggregative or vote-centric process to one focusing on inclusive and impartial deliberation.[15] Deliberative democrats have sharply criticized the legitimacy and justice of democratic theories that fail to incorporate minority and underrepresented groups in a fair deliberative decision-making procedure. The decisions of aggregative models of democracy, it is argued, are more likely to be biased, and because they do not consider the origins of citizens' beliefs or concern themselves with approaching more informed and reasoned decisions, are unable to provide good reasons for people to accept the outcome as legitimate. Theories of deliberative democracy, on the other hand, are advocated as promoting greater political equality, inclusiveness, and participation- all of which are claimed to increase the legitimacy of any subsequent democratic decisions.

The aggregative model of democracy, which until recently was the primary archetype, conceives of voting as the primary political activity because it maintains that policy formation should be based majority rule. This might be characterized as a 'show of hands' understanding of democracy. Democratic governance is conceived as aggregating or adding up everyone's preferences in choosing officials, policies, etc., and an outcome is democratically legitimate if it mirrors the preferences of the majority. This model emphasizes voting, bargaining, and strategic behavior aimed at having one's preferred view win. There is no incentive to assess the reasons behind proposed policies or include the views of minorities affected by them—the goal is merely to obtain the most votes.

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[15] For excellent representatives of this shift see Gutmann and Thompson (1996) and Young (2000).

In recent years this model has come under sustained criticism from a number of theorists for, among other things, its inadequate attention to the criteria of effective participation and enlightened understanding. To fully participate as a political equal means transcending a purely aggregative process of counting citizens' preferences, in favor of a model that includes the transformative element of deliberation prior to tallying votes. It is claimed that we should abandon the strategic behavior characteristic of the aggregative model of democracy and strive instead to reach a consensus among free and equal participants. This model, termed deliberative democracy, is an exceedingly multifarious idea, and there is certainly no lack of disagreement concerning what an ideal model ought to approximate. I think we can avoid most of these disagreements, however, and instead focus on briefly sketching the core elements of the deliberative model.

Deliberative democracy, as stated previously, envisages citizens coming together and discussing issues of collective concern prior to the act of voting. In the face of moral disagreement, deliberative democrats endorse deliberation as a method for resolving and ultimately deciding on social policies. "Not simply a form of politics, democracy, on the deliberative view, is a framework of social and institutional conditions that facilitates free discussion among equal citizens—by providing favorable conditions for participation, association, and expression—and ties the authorization to exercise public power to such discussion…" (Cohen 1996: 21). This deliberative forum is viewed as inclusive both in including everyone who might be affected by a particular decision and in providing equal opportunities for every view to be heard. The actual process of deliberation is grounded in the idea of trying to reason together in pursuit of mutually acceptable outcomes.

Deliberative democrats disagree concerning how this persuasive component ought to be carried out. Some argue that there ought to be strict constraints on the sorts of reasons that can count as 'reasonable,' for instance discounting reasons that appeal to personal faith, and permitting only reasons that others can accept and that are based on 'reliable methods of inquiry.'[16] Others argue that discounting certain forms of reason-giving is exclusionary and that there should not be any privileging of types of arguing or speech in deliberation.[17] Regardless of which view one adopts in terms of permissible reason giving, it is hoped that some weeding out of unreasonable beliefs will occur during the process of deliberation and therefore increase the quality of participants' beliefs and, as a consequence, the legitimacy of decisions. For instance, certain views will be shown at rely on mistaken evidence, unacceptable prejudices, or as a result failing to take into account previously unknown factors.

Additionally, given deliberation's publicity, it is presumed to engender a process of reason-giving that is geared toward public goods rather than individual ones. That is, the publicity of deliberation demands that participants provide reasons that are directed toward the best interests of all concerned. Attempts at persuasion that unduly favor a particular individual or group will clearly not be acceptable to the deliberative body. Thus, if I want a particular viewpoint to be accepted, I must frame it in terms of the benefit to the common good and not of my own private interests. This public deliberative forum also obviates attempts to marginalize minority groups that would otherwise lack the opportunity to present their views and challenge mainstream beliefs. Unlike a merely aggregative democratic model,

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[16] See Gutmann & Thompson (1996).
[17] See Young (2000).

minority ideas have the ability to sway public opinion and influence the outcomes. As Kymlicka

notes, the empowerment of minority groups has come about largely through groups entering

public debate and fighting for public recognition, which has had the effect of changing mistaken

assumptions and prejudices held the majority in society, rather than through the process of

voting (Kymlicka 2001: 292).

Finally, the deliberative process is also hoped to increase citizens' civic virtues and sense

of unity among the democratic participants. Encouraging citizens to engage one another in a

deliberative forum requires interaction with people one might not ordinarily meet or interact

with. Rich citizens in gated communities, for instance, will be exposed to the poor citizens living

in inner-city housing. The vividness of actually hearing the voices of minority and marginalized

groups is believed to increase the likelihood of others groups taking their views seriously. It is

also hoped that people coming together will increase virtues like friendship and solidarity.

2.3 The Commitments of Democracy

In a way analogous to my discussion of liberalism, I want now to highlight several

elements of democratic theory that will be relevant in enumerating the core elements of a

theory of liberal-democratic education. Just as liberalism has its core commitments, so too

does democracy. Again, I don't want to spend more time than is necessary to explicate these

commitments, but I recognize that some, in particular my views about the role of democratic

institutions, might be more contentious that others, and I will attempt to respond accordingly.

2.3.1 Conscious Social Reproduction

I believe Amy Gutmann is correct when she argues that as democratic citizens in a pluralistic society, although differing in a multitude of respects, we share a common ground insofar as we are "committed to collectively re-creating the society that we share" (1985: 39). That is, even though as democratic citizens we do not share any singular set of aims or agree on the proper way to carry out policy decisions, we *are* committed to the goal of coming to considered agreement on these issues. This commitment of democratic citizens to collectively choosing the aims of our society is what Gutmann refers to as "conscious social reproduction" (1985: 39). And given this common basis for democratic interaction, Gutmann argues that the capacity to engage in conscious social reproduction provides a minimal standard on which a democratic theory should be constructed. This idea is very close to the liberal commitment to autonomy.

This commitment to conscious social reproduction entails that the legitimate scope of parental and governmental influence must be limited in important ways that constrain the types of policies that can be implemented by members of the state. While Gutmann's theory provides citizens a great deal of leeway in democratically deciding on the content of social institutions, the foundational goal of ensuring citizens possess the capacity for conscious social reproduction entails two important principles that restrict this power. The first constraint is what Gutmann calls the limit of *nonrepression*. This principle prevents the use of social institutions for the purposes of restricting "rational deliberation of competing conceptions of

the good life and the good society" (Gutmann 1985: 44). The limit of nonrepression is meant to secure for citizens the freedom to deliberate among different conceptions of the good life as well as obviate efforts to restrict this deliberation by shielding them from alternative views. The ideal of conscious social reproduction requires that citizens not be denied the opportunity to consider and evaluate competing conceptions of the good life.

The second limit on the democratic authority of the state and its members in shaping democratic institutions is that of *nondiscrimination*. The principle of nondiscrimination necessitates that neither the state nor its members can legitimately exclude citizens from the resources necessary to self-consciously participate in reproducing society (Gutmann 1985: 45). For instance, not only must all children be provided equal access to schooling opportunities, but their instruction must also be adequate to prepare them for the task of rationally deliberating about different conceptions of the good life. Each citizen must receive an education sufficient to enable him or her equally to participate in the political process of democratic governance.

Insofar as the right to democratic participation is required by justice, I would argue that we have an obligation to ensure the opportunity of every citizen to engage in conscious social reproduction. Gutmann's principles outline the limits on authority that a commitment to democracy entails for the basic institutions of democratic society. It should also be evident that Gutmann's democratic principles are, in a number of aspects, the political analog of the broader liberal commitment to personal autonomy. That is, the principles of nonrepression and nondiscrimination are what would be expected from a theory of education that was

predominantly liberal in character—both principles are meant to secure the ability of children to develop and exercise the capacity of autonomous self-determination in adulthood.[18]

Yet what positive responsibilities and duties do democratic citizens have in their roles as citizens? And what standards ought to guide basic democratic institutions in supporting citizens' achievement of these responsibilities?

2.3.2 The Responsibilities of Democratic Citizens and Democratic Institutions

I have already suggested that the primary role of the democratic citizen, qua citizen, is to improve her understanding of her interests as well as to vote for the policies/politicians believed to best promote these interests. However, given that citizens are making decisions that affect not only the pursuit of their own projects, but also the projects of others, citizens also have a responsibility to take into consideration the common good and justice. A conception of democratic citizenship that expects citizens to be completely self-interested and not motivated by a concern for justice is neither theoretically nor practically tenable.

On what basis do we determine whether or not a citizen is meeting her democratic responsibility to improve her understanding of her interests and justice? This must be assessed, in part, by how successful she is at enhancing her understanding of these minimally objective notions. Correspondingly, the degree to which basic democratic institutions are meeting their democratic purposes is partially a function of whether or not they successfully

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[18] Perhaps it is because many liberal-democratic theorists have recognized this close similarity between the liberal commitment to autonomy and the democratic commitment to conscious social reproduction that it has been commonplace to treat the two theories as virtually identical in matters of education.

impart justified beliefs to citizens. This is because the standards by which citizens should be

assessed with respect to improving their understanding "set standards for institutions by

implying what citizens ought to be able to do and what institutions ought to do to promote

these abilities" (Christiano 1996: 166). Thus we need to discern the standard by which we

should measure a citizen's success in meeting her obligations and, correspondingly, the

standards by which we should assess those basic political and social institutions whose purpose

is to prepare her for meeting her democratic responsibilities.

To make a determination on the success of citizens and institutions in supporting the

improvement of citizens' understandings of their interests and the common good we need to

decide on an epistemic standard (or *epistemic norm*) appropriate for our purposes. What

epistemic standard is appropriate with respect to making a determination of whether

democratic institutions are successfully imparting justified beliefs to citizens? Put another way,

we need a standard that allows us to determine what content *should* and *should not* be the

primary focus of democratic institutions—i.e., what views citizens *should* and *should not* be

expected to believe—in light of the democratic objective to impart justified beliefs.

It must be emphasized that I am not attempting to defend an overall theory of

knowledge but simply attempting to identify an epistemic standard appropriate for meeting the

obligations of democratic citizenship and, thereby, democratic institutions. It should be a

standard that is suitably minimal insofar as citizens are recognized as having many non-political

activities as well as reliable in producing true beliefs that improve citizens' understanding of their interests. Let us consider several contenders.[19]

If we look to contemporary theories of knowledge we can quickly identify several possible candidates for this epistemic standard: Foundationalism, Coherentism, and Reliablism. Foundationalism posits the existence of a limited class of beliefs that have a privileged status as self-justifying and argues that all other beliefs must be justified through appeals to these foundational beliefs. Coherentism rejects the existence of any privileged set of beliefs and instead maintains that a belief's justification relies on how it coheres with an individual's other beliefs. Finally, Reliablism abandons the idea that a belief's justification relies entirely on the internal state of a believer but rather links justification with a belief's being the outcome of a process that is reliable in producing true beliefs. Let us consider these different accounts of knowledge in order to assess their suitability for assessing the content to be included in democratic institutions.

Foundationalism

How do I determine whether a belief I hold is justified? The foundationalist says that a belief is justified if it can be derived through appeals to a select class of beliefs that do not themselves require justification. These select beliefs are foundational in the sense that they are self-justifying. Foundationalism gives us a picture of our beliefs as "forming a kind of pyramid, with the basic beliefs…forming the foundation, and all other justified beliefs being supported by reasoning that traces back ultimately to the basic beliefs" (Pollock: 1999: 29). Consequently, I

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[19] I will be following Christiano (1996: 183-190) in the process of developing this view; however, it will be expanded in ways Christiano does not consider.

determine whether or not a belief I hold is justified by tracing it back to foundational beliefs that do not rely on any other belief for their justification. Improving one's knowledge, then, consists of ensuring all of one's beliefs can be suitably justified through inferential appeals to self-justifying foundational beliefs. Is this an appropriate standard of epistemic justification for democratic citizenship and democratic institutions? There are several reasons to believe it is not.

The first problem is that there is no agreement among citizens with respect to what beliefs are properly foundational (if any) and there are no grounds for constructively reaching a consensus in the future. Should we take the writings found in the Bible or Quran as foundational? That is, should we judge the justifiability of a given belief by determining if it can be successfully derived from the claims found in these texts? What about taking perceptual belief as foundational—where every justified belief must be traced somehow to a physical sensory input? Maybe the words of a modern-day prophet should be viewed as basic? No agreement is to be had on these questions. Furthermore, no reasoned accord is possible insofar as disagreements about what beliefs are genuinely foundational cannot be neutrally adjudicated. Because foundational beliefs are self-justifying, there is no possibility of challenging the justifiability of another's foundational beliefs and non-foundational beliefs are challengeable only by showing they cannot be successfully inferred from a person's foundational beliefs. Thus there is no opportunity for citizens fruitfully to engage the beliefs of those who hold a divergent set of foundational beliefs—a core commitment of democracy.

A second problem with choosing Foundationalism as the appropriate epistemic standard to assess democratic citizens and institutions is that it is simply too intellectually demanding. In terms of the knowledge and resources required to derive a given political belief from a set of self-evident foundational beliefs, Foundationalism requires citizens to expend monumental amounts of time and effort. Consider, for instance, trying to justify a belief about the danger posed by climate change by logically deducing it from a set of self-evident beliefs. Not only is it hard to see from what set of acceptable foundational beliefs one could logically derive complex political beliefs, but even if it was claimed that one could (from the Bible for instance), it would demand an immense amount of intellectual work to do so successfully. Given that democratic citizens have many other duties and tasks outside of politics, Foundationalism cannot be the appropriate standard with which to assess democratic citizens' responsibilities to improve their understanding of their interests and the common good. For these reasons, Foundationalism is also an inadequate standard for assessing the epistemic content of democratic institutions.

Coherentism

Rather than grounding justification on privileged self-justifying beliefs, Coherentism extends epistemic justification to beliefs insofar as they cohere with a person's network of other beliefs. All beliefs, therefore, have the same weight, and a belief is justified in virtue of its relationship to all the other beliefs held by an individual. A number of different accounts attempt to elucidate the concept of "coherence," but I will put these aside. The important factor with respect to this account of justification is simply that justification means ensuring that all of one's beliefs are internally consistent. The process of improving one's knowledge,

then, is about revising one's beliefs to be consistent with the other beliefs that one holds. This epistemic standard is also inappropriate for assessing the democratic responsibility of citizens and institutions to improve citizens' understanding of their interests.

First of all, this standard allows citizens and students to hold justified beliefs about issues of which they have a mistaken or deficient understanding. Coherentism maintains that I am justified in a belief as long as it is consistent with my network of other beliefs even if it is based on erroneous information or bad reasoning. I could justifiably believe, for instance, that 9/11 was an inside job as long as this belief coheres with my other beliefs. A coherence standard for democratic citizenship and institutions, it seems, could easily lead to the self-destruction of a political system due to "the ignorance of its members even though they all had justified beliefs about politics on the coherentist view of justification" (Christiano 1996: 184).

A further problem with employing a coherentist standard, particularly in democratic institutions, is that it would seem to encourage a commitment to relativism among citizens. Requiring only that citizens demonstrate that their beliefs are internally consistent to be justified entails the possibility of two citizens holding completely incommensurable and contradictory views while both being equally justified. This would have several negative consequences for the democratic state. First, most thoughtful citizens and philosophers find relativism distasteful and reject the view that truth is merely relative to what an individual believes. Relativism conflicts with commonsense notions about the existence of moral progress (e.g., that rejecting slavery constituted a step forward morally), the efficacy of moral disagreement, and the possibility of moral reformation through dissent. Second, relativism is

likely to undermine democratic ideals insofar as it provides "no common language for discussing and debating the conflicting and controversial issues of democratic life" and abandons the idea that interests are minimally objective (Rosenblith 2004: 375). Third, coherentism encourages a commitment to relativism that conflicts with attempts to instill the necessary civic and democratic virtues of critical thought, toleration, and mutual respect among citizens. For these reasons, coherentism is also an inappropriate epistemic standard for democracy.

Reliablism

Following Christiano, I've suggested that we are unable to locate an acceptable epistemic standard for assessing the justifiability of beliefs taught in democratic institutions by appealing to either Foundationalism or Coherentism. Both of these views are internalist—basing a belief's justification solely on the internal relationship obtaining between it and one's other beliefs—and this should prompt us to look to an epistemic standard that includes external considerations. Externalist epistemic standards abandon the idea that beliefs are justified solely in relation to one's internal state (e.g., derived from a self-justifying foundational beliefs or coherence with one's other beliefs) and place importance on the process by which one comes to believe what one believes. In other words, the justification of a belief is based, in part, on how probable or reliable the process by which a belief is chosen is in generating true beliefs.

To expand briefly on this idea, we can observe that some processes of belief formation are less reliable in producing true beliefs than others. As Alvin Goldman argues,

> Consider some faulty process of belief-formation, i.e., processes whose belief-outputs would be classified as unjustified. Here are some examples: confused reasoning, wishful thinking, reliance on emotional attachment, mere hunch or guesswork, and hasty generalization. What do these faulty processes have in common? They share the feature of *unreliability*: They tend to produce *error* a large proportion of the time. (Goldman 1979)

For instance, if my method of determining what I should believe is based on a personal assessment of its "truthiness," then my beliefs will tend to be unjustified because they will be unreliable.[20] My beliefs will simply be wrong much of the time if I ignore relevant evidence and facts, engage in poor reasoning, or fail to consider both sides of a view I hold. Reliablism maintains that justified beliefs are those beliefs that are the outcome of a process that reliably produces true beliefs. Is this an appropriate epistemic standard for the democratic classroom? If so, what should count as a reliable process of belief-formation? Let me begin with the first question.

This standard certainly seems best to fit the epistemic demands of democratic citizenship. Rather than basing justification on how well a belief coheres with one's other beliefs, or on whether it can be successfully derived from a set of self-justifying beliefs, justification comes from a belief's being the outcome of a process that is likely to promote true belief. Beliefs are evaluated by reference to an external desideratum, and justification is conferred by the reliability of the causal processes that produced the belief. Given that improving knowledge of one's interests is the primary responsibility of democratic citizenship, the acquisition of true beliefs is crucially important. As Christiano points out, "Clearly, true beliefs about politics promote citizens' interests in collective properties of society" (1996: 186).

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[20] "Truthiness" is a term coined by the comedian Stephen Colbert to describe belief formation that comes as a result of "gut feeling" with no consideration given to facts, evidence, or reasons.

Thus a democratic citizen is to be judged with respect to her responsibility to improve her understanding of her interests by assessing the context within which she forms her beliefs.

How should this reliablist standard be characterized? There are two important factors to consider here. On the one hand, this standard must not be too demanding if it is to be a suitable criterion for citizens with busy non-political lives to lead. It should also be receptive to the extensive division of labor that characterizes large modern nations. On the other hand, it should describe a method that is demonstratively reliable in producing true beliefs. What standard best meets these conditions? Alvin Goldman has already suggested some important factors—beliefs should not be the result of wishful thinking or hasty generalization for instance—but what other considerations are important? In particular, what criteria are distinctively relevant with respect to assessing the activities of belief formation in which democratic citizens participate? Here Christiano argues that

> Participation in a process of discussion in which citizens elaborate articulate, reasonable, and discriminating conceptions of their interests and justice is a reliable method for producing true beliefs regarding their interests and justice subject to the constraints of political equality and efficiency in the division of labor. (1996: 187)

Christiano defines a conception to be articulate if it is sufficiently detailed and complex to provide guidance in making policy decisions and selecting the means to achieve a given aim. Reasonableness refers to the need to provide reasons and evidence for one's views in a way that can be justified to others. It also requires inviting criticism from others who may challenge my reasons and possessing a willingness to revise one's views in light of these criticisms. Finally, for a view to be discriminating it must have been selected and defended in light of a consideration of a wide variety of relevant alternative views. Thus, citizens whose beliefs are

produced as a consequence of participating in a deliberative process characterized by clearly defined, strongly supported, and well-informed conceptions are suitably reliable. Beliefs produced in this way adequately fulfill citizens' democratic responsibility to improve their understanding of their interests. "Participation in this process is surely the most reliable condition that we know of for improving one's understanding of the interests of citizens and justice" (Christiano 1996: 188).

Assuming Christiano's characterization is correct, how do we assess the beliefs endorsed and taught in democratic institutions? It is ineluctable that various democratic institutions—schools and governmental agencies, for example—must be selective in the types of beliefs given credence and authority. How do we take the process outlined for individuals above and use it in determining the appropriate epistemic standards for democratic institutions? I would argue that the most appropriate extension of Christiano's idea is found by requiring that beliefs taught and employed by democratic institutions are the product of a process relevantly similar to the one outlined for individual citizens. In other words, the beliefs found in democratic institutions should be the outcome of a process that requires articulate, well-reasoned, and discriminating views. I would argue that the most defensible way to extend Christiano's reliablist standard to institutions is to apply the following criteria in determining a belief's likelihood of being true:

- How is the belief regarded by experts in the appropriate field? Are the advocates of a belief merely amateurs dissenting from a broad intellectual consensus or does there exist serious disagreement among those with the most expertise in a given field?

- What is the quality of evidence presented in defense of this belief? Is the evidence publicly accessible and verifiable or vague and concealed? It is successful in being able to predict or explain phenomena?

- Is the process of reasoning employed to derive the belief based on sound and valid arguments or logical fallacies and substantial intellectual leaps?

- Has the belief successfully withstood challenges and criticisms of those supporting alternative views? Is the belief open to criticism or is it presented in a way that makes it unchallengeable by others?

- Is the belief adequately articulate? Is the belief free of excessive ambiguity and reliance on obfuscation or does it appeal to muddled and unspecified factors in its defense? Does it make clear predictions and declarations that can be assessed?

- Has the belief been fairly discussed and debated in an open forum? Have there been opportunities for the belief to overcome challengers in an open and fair discussion of alternatives?

- Is the belief adopted after considering a variety of relevant alternatives? Do advocates of a belief have good reasons for thinking their belief is demonstrably superior to alternatives?

While surely not exhaustive, I would argue that these criteria constitute the most reliable method known for selecting true beliefs to incorporate into democratic institutions for the purposes of improving citizens' understanding of their interests and the common good. Selecting those beliefs that are widely accepted by relevant experts, are grounded in verifiable evidence, employ sound reasoning, have successfully resisted but remain open to challenges, make clear forecasts about the world, and have strong reasons in support of their superiority with respect to alternatives mirrors the reliablist standard argued for by Christiano while

modifying it to apply to the unique purpose of democratic institutions. Consequently, beliefs that rate favorably with respect to these considerations appropriately meet democratic institutions' responsibility to improve citizens' understanding of their interests, the common good, and justice. To understand how we can apply this standard in determining the appropriate content of liberal-democratic schools we will need to apply these conclusions to the issue of education—a task to which I now turn.

3. The Commitments of Liberal-Democratic Education

We are now in a position to discuss what I believe are the core elements of a liberal-democratic educational theory. Rather than defending a comprehensive educational theory I want to focus on three commitments that are generally associated with an allegiance to liberal-democratic education. These elements are not only the most distinctive attributes of a liberal-democratic theory of education but have also been the target of the majority of challenges. We will begin to evaluate these challenges in the next chapter.

3.1 Emancipatory Education

The liberal commitment to promoting autonomy generates, for many liberal-democratic theorists, a view of education that places it in an emancipatory role. On this view, a primary goal of schooling is to liberate children from those beliefs that are accepted merely because they are rooted in tradition, custom, or dogma but are not personally chosen. As Meira Levinson writes, "the liberal school is meant to ensure the freedom of all children ultimately to determine their own path in the world just as adults are free under the liberal state to chart theirs" (1999: 64). While instruction in liberal virtues is crucial for creating good liberal citizens, the most distinctive element of a liberal-democratic education is its emphasis on providing every child with an education that engenders the capacity to make meaningful and informed choices about how to live his or her life. A liberal-democratic education is "an education in freedom – freedom from inherited biases and narrow feelings and sentiments, as well as

freedom to explore other cultures and perspectives and make one's own choices in full awareness of available and practicable alternatives" (Parekh 2002).

This entails two distinct roles for the liberal curriculum. First, the development of autonomy requires the acquisition of certain skills and proficiencies that give rise to the ability to seriously consider and critically evaluate alternative beliefs and worldviews. Second, an education in autonomy requires that students are not shielded from exposure to worldviews and beliefs that are foreign to those taught at home and in their community—meaningful choice requires genuine, existing, and reasonable alternatives from which to choose.

This preoccupation with emancipatory education is not a uniquely modern concept. The concern with educating the youth to be free and critical thinkers who are self-governing is one that has occupied philosophers from antiquity. Socrates, for instance, famously declared that, "the unexamined life is not worth living" and encouraged his many pupils to question and analyze their beliefs in order to distinguish those that could be rationally defended from those grounded in mere superstition or custom. And the Stoics, who took Socrates' ideas further, advocated the idea that a proper education must teach children actively to take control of their thoughts and beliefs by critically examining them and freely choosing those deemed worthy of assent. As Martha Nussbaum writes,

> The central task of education, argue the Stoics following Socrates, is to confront the passivity of the pupil, challenging the mind to take control of its own thought. All too often, people's choices and statements are not their own. Words come out of their mouths, and actions are performed by their bodies, but what those words and actions express may be the voice of tradition or convention, the voice of the parent, of friends, of fashion. This is so because these people have never stopped to ask themselves what they really stand for, what they are willing to defend as themselves and their own. They are like instruments through which an actor's voice speaks. The Stoics hold, with Socrates, that this life is not worthy of the humanity in them, the capacities for thought and moral choice that they all possess. (1997: 28-29)

The notion of taking control of one's thought is the central motivation behind emancipatory education. An education that produces children who are unable or unwilling to critically analyze the beliefs that have been instilled by parents, peers, or broader society is antithetical to the basic tenets of liberal-democratic freedom. While it is true that any successful educational program must instill certain values and beliefs without the rational assent of children during the early portions of their educational careers—value-neutrality is neither possible nor desirable—an educational pedagogy that fails to acknowledge the fallibility of current customs and traditions and simply encourages the acquiescence of students to the popular values and ideals of the time is promoting a life not only undignified for a human being, Socrates and the Stoics would argue, but also injurious to the future liberal-democratic citizen. Both liberalism and democracy presuppose the value of choosing one's beliefs and values for oneself.

Although it is rarely acknowledged, the idea that every generation must be free and able to take control of its own thought is a common principle in liberal theory. That the beliefs and values of the current generation, and the laws and policies they create, must not constrain the freedom of future generations to contemplate and choose their own values and laws is recognized by many of liberalism's greatest proponents as a critical tenet. Liberalism thus has the dual commitment of safeguarding the opportunity for future citizens freely to choose their beliefs and values while at the same time ensuring that current generations have as much freedom as possible to select and act on theirs. This entails that there will be times when the freedom of current citizens might legitimately be constrained to secure the freedom of future

ones. In particular, current liberal-democratic citizens must not be permitted to implement

policies that would deny children an education that imparts the capacity critically to assess and

perhaps ultimately to reject the views that currently reign supreme in citizens' political and

private lives.

Thus, a primary focus of the liberal-democratic classroom is to impart to students the

capacity to actively take control of their own thoughts. This emphasis on autonomy informs

both the curricular content of the classroom as well as the overall manner in which instruction

is conducted. More specifically, schools need to teach students the skills of autonomous

thinking, inculcating the requisite dispositions that make such thinking viable, and instruct

students in a manner that engenders and mirrors these elements. What are these skills?

Although it is unlikely a liberal consensus could ever be achieved, I would propose that a

defensible liberal education is generally committed to instructing students in the following

proficiencies: 1) *Recognizing* human fallibility and the importance of disagreement; 2) *Listening*

to the views and experiences of others; 3) *Understanding* the reasons and arguments offered

by oneself and others; 4) *Judging* which reasons and evidence are stronger with respect to

competing alternatives; 5) *Deciding* what belief(s) to ultimately accept; 6) *Defending* one's

beliefs with reasons. To meet these proficiencies successfully requires the possession of certain

skills and intellectual dispositions.

But why believe that these particular proficiencies correctly characterize the intellectually

emancipated person? Am I suggesting that someone not be considered autonomous simply

because he lacks or is deficient with respect to one of these proficiencies? In response to this

worry I would contend that the skills required to exercise the capacity for intellectual autonomy merely reflect the skills employed by one who would widely be recognized as deserving confidence in his judgment. Consider, for instance, an individual who announces a particular belief concerning the issue of drug legalization. Would we believe this individual deserved to be confident in her belief if she claimed personal infallibility and saw no reason to view contrary positions as a source of concern? What if she refused to listen to the objections presented against her view or failed to understand how logical fallacies might have led her astray in her judgment? What if she was unable to provide thoughtful responses to even the most basic objections or challenges to her view? Surely few people would judge that this individual deserved confidence in her belief. A belief held in this manner could at best be considered a prejudice, dogma, or superstition. Such an individual, as J.S. Mill writes, "…lets the world, or his own portion of it, choose his plan of life for him and has not need of any other faculty than the ape-like one of imitation" (2010: 123). Only by employing the proficiencies enumerated above can someone free themselves from belief governed by the opinions and ideas of others, and it is only then that we can genuinely identify someone as intellectually autonomous.

This is not to suggest, however, that I, or most liberal theorists, believe everyone ought fully to meet these proficiencies for all of their beliefs. This is surely impossible. As humans, with lives to lead and projects to pursue, we simply can't spend every waking hour investigating and evaluating each and every belief we hold. No human can be completely autonomous and, moreover, autonomy is only one part of a worthwhile human life. This being said, I would still maintain that the ability to think autonomously about that subset of beliefs most important in determining what constitutes an enjoyable, ethical, meaningful, and authentic life is

indispensible to a genuinely self-governing agent. While we may not have the resources to come to a considered judgment about every belief we possess, the ability and desire to appraise those beliefs most impactful on our character and on the direction of our lives is inherent in the deep value we give to liberty and freedom. Unfortunately, as many theorists have noted, instruction in intellectual emancipation is declining in American schools as "frequently students are being schooled to *not think*-- at least to not think analytically or relationally… in jeopardy is not merely the ability of students to be creative, but the very capacity for conceptual thought itself" (Kailin 2002: 24).

The second important component of the emancipatory project of liberal schooling is a commitment to exposing students to diverse and unfamiliar viewpoints. Most of the skills enumerated previously require the opportunity to engage peers and teachers who present children with ways of life substantially different from those they already hold. For this reason, most liberal-democratic theories of education emphasize the importance of diversity in the classroom and the need to prevent parents from shielding their children from alternative conceptions of the good life. Michele Moses, for instance, persuasively argues that the inclusion of multicultural perspectives in the classroom is essential for the development of autonomy in that it provides practical and authentic alternatives which expand a students' context of choice (1997). This requires ensuring that the school curriculum is inclusive of diverse viewpoints, perspectives, and interests; it requires making the content relevant to the lives of minority students and accommodating of their differences; it challenges the power structures that often seek to employ education as their ideological conduit and reinforce current racial, class, religious, ethnic, and gender hierarchies.

I also want to point out that although imparting the capacity for autonomy to all future citizens provides a goal that many liberal theorists believe we should strive toward, it would be foolish to think we could ever generate a universal curriculum that will allow every child to reach this goal or to expect any child (or adult for that matter) to become fully autonomous. Children enter schools from a myriad of backgrounds, possessing different beliefs and proficiencies, as well as distinct intellectual obstacles and deficiencies that may thwart the acquisition of autonomy. Younger elementary age children are clearly in a different place intellectually from high school seniors and require a different approach to prepare them for the next steps in acquiring the skills of an intellectual emancipation. Ideally, then, an education for autonomy would be a one-on-one affair with personalized attention for every student geared toward addressing their particular situation and circumstances. Rousseau's *Emile* would clearly epitomize this ideal in his emphasis on the importance of an individualized emancipatory educational program (2009). This ideal, however, is plainly unattainable in large modern liberal states so we will have to be satisfied with attempting to identify imperfect policies that are efficacious in engendering children who are capable of exercising free and informed choice.

3.2 Common Schooling

A further feature associated with liberal-democratic education is a commitment to common schooling. It is quite easy to see how this allegiance is generated from liberal-democratic principles. As Thiessen points out, "This emphasis on the same education for all students embodies, of course, such liberal values as equality and universality. Common schools

also would seem to be ideally suited to fostering social harmony and tolerance" (2001: 205).

How exactly does the liberal-democratic theorist conceive the aim and character of common

schools? In describing the liberal common school Eamonn Callan writes

> A conception of common education prescribes a range of educational outcomes—virtues, abilities, different kinds of knowledge—as desirable for all members of the society to which the conception applies. How members might differ on criteria of religion, ethnicity, first language, or any other standard distinguishing them from their fellow citizens is irrelevant to the basic content of common education. A school is common if it welcomes all students of an appropriate age, without regard for these differentiating standards. It must welcome all children not only in the formal sense of forswearing differentiating criteria in its admission policy; it must also offer a learning environment genuinely hospitable to the cultural diversity the society exhibits within limits fixed by the constitutive political morality of that society. (1995: 253).

Common schooling is also supported by the need, as discussed earlier, to ensure that all

students are inculcated in the virtues and habits necessary for the maintenance of the liberal-

democratic state. Common schools provide the opportunity for diverse students to come

together and learn to think critically, practice civility, and learn the virtues of toleration and

mutual respect. Furthermore, many of the virtues critical for the liberal-democratic state, such

as reasonableness and reciprocity, require exposure to peers who are likely to differ in the

beliefs they hold and the perspectives from which they come. It is one thing to talk about the

need to be civil toward those of different religious, racial, or ethnic backgrounds and quite

another actually to be compelled to sit next to and work with those from different

backgrounds. Recognizing the fundamental liberal commitment to reasonable pluralism

requires that students "come to know and understand people who are reasonable and decent

and humane, but who do not share their religion… This sort of learning requires the presence

within a classroom of people with varying ethnocultural and religious backgrounds" (Kymlicka

2001: 308). The need to instruct students in these virtues, therefore, creates a "presumptive case for common schooling" (Callan 1995: 264).

Common schools are also believed to contribute to the development of autonomy. I discussed the value of diversity and exposure to alternative views as vital to autonomy in the previous section. Common schools, for many liberal-democratic theorists, are viewed as the best avenue for exposing children to diversity and challenging them with difference. For this reason many liberal-democratic theorists are wary of the recent explosion of homeschooling and private schools which are perceived as significantly reducing the diversity of public schools as parents send their children to schools embodying their unique religious or cultural worldview. Allowing such an exodus from common schools seems to undermine the liberal commitment to promoting autonomy in that "it would also seem obvious that children would be well served by going to school with other children from a variety of religious backgrounds and genuinely engaging with them in respectful discussion about the ways and reasons their lives are different" (Levinson and Sanford 2003: 286).

Of course, there are a number of reasons for endorsing common schooling that are not exclusive to liberal-democratic concerns. In fact, the commitment to common schooling is widely accepted on the grounds that common schools provide "a kind of social glue, a common cultural reference point in our polygot, increasingly multicultural society" (Apple 2004: 36). Common schools provide the opportunity for students to acquire an education that prepares them to interact with other citizens on the basis of a shared cultural and intellectual framework. "The whole point of the common school," Macedo writes, "is to be a primary arena

where children from the different normative perspectives that compose our polity encounter one another in a respectful setting, learn about one another, and discover that their differences do not preclude cooperation and mutual respect as participants in a shared political order" (2000).

The idea of common schooling is often implemented in different ways depending on the liberal-democratic theorist. For example, some argue that the liberal-democratic commitment to common schooling involves simply a common curricular element (e.g., instruction in particular civic or liberal virtues) while others suggest that exposure to sufficient diversity and opportunity to interact with others is sufficient to meet the goals of common schooling. Other theorists express a commitment to a period of mandatory schooling for a given number of years (in our society this is generally until sixteen) but permit this education to be completely guided by the desires of parents. In the third section of this work I will argue for a return to mandatory public school attendance for at least a portion of all children's educational careers.

Of course these considerations simply create a liberal-democratic presumption in favor of common schooling; they do not necessarily completely condemn separate schooling. Other considerations—for instance, the importance of not engendering hostility in illiberal groups, the need to initiate children into a primary culture, and the fact that a society need not ensure all children acquire the virtues of citizenship to prosper—might be sufficient to provide exceptions to a presumptive liberal-democratic commitment to common schooling. As we will see in the next section, a number of critics have argued precisely on these grounds that the liberal-democratic commitment to common schooling should be abandoned or seriously weakened.

3.3 Secular Standards

Liberal-democratic education is widely professed to be committed to secular epistemic standards of belief in schools. The commitment to secular educational standards is generally defended as a consequence of the liberal-democratic state's allegiance to remaining fair or neutral about competing conceptions of the good life. The liberal-democratic state seeks to meet Callan's requirements for a common schooling that is hospitable to diversity by attempting to balance fairly the value of different religious, cultural, or ethnic worldviews. The common school therefore adopts a position of agnosticism about the good life and excludes sectarian doctrines from the classroom. This is clearly the motivation behind policies like the separation of church and state deeply embedded in our own culture. But why should we think that secular standards are most neutral or fair? Liberal-democratic theorists provide several reasons.

The most common argument given by liberal-democratic proponents suggests that because religious views are fundamentally a matter of personal faith, they are inappropriate for common schooling. Unlike science, for instance, which relies on testable and empirical evidence, religious belief is inaccessible to nonbelievers. Conversely, secular standards, by their public and testable nature, are neutral among differing worldviews; that is, they do not appeal to beliefs that require accepting a religious worldview to be acceptable. Secular standards are not simply a matter of faith but can be demonstrated and supported with objective reasons (Dawkins 1996). Of course, many critics reject this characterization and have charged liberal-democrats with simply replacing theistic religious beliefs with the "religion of secular

humanism" (Nord 1995: 160). Secularism, they say, presupposes many commitments that

cannot be justified through the methods of science or through appeal to secular standards.

Other theorists, acknowledging the non-neutral character of secular standards, argue

that they are appropriate because they have obtained widespread support and therefore

provide the fairest epistemological basis upon which to establish a program of common

schooling. Amy Gutmann admits that while secular standards are not neutral, we live in a

society that accepts "secular standards of reasoning" and where "most Americans have

reconciled the tenets of their faith with the findings of science" (1985: 102-103). Thus

restricting instruction to content grounded in secular content is portrayed as simply mirroring a

society-wide acceptance of secular evidence and reasoning. Predictably, this claim has been

received quite critically by many who suggest Gutmann seriously overstates American

acceptance of secular standards.

I would argue, however, that the most defensible liberal-democratic rationale for

limiting curricular content to that which meets secular standards is based on the claim that only

secular standards meet the democratic institutional commitment to improving citizens'

understanding of their interests, the common good, and justice. It was previously argued that a

reliablist epistemic standard is most appropriate for assessing the beliefs to be promoted in

democratic institutions (of which public schooling is certainly one of the most important) and

that a reliablist standard characterized by the criteria enumerated in the prior chapter is a

reliable method for producing true beliefs. Thus, secular standards can be defended not on the

grounds that they are neutral or the most fair, but because they are necessitated by the

democratic responsibility to improve children's understandings of their interests and justice in an effort to secure their ability to promote their interests in the democratic process.

How can these conclusions inform decisions about what content to include in democratic schools? Let us consider a possible belief for inclusion in liberal-democratic classrooms: Should schools teach students belief in magic in the classroom? Surely there are a large number of citizens who believe in magic and could rightly proclaim that their view *could* be correct; that there is no way to completely disprove their preferred theory.[21] Given this, should we simply teach this theory and let students decide for themselves whether they would like to accept it as true?

I don't believe we should. The reason why we should not include instruction in magic is because this theory fails to meet the standards set out by the reliablist method sketched previously and simply is not a legitimate outcome of a process that produces reliably true beliefs. It should therefore be excluded from the curriculum on the grounds that it is unlikely to be true. Could it be true? Yes, but this is not at all likely. This is because it is a belief that runs counter to the near universal consensus of experts in the relevant fields, lacks evidence to counter the copious data provided by scientists, often relies on a fallacious inference from something seeming to be the case to its actually being the case, has its strongest arguments decisively refuted and its criticisms answered, appeals to unknown causal forces and agents to fill explanatory gaps, and has been roundly rejected by objective individuals ably providing clear reasons demonstrating the explanatory and predictive superiority of a non-magic model of the universe. This is not characteristic of a process that produces reliably true beliefs. Belief in

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[21] The Pagan religion, for instance, invokes the existence of magic and claims tens of thousands of followers.

magic, accordingly, is not a belief that warrants legitimate inclusion in democratic schools.

Faced with the prospect of including a particular belief in democratic schools, administrators

should consider only those beliefs having successfully endured the reliablist crucible previously

described.

For these reasons, strictly sectarian belief is not a legitimate candidate for inclusion in

liberal-democratic schools. Given that entirely sectarian belief relies on reference to—or

presupposition of—particular religious or ecclesiastical views for its truth, it cannot meet the

reliablist standards most appropriate for assessing the epistemic responsibility of liberal-

democratic institutions. Such belief is grounded in epistemic foundationalism, an epistemic

standard that I previously argued is inadequate for adjudicating the inclusion of beliefs in the

liberal-democratic classroom because it is based on tendentious beliefs that are held to be self-

justifying. This is not to say, however, that no religious beliefs can legitimately be included in

the classroom. In fact, most beliefs of even the most religious individual are based on secular

standards of reasoning—belief in gravity, motion of the sun, American history, geography,

anatomy, physics, etc.—that clearly meet the reliablist standard defended previously. It is only

the small sub-section of beliefs that rely on inaccessible faith or belief in a supernatural entity

that cannot satisfy the reliablist standards associated with the liberal-democratic classroom.

The scientific method, as readers might have surmised, is perhaps the paradigmatic

example of a process that reliably generates true beliefs. I do not presume that there exists a

single scientific approach or any universal agreement on what precisely demarcates science

from non-science. However, I would argue that science done in a way that its findings are the

result of a process involving articulate, reasonable, and discriminating views within a context of discussion and debate is a reliable method for generating true beliefs as demonstrated by its success in accurately predicting the future, explaining the world around us, and driving our shocking technological progress. This is something that cannot be said for strictly sectarian beliefs. If we were to look at the successes of sectarian belief in producing true beliefs about the world we would find very little to say in favor of this method of belief formation.

It would be a mistake, however, to think that reliable beliefs can come about only by employing scientific methodology. These same epistemic standards can and should be employed in assessing the reliability of beliefs and theories found in other disciplines—history, for instance. Consider a recent book with the provocative title "1421 The Year China Discovered America," which has received a great deal of interest in the public realm and even had a special devoted to it on PBS. The book has also garnered a great deal of public support, with numerous groups devoted to promulgating the 'hidden truth about China's discovery of America.' Does this book count as legitimate history? And does this theory warrant inclusion in history class? I don't believe we need to answer the first question to conclude that the answer to the second is a definite no. This is not because the thesis of the book is highly contentious or was proposed by a non-academic. The reason is that it fails to meet the appropriate reliablist criteria: experts in the field overwhelmingly rejected it as implausible, it was unreceptive to challenges that undermined the theory, historians participating in public debates provided clear reasons for the inadequacy of the theory, it lacked verifiable evidence supporting its conclusion, and it relied substantially on hunches, assumptions, and guesswork. Similar reasons can be given why a historical account that, for instance, denies that the Holocaust ever took place

should also be excluded from democratic classrooms. Such views are grounded in questionable or absent evidence and ought rightfully not to be given time in the liberal-democratic classroom where the goal is to instruct students in views deemed most likely to approximate the truth.

This example should make clear that although all beliefs capable of meeting the reliablist standards mentioned above are (at least given current knowledge) secular, it does not follow that all secular beliefs are also reliable. Many secular beliefs should be excluded from the democratic classroom because they are based on unreliable processes—e.g., belief in cold fusion, geocentrism, birthers, etc.[22] Thus a defensible commitment to secular standards does not entail merely a rejection of sectarian beliefs but also rejects any belief that is generated by a process that has not proven to be reliable in producing true beliefs. I will expand on this justification for secular standards later in this work when I consider several challenges to this approach and when I address the topic of teaching Intelligent Design in schools.

I've now outlined what I believe are the fundamental educational commitments of liberal-democracy. In the following chapters I will respond to a mounting number of criticisms directed at these commitments. The ideals of emancipatory education, common schooling, and secular standards have come under a withering series of challenges in recent years from those seeking to justify greater inclusion and deference to citizens' religious views. I will argue that these challenges can be decisively answered.

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[22] 'Birthers' refers to the significant number of U.S. citizens who maintain a belief that current president Barack Obama is not actually a U.S. citizen even in the face of substantial counter evidence.

Section Two: Theoretical Challenges

4. The Importance of Autonomy

In this chapter I respond to several challenges directed at the traditional liberal-democratic theory of schooling that invoke the concept of autonomy. Many critics have charged that the traditional liberal-democratic interpretation of autonomy is flawed in a way that is fundamentally hostile to religious belief. It is contended that a more appropriate understanding of the role of autonomy leads not toward but away from a commitment to emancipatory education, common schooling, and secular standards. That is, toward a vision of schooling that is much more inclusive of religious belief.

4.1 The Primacy of Culture and the Need for Initiation

A common criticism of the liberal-democratic view of autonomy is that it is fundamentally misguided insofar as it ignores the essential function that unchosen commitments and involuntary associations have in individuals' lives. As Michael Walzer writes, "The ideal picture of autonomous individuals choosing their connections (and disconnections) without constraints of any sort is an example of bad utopianism" (2004: 1). Once this fact is honestly acknowledged, critics proclaim, the liberal-democratic support for common schooling and emancipatory education must be substantially revised or rejected. This argument is generally formulated in two different ways.

The stronger, communitarian version of the argument suggests that children are only (or chiefly) capable of discovering who they are and not necessarily capable of changing or

'stepping back' from their attachments, identities, and relationships. In contrast to the widespread liberal assumption that an individual is prior to his or her chosen ends, communitarians have argued that individuals are "embedded" in various social commitments and practices—an individual is simply an aggregation of various social roles—and that it is mistaken to suggest individuals could ever stand apart from them.[23] The state that best promotes self-determination and individual freedom, therefore, is the one that allows citizens to immerse themselves deeply into their given social roles. Individual freedom must be 'situated,' Charles Taylor argues, and it would be absurd to talk about freedom apart from the ends an individual currently possesses (1992). Consequently, liberal autonomy, conceived as a capacity to stand back from my ends and evaluate or revise them, misconceives the nature of freedom for human beings. An individual comes to determine the direction of her life not by critically judging the value of her attachments and goals but "by reflecting on [them] and inquiring into [her] constituent nature" (Sandel 1982: 58).

Given these observations, the liberal-democratic educational project is seriously misguided. On the communitarian view, the best education for a child is one in which he is simply initiated deeply into his given social roles and attachments. The communitarian account of the self suggests education should primarily be concerned with encouraging students to seek self-understanding and asking themselves the question "Who am I?" in light of their unchosen ends (Sandel 1982: 59). It would therefore seem to leave little to no room for emancipatory education—no place to ask "What should I be? or What should I believe?"—since one's ends are already given. Thus communitarian education isn't about emancipation but self-

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[23] See, for example, Sandel (1982); MacIntyre (1981); and Taylor (1979).

illumination—a deepening understanding of one's preexisting identity. And if communitarians are correct, and individuals are unable to 'step outside' their traditions and social roles, the most appropriate education is one that simply provides the opportunity for children to delve deeply into their given prior commitments.

This strong communitarian position, however, is implausible. Even the staunchest communitarians must admit that individuals are capable of examining and revising their ends. Except in perhaps extreme instances, we each have the capacity to think critically about the values, commitments, and beliefs we hold in order to determine whether or not they are valuable and worthy of continued assent. To maintain that individuals do not have this capacity when people routinely engage in such activities is surely obtuse. It is quite common, for instance, for religious believers to change or renounce their beliefs in light of serious reflection or for individuals raised with particular cultural beliefs to abandon them when deemed no longer part of a worthwhile life. The claim that persons are simply incapable of questioning their commitments surely violates both commonsense and common experience.

While some communitarians like Michael Sandel begrudgingly acknowledge the existence of some capacity for critical self-scrutiny—referring to our ability to 'reconstitute' ourselves—it is difficult to discern how this view is relevantly distinguishable from the liberal notion of autonomy. As long as it is admitted that persons are capable of examining and changing their commitments, and that it is often worthwhile to do so, it isn't clear why the liberal-democratic state's promotion of autonomy is somehow guilty of a false view of the self.

At this point the strong communitarian view becomes pragmatically indistinguishable from the traditional liberal-democratic view.

In light of these considerations, a second, and weaker, challenge to the tenets of traditional liberal-democratic educational theory appeals to the importance that initiation into a particular culture has in making the autonomous life possible for children. The liberal-democratic focus on educating for autonomy and providing a neutral common education is charged with overlooking the fact that children "must first be initiated into a particular belief and value system before they can grow towards autonomy. Indeed, choice is only possible after such initiation has taken place" (Thiessen 2001: 68). It is argued that liberal-democratic theorists often venerate the autonomous life as though it were possible to be completely autonomous or critically examine all of one's beliefs and attachments. Yet the ability to act autonomously demands that an individual possess a prior comprehensive worldview that can serve as the background upon which any future evaluations or revisions can take place. That is, the capacity for critical thought can be exercised only in the presence of beliefs that one can be critical of.

The possibility of revising and evaluating one's beliefs is therefore predicated on the existence of an initial framework of beliefs and values that are not chosen by the child but are inculcated through various initiation practices contingent on the associations the child is born into. The associations that serve as the source of our essential background beliefs include our family and social associations, culturally determined associational forms (institutions such as marriage for instance), political citizenship, and shared moral code (Walzer 2004: 3-11). The

possibility of an individual without any involuntary associations or beliefs is a chimera—we all

are working from somewhere. A robust initiation into a 'primary culture,' therefore, is essential

in the development of a child's capacity for autonomy and the formation of her identity

(McLaughlin 1984). Teaching for commitment prior to teaching for reflection is essential.

Although this view does not reject the possibility of autonomous reflection as a valuable

component of the good life, the stronger communitarian position *does* claim that the possibility

of such a life requires substantial early initiation into unchosen commitments and social roles

during a child's education. It is claimed to be important not to expose children to a diversity of

viewpoints or a critical mindset at an early age. As the philosopher Elmer John Thiessen writes,

"Exposing them to plurality and Babel of beliefs and values too soon will in fact prevent the

development of abilities which are key to later functioning in a complex and pluralistic

environment" (2001: 41). The suggestion is that introducing children to an autonomous way of

life too early is likely to undermine the goal of securing autonomy in adulthood. It is crucial

that education provide children "consistent, not conflicting, messages" (Burtt 1996: 426). This

sentiment is well expressed by a Jewish mother who defends sending her daughter to a Hebrew

school on the grounds that, "The more I teach her who she is, then the better she can live with

others."[24] First we must help a child understand who she is, and only later can she go out and

fruitfully engage other beliefs and critically examine her own. The capacity for critical thought

essential to the autonomous life will be meaningful only if a child already possesses a deep

sense of her particular way of life and has a serious stake in accepting or rejecting her own

views (Kroeker 2004).

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[24] Quoted in Sweet (1997: 112).

It is additionally claimed that initiation into a primary culture, which inevitably involves various rules and restrictions, is often an indispensible aid in the development of autonomy. Given that the completely autonomous person is a fiction, it is clear that the exercise of autonomy must be done from within a particular social or cultural context. Autonomous action presupposes the presence of restrictions that only membership in a community provides. It is only in the context of such restrictions that choices and roles have meaning (Spinner-Halev 2000: 61). If we eliminate the role of social or cultural restrictions, we find a plurality of choices but none of them have any significance. Thus, it is claimed to be important to restrict a children's options so that they can make meaningful choices about how to direct their lives.

What do critics claim these arguments entail for education in the liberal-democratic state? First of all, these critics take the previous arguments to demonstrate that as long as children are provided a minimal basic education, control over children's educations ought to be ceded to parents, who are best equipped to initiate their children into a primary culture. Given that the most crucial part of a child's education in autonomy is an introduction into a primary culture, and that the liberal state should refrain from privileging any primary culture over another, the liberal-democratic state should give parents the opportunity to initiate their children into their preferred worldview. Consequently, the liberal state should not only allow but should actively support private schooling and homeschooling even when they involve extensive and comprehensive initiation into a sectarian worldview. As long as basic liberal virtues are still taught in these schools the liberal state has no legitimate grounds for objecting to such methods of education. Although private schools and homeschooling allow parents to 'stack the deck' in favor of their preferred way of life, particularly if that way of life is difficult or

burdensome and therefore unlikely to be chosen if not given extra attention, this should not be a concern of the liberal-democratic state insofar as such activities are viewed as consistent with achieving autonomy later in life.

Second, it is sometimes argued that exposure to traditional liberal-democratic educational commitments are actually detrimental to the liberal project of educating children who are best capable of living together in a pluralistic society and developing the capacity for autonomous thought as adult citizens. This is because early exposure to diversity, autonomy, and mainstream culture through a program of emancipatory education and common schooling does not promote autonomy and tolerance but rather undermines this goal by hindering the ability of children to be successfully initiated into a primary culture. As Shelly Burtt argues, "If children are truly to have the choice of a strong religious faith, their early contact with the pluralistic and secular values of modern society must be guarded and carefully supervised" (1994: 67). Early exposure to diversity and critical thought engenders children who lack a firm basis upon which their identity can be built and hinders their capacity to successfully question and evaluate not only their own beliefs but also the beliefs of others. "Children who confront others in a significant and constant manner at an early age-- children who confront diversity-- will more readily be pried from the life of their parents and community before they even have a deep understanding of this life" (Burtt 1994: 67).

Sophisticated liberal-democrats are keenly aware of the necessity of unchosen beliefs in making autonomy possible. The real debate is whether the capacity for autonomy is best achieved through the traditional liberal-democratic commitment to common schooling and

emancipatory education or by permitting parents extensive freedom to monopolize a child's

educational experiences. I will argue that the traditional liberal-democratic educational

commitments should prevail.

First of all, even if we grant that the development of autonomy depends on initiation

into a primary culture, it is important to consider *how* this initiation occurs. Research in

developmental psychology and child development suggests that extensive exposure to peers

with different beliefs and values is a critical element in forming a healthy and self-directed

identity.   The formation of a child's identity—particularly an identity that includes a genuine

role for autonomous choice—depends greatly on interactions with diverse peers. As Buss

notes,

> Where parents tend to exert the primary influence over the substance of adolescent's choices,
> particularly about the important issues such as religion… peers play a critical role in the process of
> identity formation. Peer interactions offer the best opportunity for exploration, and this opportunity
> is considerably enhanced if the peers with whom the adolescent interacts differ in background and
> convictions from herself. Even where, as is often the case, the exploration does not alter the
> adolescent's ultimate choices, it is likely to alter the adolescent's perception of control over the
> choice-making. (2000: 1254).

Imagine two children initiated into the same primary culture. One is initiated in a way

that provides the freedom to engage in acts of intellectual experimentation, exploration, and

reflection as a response to interactions with peers holding diverse beliefs; the other child is

initiated into a primary culture by means of obligation and responsibility, shielded from the

opportunity to seriously question his beliefs. Surely these two children, whom research has

shown are very likely to possess the same long-term beliefs as adults, will possess very distinct

relationships with their given beliefs and perceive their capacity for self-determination very

differently. The first child will be more likely to see her beliefs as self-chosen and "experience

choice-making as a deliberate, self-reflective, selection among options and more likely to

perceive herself as the author of her own choices" (Buss 2000: 1278-1279). The second child,

on the other hand, will be more likely to see his options and life as "foreclosed" in many ways

(Parker 1985: 43). Furthermore, research has shown that these distinct methods of initiation

also have consequences in terms of one's overall mental health; that is, there are more and less

healthy ways in which one can form an identity (Kroger 2005: 35-36). Again, Buss writes,

> … psychologists have found indications that those who embrace religion out of an unreflective sense
> of obligation, to achieve approval, or to avoid feelings of guilt manifest more negative mental health
> outcomes than do those who experience the embrace of those beliefs as a volitional, self-
> determined act which assimilates the beliefs into an integrated sense of self. (2000: 1266)

Children whose identities are formed under conditions of duty, approval, or guilt, and denied

an effective opportunity to explore these beliefs during their youth, tend to be characterized as

rigid, defensive, and authoritarian in adulthood (Kroger 2005: 37). Such a "foreclosed"

initiation into a primary culture entails serious negative consequences for the autonomous

character of the future adult. Interactions with peers is crucial, therefore, not so much in terms

of providing alternative substantive beliefs that a child might favor instead of her own, but in

providing the opportunity for identity formation of a particular type that is most amendable to

an authentically self-directed life. In fact, from a liberal-democratic perspective, I would argue

that the importance of identity formation that is a result of conscious choice-making is far more

important than mere exposure to alternative substantive beliefs.

Given these observations, it is unlikely that children who are shielded from interactions with peers holding different substantive beliefs until adulthood or late into their educations—who are educated solely among like-minded peers or by their parents—will find sufficient opportunity to form their identity under autonomy-engendering conditions. Children whose peers share their basic beliefs and values are unlikely to prompt any serious exploration or reflection on these matters. Even more problematic would be the homeschooled child who is not only circumscribed in the availability of diverse peers, but also compelled to form his identity largely under conditions of a significant power differential that does not permit the sort of reciprocal interactions that peers provide. Only through extensive exposure to a diversity of distinct peers are children likely to engage in serious intellectual exploration and authentically affirm the values and beliefs inherited at home and in their community.

Thus it is mistaken to move from the fact that the capacity for autonomy depends on initiation into a primary culture to the suggestion that the educational goals of liberal-democracy would be better met by forswearing a common and emancipatory educational program. This view overlooks the fact that how initiation into a primary culture occurs can itself impact a child's future prospects of achieving an autonomous life. Furthermore, as mentioned above, research has adequately demonstrated that children are likely to share their parents' long-term beliefs and values even in the face of extensive interactions with peers of differing beliefs—particularly with respect to their religious views (de Vaus: 1983; Ozorak 1989). Thus it is important to make a distinction between a child's beliefs as partially constituting her identity and the process by which her identity is formed. What values one holds as close to one's identity and the process by which these values are accepted and pursued are very

different matters. Those theorists who focus solely on the importance of inculcating certain ideas in the formation of identity while eschewing the importance of the process by which these ideas are ultimately acknowledged by the child are therefore shortsighted in their recommendations.

Unfortunately, it is quite common for educational theorists coming from a traditional liberal-democratic perspective to make this same mistake. Consider the many notable proponents of traditional liberal-democratic education who defend quite austere educational commitments in public schools but make generous exceptions in the case of private schooling because they erroneously assume autonomy requires only skill and knowledge of a particular type. Amy Gutmann and Stephen Macedo, for instance, argue that private religious schools should be permitted in the liberal-democratic state because as long as "democratic values" and "civic basics" are taught children will have an adequate opportunity to become autonomous individuals.[25] Similarly, Joel Feinberg focuses singularly on the need of the liberal state to ensure that particular intellectual skills are provided to all children as a way of securing their future autonomy (1980). These authors mistakenly suggest that as long as private schools and homeschooling parents teach their children specific intellectual skills or liberal virtues, irrespective of the opportunities the child has to interact with diverse peers in forming her identity, the liberal state ought to acquiesce to the demands of religious parents to initiate their children into whatever primary culture they see fit. Yet as the previous discussion has made evident, this sympathetic liberal-democratic view on private schooling is misguided because it does not prioritize the value that peer interactions have in enabling children to form successful

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[25] Gutmann (1985); Macedo (2000).

and healthy autonomous identities. Developing a capacity for autonomy cannot be reduced to acquiring a set of intellectual skills or virtues.

We might also respond to this weaker communitarian view by noting that the arguments for children needing initiation into a primary culture are overstated when taken to entail that children ought to avoid any instruction in critical thinking or self-reflection until they have acquired a comprehensive and entrenched worldview. The observation that autonomy presupposes the presence of prior beliefs does not justify the strong claim that there must be a large and robust set of unchosen beliefs prior to any growth toward autonomy. Such an approach would likely produce children who are ill-equipped and unmotivated to think autonomously and who have formed their identity under conditions that make autonomous action later in life not only difficult but deeply unattractive. Just like other virtues, learning to be autonomous requires developing a specific kind of character through practice and habituation. It would be implausible to believe that a child whose parents were given broad freedom to initiate their child into a deeply gluttonous lifestyle for his first sixteen or eighteen years of life would easily acquire the virtue of temperance later. The same considerations apply when considering the acquisition of the virtue of autonomy. Without an early opportunity to practice making choices for oneself and thinking critically and carefully about one's beliefs it will be very difficult to begin doing so later in life. As Stephen Law observes, "If independent, critical thought is not encouraged until late in the child's development, and if it is then only tokenistic and not habitual, it's unlikely to be of much benefit" (2007: 129).

Thus, I believe it would be unwise for the liberal-democratic state to withhold providing children with an environment conducive to autonomous action until adulthood as it would likely be too late. Delaying the introduction of critical thinking skills and a plurality of perspectives would result in adolescents who possess an entrenched set of beliefs yet who possess an identity that finds nothing meaningful in questioning or exploring these beliefs, is unmotivated to question their veracity, and perhaps includes beliefs that are explicitly hostile to autonomy. Recognition of the fact that one's identity is not simply a given—bestowed upon one by society, community, or family—but something that is constructed, revised, and evaluated throughout life must occur early in a child's life if we are to avoid the influence of powerful social elements that would prefer to deny this truth. Although we must be cognizant of the need to introduce children into an unchosen primary culture, we must also recognize, as Stephen Fletcher writes, that within "these relationships and communities, students can find the recognition they need to pursue diverse life-plans, and enter into the reciprocal relationships with others that this entails, or they can be marginalized in this process and have their capacity for autonomy limited or diminished" (2000: 187). Children must recognize the possibility and also have the opportunity to look critically at their identities at an early age if they are to understand the contingency of their beliefs. "Without a grasp of the cultural and historical formation of their identities within unequal and unjust power relationships, students cannot fully know who they are and who they might become" (Glass 2000: 287).

These worries expressed about the need for initiation into a primary culture seem, at most, to support a school system in which children are not obligated to attend common schools until perhaps middle or secondary school. This would allow parents substantial opportunity to

initiate their children into their preferred worldview but require attendance in a more diverse

setting where interactions with peers can occur during a child's later education.

4.2 A Crisis of Commitment

A particularly widespread criticism of liberal-democratic education, expressed by both

seasoned academics as well as popular pundits, is that it promotes relativism, deifies the

individual, and trivializes choice. The emancipatory focus of traditional liberal-democratic

education is impugned for fostering a certain conception of the individual that rejects deep

commitment to any values or beliefs.[26] William Galston famously wrote that, "The greatest

threat to children in modern liberal societies is not that they will believe in something too

deeply, but that they will believe in nothing very deeply at all" (1991: 255). The guiding liberal

principles of toleration and willingness to recognize fallibility in one's beliefs (most notably

articulated by John Rawls's "burdens of judgment") are perceived as deeply hostile to the

religious life of certainty and serious commitment. Through its promotion of ceaseless

intellectual liberation, the liberal-democratic state is charged with encouraging children to

never commit themselves to any belief or value.

In fact, many critics have charged that it is the liberal-democratic educational focus on

autonomy that has led to the erosion of our society's moral values. As Thiessen contends, "A

case can be made that modernity/liberalism is in fact responsible for the contemporary crisis of

commitment—anomie, aimlessness, the almost promiscuous picking up and dropping of values

and aspirations" (2001: 194). Children grow up in the liberal-democratic state learning that a

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[26] See Marshall (1989).

strong or steadfast commitment to any belief or value is to be viewed skeptically and that there

are always other choices or alternatives that might constitute an equally worthwhile life. Is it

any wonder, then, that children grow up to lead noncommittal lives in which they never come

to develop a profound allegiance to anything? The traditional emancipatory focus of liberal-

democratic education is characterized as valuing the maximization of choice, while ignoring

how a superfluity of choices can be both intellectually debilitating as well as result in trifling

commitments. The liberal-democratic focus on intellectual emancipation thereby promotes

under-commitment and hinders the development of deeply held values in its citizens.

Joel Feinberg's famous argument for a child's right to an open future in preparation of

its eventual autonomy provides a paradigmatic case for these critics. Fienberg argues that a

good liberal education is one in which a child is "sent out into the world with as many open

opportunities as possible, thus maximizing his chances for self-fulfillment" (1980: 84). The

liberal state, Feinberg continues,

> would act to let *all* influences, or the largest and most random possible assortment of influences,
> work equally on the child, to open up all possibilities to him, without itself influencing him toward
> one or another of these. In that way, it can be hoped that the chief determining factor in the grown
> child's choice of a vocation and life-style will be his own governing values, talents, and propensities.
> (1980:85)

This approach to securing autonomy, many critics contend, simply trivializes choice and the

importance of serious commitment. If educating for autonomy in religious belief, for instance,

is understood as simply exposing children to as many different religious views as possible so as

to maximize the child's ability to choose, then it "trivializes the very "choice" it purports to

respect… because it is inescapably glib and superficial, without meaning to it, and it mocks the

deep and important role of religion in many people's lives" (Mills 2003: 504). Consequently, it is argued that it is far better to introduce students to a few seriously considered views than a plethora of shallow ones; far better to limit emancipation in favor of teaching for commitment.

In response to these worries of under-commitment, there has been a great surge of interest among conservative theorists in programs that, as they see it, rightfully restore moral authority in education. A particularly popular example is the recent focus in schools on character education programs. This return to a more "Aristotelian" approach to education refrains from teaching students to "question principles before they even vaguely understand them" (Sommers 2002: 25). Rather than following what is perceived as the liberal deification of individuality, which is charged with giving rise to 'value-free education,' character education programs seek to restore the proper order of things: children should learn good habits and character prior to thinking and reasoning about right and wrong (Lickona 2004). Schools should emphasize instilling good habits rather than encouraging speculative thinking. And as Christian Hoff Sommers argues, "children who have been helped to develop good moral habits will find it easier to become autonomous adults. Conversely, children who have been left to their own devices will flounder" (2002: 34). What is needed, therefore, is a move away from liberal value-free methods of education and a return to more directive moral education—a view that minimizes the role for questioning and critical thinking in favor of explicit moral and religious instruction (Lickona 1999). The liberal-democratic values of perpetual reflection and choice without deep commitment are simply unsuitable for children or an enduring society.

It will be helpful to distinguish carefully the two distinct arguments often conflated in the broad criticism I have described here. The first argument claims that liberal-democratic education, by promoting a buffet-style approach to choosing one's beliefs, trivializes choice and fails to impart clear values and character, thereby avoiding the necessary task of teaching children right and wrong. The second argument maintains that the liberal-democratic commitment to autonomy in education leads to relativism which rejects the existence of any moral absolutes. Let us consider these criticisms in turn.

4.2.1 The Need for Character Education

Does the traditional liberal-democratic commitment to emancipatory education and autonomy hinder efforts to educate children's character? I would be the first to agree that some fashionable programs in public schools are guilty of making choice appear to be merely a matter of personal preference or taste. When the time is taken to survey textbooks from subjects such as biology, economics, home economics, and history, it is true that we find that a great number of them are "overtly nonmoral or 'value-free'" (Nord 1995: 175). Consequently, I share William Bennett's worry about school programs that take a value-free approach to moral issues or endorse a policy of values-clarification "in which students are encouraged to identify and 'clarify' their own beliefs,"[27] and thereby give children free rein to choose for themselves what they want to believe.

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[27] William Bennett, "Capitalism and a moral education," *The Chicago Tribune*, 28 July 2002

It would be incorrect, however, to suggest, as Bennett does, that these approaches are derived from liberal-democratic educational values and that we must therefore get back to teaching virtue as opposed to critical thought. In fact, the idea of emancipatory education is strongly hostile to a values-clarification approach. Traditional liberal-democratic education does not reject deep commitment or preclude instruction that seeks to instill particular habits and virtues; rather, an emancipatory education requires the existence of certain habits and virtues if it is to be successful at all. It is for this reason that philosophers like Christina Sommers and William Bennett are guilty of presenting a false dilemma. It is simply false to say that we must either instill good habits and virtues in children or 'leave them to their own devices.' What good schools—liberal-democratic ones included—must do is teach good character alongside fostering the ability to think critically and independently about the values and behavior demanded of students.

No learning can be successful without certain expectations and restrictions on student behavior. Without seeking to instill virtues that engender respect for authority, toleration, honesty, magnanimity, perseverance, and empathy, for instance, it would be impossible for any learning to occur at all. And in no way does traditional liberal-democratic education preclude the regimented atmosphere or high expectations on behavior required to instill these virtues. Expecting children to treat each other with respect and to do their own work without assistance is not incompatible with thinking critically about these expectations. What makes liberal-democratic education distinct is found in the unique virtues that it seeks to impart to students as well as in its encouragement that children think critically about the behavior and virtues expected from them in school. Let me talk briefly about each of these.

First, far from seeking to eliminate the role of virtue and good habit in the classroom, traditional liberal-democratic schooling actively promotes a number of distinct habits and virtues of thought in students. For example, students in the liberal-democratic classroom should be expected to demonstrate the habits of sincere listening, careful reasoning, honest reflection, and critical thought. These habits are not to be suggested as mere choices that students can elect to display or not; rather, these ought to be clear expectations demanded of all students. The core element of any emancipatory education consists in requiring that children demonstrate "the habit of thinking carefully and critically about our own beliefs and attitudes" (Law 2007: 129). Developing these habits will not occur successfully if students are simply offered a smorgasbord of commensurable values from which to choose or merely encouraged to clarify their pre-existing values. Any pedagogy that excludes the inculcation of the habits fundamental to critical and careful thought is not compatible with liberal-democratic educational commitments.

Second, what is perhaps most distinctive of liberal-democratic education is its insistence that children think critically about the virtues and values inculcated. So while children should be expected to demonstrate the habits and virtues believed to be necessary for good liberal citizenship, these students should not be expected to accept them without question. It is crucial to the traditional liberal-democratic educational program that children are encouraged to maintain a level of critical engagement with the ideas and habits learned in schools. Children should learn that questioning is valuable. Rather than simply requiring that children act respectfully toward their peers or demanding that they exhibit truthful behavior, the liberal-democratic state seeks to provide the opportunity for children to recognize the value of these

behaviors and attitudes themselves. Teachers should not merely require respect for fellow

students but give reasons and explanations for why this is desirable. Students should be

encourage to spend time thinking about the reasons why, for instance, honesty is important

and come to affirm its value for themselves. In fact, I would contend that the virtues imparted

to students are more likely to be permanent features of a child's character only when she fully

accepts them by means of her own reasoning. Simply demanding a child exhibit a particular

behavior without explaining its justification is more likely to engender a defiant rejection or

create deep resentment.

Of course, some critics might worry that this approach makes virtue too contingent. For

instance, when we encourage students to question the idea that honesty is always the best

course of action, we introduce seeds of doubt which may ultimately undermine a child's

commitment to the virtue of honesty. The value of honesty, or any other virtue, will be

contingent on the power of the reasons supporting it—reasons that can always be disputed or

challenged in a myriad of ways. Consequently, it is better to refrain from encouraging a critical

and questioning attitude until after these virtues have been firmly entrenched in a child's

character and unlikely to be uprooted.

I will concede that encouraging a critical attitude may attenuate the level of

commitment that could otherwise be achieved for some children were they simply taught to

accept virtues and values blindly. However, the value of this approach is itself contingent on

the correctness of the virtues imparted to students. Many parents and communities, given the

opportunity, would surely seek to instill beliefs and virtues that are racist, sexist, or xenophobic

in schools, and many already choose to do so at home. Endorsing an educational approach that excludes a critical and questioning component would therefore permit a situation in which children may be indoctrinated into these objectionable values without equipping them with the ability to resist them. Furthermore, introducing a healthy level of questioning does not entail a trivialization of choice but rather illuminates the importance of being able to choose and basing one's beliefs on good reasons. In fact, a critical and questioning attitude allows one to assess which beliefs and values are worthy of commitment. Often proponents of a return to an austere character education program suggest that what is most important is teaching for 'correct commitment.' Yet it is very unclear what this entails beyond the general appeals to the value of honesty, charity, work ethic, etc. The value in liberal-democratic education, however, is that it provides children with the habits and virtues required ultimately to decide for themselves whether the commitments they inherit (whatever they might be) are worth retaining—it does not suggest that no commitments are.

4.2.2 Promoting Relativism

Does the traditional liberal-democratic commitment to emancipatory education and secular standards promote relativism? Moral relativism is the view that moral truth is not absolute but relative to an individual's particular point of view; that what is right for me may be wrong for you. Because the moral relativist believes morality is simply a matter of individual taste or preference, two people can disagree about the moral permissibility of a particular action and yet both be correct. Given moral relativism's willingness to endorse any possible

action as moral, relativism has often been identified as a major source of the moral depravity currently observed in society today. If no action is objectively wrong, then anything is permissible so long as someone thinks it is. Acceptance of moral relativism, therefore, is perceived as socially disastrous and deeply culpable in observed increases in crime rates, sexual promiscuity, and an overall disregard for authority. The solution, critics argue, is a return to a more authoritarian moral view that recognizes morality's objective foundation.

A significant barrier to the rejection of moral relativism, however, is claimed to be the liberal-democratic commitment to autonomy and secularism in the classroom.[28] These commitments are characterized by critics as promoting a worldview in which each individual is seen as the supreme arbiter of conduct and where all moral viewpoints are equally justified (Phillips 1996). For instance, a completely secular curriculum is claimed to promote a relativistic view insofar as it leaves no room for objective moral standards and simply endorses a principle of 'survival of the fittest.'[29] Restricted to the cold and uncaring world of scientific materialism, secularism leaves us without universal or absolute moral values. And by venerating the individual who is skeptical of all claims of moral authority liberal-democratic education is charged with supporting a morally relativistic worldview.

I do not doubt that many well-meaning proponents of liberal-democratic principles have adopted moral relativism. In fact, when Allen Bloom argues that moral relativism is essentially the default position of most students entering American universities, I would hesitate to disagree (1988). Furthermore, it is not difficult to see why it is such a common position to hold

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[28] See Bloom (1988).
[29] Rep Karen Johnson (R-Mesa), AP

or ubiquitously associated with liberalism. On its face, moral relativism appears to support many important liberal-democratic values: equal respect for different views, mutual toleration, and an avoidance of moral superiority. Moral relativism's rejection of an objective moral standard is often seen as epitomizing the widespread desire to move away from our nation's regrettable imperialist and interventionist history. In this case, however, appearances are deceptive.

Accepting moral relativism is actually antithetical to toleration and respect for different moral views. For instance, if my moral beliefs include a strong commitment to intolerance toward people of a particular ethnicity, then according to moral relativism I am acting morally by being intolerant. And although many defenders of moral relativism argue that respect for other beliefs requires rejecting a commitment to an absolute moral standard, this view often fails to recognize the important difference between believing an act to be wrong and believing that we ought to impose our beliefs on others. There is an important difference, for example, between believing that female circumcision is wrong and believing that we ought to compel nations practicing it to stop through coercive force. Respect and toleration, in fact, seem to make sense only under the presupposition of universal moral beliefs. Moral relativism, therefore, is actually contrary to a commitment to liberal-democratic values. Given these observations, it seems odd to claim that liberals would actually endorse moral relativism and, as it turns out, few sophisticated liberals really do.

Anyone who has received an adequate liberal-democratic education, furthermore, would recognize these serious problems with moral relativism. In fact, the liberal-democratic

commitment to critical thought and questioning of authority is perhaps the best defense

against a relativistic mindset. "To value moral autonomy is not… to embrace moral skepticism

and deny, or doubt, the existence of moral values. It is more likely to go together with an

honest attempt to work out moral values…" (Le Poidevin 1996: 84-85). Valuing moral

autonomy does not entail endorsing moral relativism—quite the opposite. Thinking critically

and carefully about what one should believe actually makes clear that moral relativism is both

an untenable as well as a deeply unattractive moral view to adopt for most people. Simply

learning one's moral values as a result of an austere authoritarian education, however, cannot

be said to do the same. In fact, it might be suggested that authoritarian religious moral

educations actually promote relativism in that their moral claims are often presented as

incommensurable with other faiths and eschew rational reason-giving.

Part of the problem for those who argue that an educational emphasis on autonomy

leads to moral relativism is conflating a commitment to absolute certainty with a commitment

to absolute truth. In other words, many critics seem to imply that belief in moral absolutes

requires absolute certainty about what those truths are. This makes sense given that most of

these critics believe morality comes directly from God: belief in moral absolutes presupposes

absolute faith in God. However, belief in an objective morality does not require belief in God

and belief in the objectivity of morality is entirely consistent with uncertainty about what those

objective moral standards are. As Martha Nussbaum writes, "Confrontation with the different

in no way entails that there are no cross-cultural moral standards and that the only norms are

those set by each local tradition" (1997: 33). Employing reason in an effort to determine for

oneself what is objectively right or wrong is not the same as claiming that I am the appropriate

standard for what is right or wrong. Supporting one's views on morality with reasons and arguments is completely the opposite of an 'anything goes' perspective on morality. And for those who argue that an objectively morality requires belief in God, I would recommend attending any introduction to ethics course at a university where multiple non-religious objective moral theories will be debated and, more than likely, the *Euthyphro Dilemma* will be covered.

<div align="center">4.3 Minimizing Autonomy</div>

Is the traditional liberal-democratic conception of autonomy overly restrictive? Some critics have sought to weaken the traditional liberal-democratic conception of autonomy in ways that allow for greater accommodation for religious ways of life in school policy. Defenders of private schooling or opt-out options sometimes argue that the liberal-democratic interpretation of autonomy is unnecessarily constrictive with respect to achieving its goal of producing self-determining agents. On the one hand, it is pointed out that the capacity for autonomy can be exercised in different and, sometimes, illiberal ways. In particular, autonomy should not be narrowly interpreted in an individualistic way that privileges free choice and critical consciousness above all else. Some people exercise their capacity for autonomy in a way that involves a conscious surrendering of choice and personal sovereignty; the capacity for autonomy is consistent with choosing not to act freely. On the other hand, it seems excessive for the liberal-democratic state to require that every individual, community, or group must exhibit a robust degree of autonomy. The health and vigor of the liberal-democratic state does

not necessitate that *every* citizen or group be robustly autonomous, and requiring this from all

sectors of society will ultimately dull the vibrant diversity and pluralism existing there. Such

policies deny citizens the opportunity to live meaningful lives of obedience.

Jeff Spinner-Halev, for example, argues that traditional liberal-democratic theories "too

relentlessly place choice and opportunities in their conceptions of autonomy" (2000: 19). The

capacity for autonomy, he notes, is entirely consistent with the deeply religious individual who

consciously chooses to live his life in complete obedience to a set of religious tenets and

forswears the value of living a life in accordance with individual choice. There is no

contradiction in claiming that an autonomous individual might choose a life in which she rejects

the value of choice and self-determination. As long as an individual has the ability to leave her

chosen life (that there exists a 'right of exit'), then it is unwarranted for liberal-democrats to

suggest she is not acting autonomously. In other words, the exercise of autonomy is consistent

with rejecting the value of autonomy.

Liberal-democrats, however, are charged with employing a conception of autonomy

that, in the spirit of J.S. Mill, does not value a minimally autonomous life but rather a more

specifically individualistic one. This is a life in which individuals are expected to think critically

about their beliefs and choices; it is a vision of autonomy in which an individual chooses to 'live

from the inside.' The ideally autonomous agent on this conception is one who is not a thrall to

outside expectations or directives but actively shapes her own actions on the basis of personal

assessments of her unique life-plans and goals. Accordingly, groups in the liberal state are

often required by liberal-democratic theorists to support individual autonomy by providing

their members with a range of options from which they can select, adequate independence, full

civil rights, equality, and the fostering of appropriate mental abilities.[30] The prescriptions

offered for groups that do not provide these opportunities and choices to their members

include isolation, coercive efforts to make them more liberal, and simple banishment from the

liberal state.

The arguments for these prescriptions, however, are based on a conception of

autonomy that denies the individual who voluntarily chooses to live a life of complete servitude

autonomy. Yet if the life of obedience is freely chosen, and there is the sufficient option for

exit, then there seems no justification for claiming that such a life is not an autonomous one—

or that groups catering to this sort of life should be denigrated. Furthermore, given that the

preservation of the liberal-democratic state does not require that every citizen choose a robust,

individualistic conception of autonomy, on what grounds should this option be foreclosed to

citizens? It is not as though groups grounded in obedience have the possibility, given the

existence of a strong and intrusive mainstream culture, completely to shield their members

from knowledge of other ways of life or completely prevent them from leaving. Allowing

groups that reject the value of autonomy to exist unabated not only preserves greater plurality

in society, it also leaves open the opportunity for other citizens who might eventually choose to

live this life of obedience. Consequently, there seems to be no reason why "each community

within a larger society must provide its members with an adequate range of options from which

to choose. This is only true if one assumes that each community is fairly well contained, with

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[30] See, Raz (1986) and Kymlicka (1995).

minimal contact between them or that a group's desire for withdrawal can be largely

successful" (Spinner-Halev 2000: 49).

What do these arguments entail for educational policy in the liberal-democratic state?

Spinner-Halev suggests that as long as children grow up in a culture or worldview with the

knowledge that they have a choice to abandon the views inculcated by community and family,

which in our intrusive society means simply not being coerced into retaining these views or

denied a basic level education, then they ought to be considered to have met the minimal

liberal threshold for autonomy (2000: 51). Insofar as children have some minimal exposure to

different ways of life—through TV, books, or even regular shopping excursions into town—and

are not coercively prevented from pursuing an alternative worldview, then they are to be

considered sufficiently autonomous from a liberal perspective. Any more restrictive conception

of autonomy gives too much weight to an individualistic interpretation of autonomy and thus

restricts the option of citizens to choose a life of obedience.

I am sympathetic to the criticism that requiring all communities in the liberal-

democratic state to structure their associations according to a robust individualistic conception

of autonomy is in tension with liberal-democratic ideals. The liberal state ought, as much as

possible, to be receptive to alternative ways of life which includes lives in which choice and

individuality play a small (if any) part. At the point that an individual reaches adulthood and

decides that she does not value autonomy and would prefer to live a life of obedience, then this

should be available to her. And while some liberal authors have argued that it is necessary for

the liberal state to discourage illiberal relationships among groups in the private sphere,

Kymlicka and Raz, for instance, I fail to see the need for such drastic measures.

Does this mean that communities in the liberal-democratic state should have the

freedom to educate their children into their preferred (and perhaps non-autonomous) way of

life? Spinner-Halev contends that the answer to this question is "yes," on the condition that

these children are minimally autonomous; that is, that they are aware of the possibility of exit

and of alternative ways of living. This conception of minimal autonomy, however, is sorely

inadequate in that it conflates an awareness of alternatives with the existence of genuine and

viable options.

It should not be surprising that many of the most scandalous communities in our society

are largely familial associations. Consider, for instance, a religious group that might fairly be

called America's most hated, the Westboro Baptist Church. The dozens of members of this

religious faith believe that every person not a member of their church is going to hell, and they

are often seen protesting military funerals with extremely offensive and homophobic signs.

Christians are quick to denounce them as radicals and failing to interpret the meaning of the

Bible correctly. Among those protesting are always a handful of children and adolescents who

can also be seen chanting the hateful rhetoric of the church and carrying these morally

abhorrent signs.

Given the public fascination with this church, a documentary and numerous

investigative reports have been done on the members of the church and those who have been

excommunicated. After watching several of these programs, one cannot help but come away

with several conclusions: 1) these children and adolescents do not see life outside the church as genuine options, and 2) although they are aware of alternative ways of life, their knowledge of these alternative worldviews is based on untruths, fear, and deep ignorance. Undoubtedly these conclusions are to be expected when a child is raised in an insular community, taught for his entire life that views contrary to the sectarian beliefs taught at home are sinful, corrupting, and destructive to his very soul; when this child is indoctrinated in caricatures, misconceptions, and lies about alternative beliefs; and when the child is discouraged from investigating, considering, or broaching alternative views—or even questioning or challenging the consistency of views found at home—by threats of expulsion and excommunication from the only life he has ever known.

Of course, these young members of the Westboro Baptist church witness other ways of life every time they participate in a protest and are therefore clearly aware of alternative ways of life. But is it plausible to suggest that this nominal exposure to alternatives beliefs creates genuine options for these children? Can we, in good faith, believe that such a child will view outside views as worthy of serious consideration or as offering an authentic exit option? In the face of a community that seeks "to repress the minds of children so that they are incapable of rejecting the community's beliefs or pursuing a life outside the community as adults," is it enough simply to realize that there are different sorts of lives for them to be genuine options? (Dwyer 1998: 168). I would argue that to do so would be a serious case of disingenuousness.

This is because simple knowledge of the possibility of choice is not valuable if the very notion of exercising that choice is perceived as profoundly pernicious or if alternative views are

excessively prejudiced because of misinformation, ignorance, and fear of expulsion or

corruption. While a child might be cognizant of the possibility of living an alternative life, these

lives will rarely appear as genuine options worthy of consideration because they are 'obviously

wrong' and not worth the risk of losing one's family, community, and everything comfortable

and familiar. Some adolescents might risk expulsion in pursuit of other alternative views but

should we expect most children or adolescents to make this 'choice'? The fact that the

Westboro Baptist church along with other morally reprehensible organizations predominantly

survive from generation to generation by means of their youth, even in the face of their

outrageous and morally reprehensible claims, suggests that the answer is no.

Admittedly, the example of Westboro is an extreme case, not so much in its hostility to

individual autonomy, but in the sheer hatred that the church seeks to inculcate in its youngest

members.[31] Yet even in more moderate sectarian communities, which permit greater exposure

to alternative views and provide members a more viable right of exit, the claim that the liberal

threshold for autonomy has been met is, I believe, often dubious. If I recall my own

experiences raised in the mainstream Church of Latter Day Saints, and my continuing

interactions with numerous family members who are still devout members, I believe that the

opportunity to develop a capacity for autonomy—even interpreted weakly as recognizing the

viable option to live differently—is often largely foreclosed at an early age. I believe this is for

several reasons.

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[31] Of course 'extreme' is somewhat relative. The Southern Poverty Law Center lists 932 active hate groups, many of which are insular communities that seek to teach their particular brand of hatred to their youngest members while shielding them from serious interaction with alternative views. These communities include Christian Identity groups, the Jewish Defense League, the Fundamentalist Latter Day Saints, the League of the South, and the United White Knights.

First, there is still often little reason for children in these communities to consider alternative beliefs because they are generally presented in such a false and misleading way. Furthermore, children are commonly equipped with various defensive skills and quick responses to combat common criticisms and obviate the need to think critically about possible challenges they may encounter. I remember learning several responses to anyone who presented the theory of evolution as an account of biological diversity that included the conversation stoppers "Were you there?" and "How did life come from nothing?" And the idea the 'man came from an ape' was so outrageous, so preposterous to my sensibilities, that there was no room for evidence or extended debate. This is still how many of my conversations with my family members go.

Second, even supposing a child had the inclination to question the beliefs of her community, a palatable sense of disapprobation is often associated with doing so. One might not get kicked out, at least not right away, but one faces serious consequences for undue questioning. I still remember being chastised as a young man for being overly inquisitive in asking questions that "only God knows" and "demonstrate a lack of faith." It was clearly implied that asking too many, or particular types, of questions was indicative of a failure to be a good Mormon, and there was a strong incentive to get back in line or risk ostracizing oneself. In fact, there is an important level of peer pressure that ensures discussions and questions remain within acceptable limits. Parents, peers, and the church community are very careful to keep children in line and not allow bad seeds to influence others. Of course, even in more moderate religions there is always the heavy stick of excommunication that, for example, the

LDS church has employed many times in response to 'excessive' questioning that helps keep church members in line.

Third, when one is raised for most of one's life in an authoritarian mindset, programmed in a particular absolutist worldview, it is quite difficult to break free of the comfortable habit of not questioning. In fact, communities often encourage children to wear their foreclosure of critical thought as a badge of honor. And even if a child wished to explore or think critically about alternative views, she is often intellectually ill-equipped and lacking the skills to do so fruitfully. There is also the ineluctable worry that serious questioning after a lifetime of absolute certainty will lead to a potentially serious identity crisis—an outcome that I have observed several times myself.

Do the children raised in communities that exhibit the features enumerated above often leave the communities they've inherited? The answer must undoubtedly be yes. However, I would argue that the liberal-democratic state is remiss in its duty to promote the autonomy of children when it requires a child to exhibit an extraordinary sense of personal courage and intellectual fortitude to escape from the beliefs inculcated at home. To claim that these children have an adequate opportunity to become autonomous is like claiming that a child who attends one of the worst public schools in America has an adequate opportunity to attend college. It is sheer duplicity.

The liberal-democratic state must not allow parents and their respective communities to hold the autonomous life hostage; to demand that children must endanger the only life they have ever known and in the face of unrelenting deception and propaganda develop the

capacity genuinely to consider alternative beliefs. To claim that mere exposure to alternative ways of life imparts the ability to choose such lives is too quick. It is important to provide children with not just an awareness of alternatives but with genuine options. What does this require? It means exposure to views that have been defended by people who believe them, not solely detractors who have already decided they are wrong. It means experience with others who can be seen to be reasonable and respectful in the views they hold. It means having the opportunity to practice acting autonomously and thinking carefully about one's beliefs. It means having the opportunity to see a questioning attitude in a positive and nurturing light. Finally, it means access to reliably true beliefs and good reasoning rather than to mischaracterizations and lies. Only then will alternative views possess an authentic possibility of being chosen apart from heroic efforts on the part of a child.

What is the best means for achieving these goals? A commitment to the traditional-liberal democratic view of education does not entail that children must be given an adequate number of options or taught the value of individuality at home. Instead, by ensuring that all children have an adequate educational opportunity to consider alternative views, interact with diverse ideas, and form an identity apart from that encouraged at home, the liberal state can meet its responsibilities to promote autonomy while avoiding undue intrusion in citizens' private lives. While there should be significant opportunity for adult citizens in the liberal-democratic state to choose a life that rejects autonomy, the basic social institutions, including public education, should support the conditions for developing autonomy. In fact, I would argue that much of the attraction of common and emancipatory schooling is that it allows conservative communities to continue to practice their chosen lives while providing an

opportunity for children to have authentic interactions with alternative conceptions of the good life and be introduced to the value of autonomy.

The current system that permits parents almost complete freedom to teach their children anything they wish in home or private schools is simply inadequate. The titular exposure to alternative beliefs that might come from passing interactions coupled with a community allowance for a right of exit is surely inadequate to provide legitimate options to members. There is an important difference between possessing an awareness of one's existential capacity to "choose another way of life" and possessing a realistic option to do so. Children must have an adequate opportunity to practice thinking critically and consider alternative views expressed in a truthful and supportive light. Mandatory common schooling is the most appropriate means for accomplishing this goal and avoiding the need for the liberal state to dismantle illiberal associations.

5. The Question of Rights

Debates about the legitimacy of the traditional liberal-democratic approach to education often reduce to disagreements about the proper locus and scope of rights recognized by the liberal state. In response to liberal-democratic principles favoring common schooling or emancipatory education, for instance, it is common for religious critics to invoke the right of the parent to determine the nature of a child's education or the right of a religious community to preserve itself through its youngest members. In this section I address these arguments and conclude that the most defensible interpretation of the relevant rights provide ample support for the liberal-democratic commitments to common schooling, secular standards, and emancipatory education.[32]

5.1 Parental Rights

The belief that parents possess a fundamental right to control the education of their children is widespread. This belief, for instance, is captured in the influential U.S. Supreme Court's decision *Pierce v. Society of Sisters* which affirmed the parental right to direct the education of one's children and overturned an Oregon law mandating that parents send their children to public schools.[33] It is also expressed in the Universal Declaration of Human Rights, which explicitly states that "Parents have the prior right to choose the kind of education that shall be given to their children." Few would reject the claim that parents have a strong and

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[32] It would be impossible, requiring an entire work in itself, to capture adequately the complexity of debates surrounding parental rights regarding education. My goal here is simply to provide a broad response to the most pervasive lines of attack.

[33] 268 U.S. 510 (1925)

compelling interest in raising their children in accordance with their chosen beliefs and traditions.

It is also true that the traditional educational commitments of liberal-democracy deeply conflict with the ideals of many parents. The liberal-democratic commitment to common schooling, secular standards, and emancipatory education are not neutral with respect to all existing conceptions of the good life. In particular, worldviews that do not place value in autonomy or exposure to alternative worldviews will find liberal-democratic principles deeply problematic. Many parents would prefer to shield their children from diversity and restrict their children's ability freely to choose beliefs and associations of their own. Thus, we find a significant tension between the parental right to direct the education of children and liberal-democratic educational commitments.

There are two common strategies employed by theorists who argue that conflicts between parental educational prerogatives and liberal-democratic commitments should be decided in favor of parents. First, it is widely argued that liberal states should recognize parents' inviolable right to direct the education their children—this exclusive parental right trumps any conflicting state goals. Second, even if parents do not possess an exclusive right over their children's educations, they surely possess primary rights that supersede liberal-democratic commitments except in extreme cases. Let us consider these views in turn.

5.1.1 Exclusive Parental Control

In recent years, conservative politicians along with various sectarian groups have attempted to pass numerous legislative bills meant to secure the exclusive control of parents in guiding their children's upbringing. A bill referred to as the Parental Rights and Responsibilities Act, for instance, includes an important passage affirming that "the right of parents to direct the upbringing and education of their children shall not be infringed."[34] In my own state of Colorado, a relatively recent amendment was narrowly defeated which would have guaranteed the exclusive right of parents to "direct and control the upbringing, education, values, and discipline of their children."[35] The important Libertarian strand in the arguments for these bills is nicely highlighted by Charles Fried who argues that "the right to form one's child's values, one's child's life plan and the right to lavish attention on the child are extensions of the basic right not be interfered with in doing these things oneself."[36] Denying parents the exclusive right to control the education of their children is often argued to be in conflict with the liberal-democratic responsibility to protect its citizens' basic liberties (Friedman 1962: 91). It is also seen as directly in conflict with the religious beliefs of many faiths. Many religious leaders, for instance, have argued vociferously in defense of educational freedom from state interference on the grounds that the parental right to educate is absolute and given by God. It is claimed that ceding any educational authority to the state undermines the divine right parents have to raise their children. This is a view that comes from a long history of Christian theorists,

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[34] Peter Applebome, "Array of Opponents Battle over 'Parental Rights' Bills," *New York Times*, 29 April 1996
[35] Colorado Parents' Initiative, 1996.
[36] Charles Fried, *Right and Wrong* quoted in Amy Gutmann (1985: 29).

including Thomas Aquinas who claimed any state action with respect to a child against the will of a child's parents was a case of injustice.

Perhaps the most conspicuous recent issue concerning the scope of parental rights, however, involves efforts by parents to reject medical treatment for their children on the basis of various religious convictions. Consider the recent case involving a 13-year-old boy named Daniel Hauser who was diagnosed with a very treatable but dangerous form of cancer known as Hodgkin's Lymphoma. Eighteen years prior, Daniel's parents joined a Native American religious group called Nemenhah which denounces western medicine and condones only the use of natural remedies as treatment for medical maladies. Although the likelihood of successful treatment of Hodgkin's lymphoma, given Daniel's current condition, is estimated to be approximately 90 percent, Daniel and his parents cited the "poisonous" and "toxic" nature of chemotherapy and their confidence in the efficacy of certain herbs and vitamins as reason to reject treatment. Although certainly dire, this situation is by no means unique or extreme. A number of other parents have waged court battles in an attempt to avoid providing life-saving medical treatment for their children on the grounds of exclusive parental rights, and in several cases children have died.[37]

Is it plausible to think that religious parents possess an exclusive right to direct the upbringing of their children? Undeniably parents have an "extremely strong interest in bringing up children in their own religions and continuing traditions to which they are attached" (Nussbaum 2000: 230). Furthermore, I presume most would agree that a child's parents are, in most circumstances, the party best suited to promote the child's interests. And given these

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[37] Examples include Katie Wernecke, Abraham Cherrix, and Madeline Neuman.

considerations it can be granted that any state interference with the parent-child relationship is legitimate only with substantial justification. None of these admissions, however, entails that the right of a parent in determining the shape and nature of a child's upbringing is absolute.

In fact, most citizens fully endorse the use of state power in removing children from the care of their parents in situations that involve serious neglect, servitude, or abuse. This is because the child is not only a son or daughter, but also a citizen who requires state protection of his or her rights. Talk of exclusive parental rights "fails to acknowledge children as legal individuals who deserve state protection" (Pasquerella 1999: 184). Furthermore, like most rights, parental rights are constrained in a number of important ways. For instance, the right to free speech does not permit the yelling of the word "Fire!" in a crowded airport and many believe that the right to political participation can be rescinded when an individual has been convicted of a felony. Similarly, the parental right to raise one's child in the beliefs and traditions of the parent is constrained by (and can be revoked) if this upbringing conflicts with fundamental liberal-democratic principles or endangers the child's life. This entails a prima facie, *but defeasible*, right of parents to raise their children in accordance with their preferred conception of the good.

Parents are not permitted, for instance, to place their children in life-threatening situations or in circumstances that seriously threaten a child's physical or emotional welfare even if fundamental to a parents' conception of the good life. A parent cannot marry off her ten-year-old daughter to an adult man or compel her to spend her youth as a domestic servant regardless of how important these traditions are for the parent. As Meira Levinson writes,

"…the fact that my conception of the good might include your becoming my personal slave, or your affirming my conception of the good, gives neither me nor anybody else legitimate reason whatsoever to command your participation in or affirmation of my project" (1999: 53). The basic liberal freedoms that protect adult citizens from slavery, torture, or assault provide adequate reason for the state to intervene in cases involving children.

The same considerations apply with respect to parents who would like to direct their children's educations in a way that forecloses the ability of children to make free choices later in life or violates fundamental liberal-democratic virtues. For example, some parents, given the opportunity, would send their children to schools that teach racial or sexual hatred. Surely the liberal-democratic state should not provide school charters to white supremacist or homophobic groups. Other parents would prefer to deny their children any kind of an education or perhaps only allow their male children to attend school. Denying an education to one's children is also unacceptable in the liberal-democratic state. Finally, some parents would seek to impose a narrow and authoritarian system of belief meant to inhibit the child's ability to believe anything other than what is taught at home. But such efforts to constrain the capacity of children to consider other ways of life cannot be acceptable in the liberal-democratic state. For example, if there happened to exist a drug that "would produce a firm and unshakeable belief in the divine right of kings… it is hard to believe that parents would have a right to administer it to their children" (Brighouse 2000: 17). Thus, I do not think I am remiss in believing that parents do not have a right to impose these educational programs on children and that the liberal-democratic state ought to intervene in each of these cases.

The claim that parental rights are absolute and should never be infringed by the state is implausible; parents are sometimes in error, negligent, or endorse upbringings injurious to a child's future. The argument in defense of exclusive parental control over children "mistakenly conflates the welfare of children with the freedom of parents when it assumes that the welfare of children is best defined or secured by the freedom of parents" (Gutmann 1985: 32). No parent has the moral or political right to raise his children in any he sees fit. The question, therefore, is not whether the state can legitimately play a role in children's educations but the extent and purpose of that role. Acknowledging that the state has some role to play does not, however, imply, as some critics have opined, that the state ought to have complete control over children's educations. Responsibility for the education of a child must be shared by parents and state.

5.1.2 The Primacy of Parental Rights

Acknowledging that responsibility for a child's upbringing does not rest solely with his or her parents leaves unanswered the question of how this responsibility ought to be shared. The claim that parents should possess primary rights over the upbringing of their children is a strong one. The reasons in favor of this conclusion are many: the superior ability, in most cases, of parents to promote their child's best interests, the weighty presumption in favor of primary parental control conferred by the biological relationship between child and parent, the strong interest that parents have in passing on their traditions and nurturing their child, and the way

primary parental rights support the ideals of liberal freedom.[38] Taken together, these reasons

provide a powerful case in support of the primacy of parental control in directing a child's

upbringing and education.

For many theorists, establishing primary parental rights over the education of children is

presumed to be adequate in thwarting the intrusive mandates associated with traditional

liberal-democratic educational theory. For even if "parental rights may justifiably be infringed

upon when there are serious risks to the health and well-being of children…it is not clear that

there are serious enough competing rights or interests at stake to justify the imposition of

mandatory education…when parents are opposed" (Bartkwiak 1999: 202). It is quite common

for critics to presume that once the primacy of parental rights is established, then it follows that

"parents should enjoy the authority to educate their children in accord with their own

conceptions of the good life, unless these conceptions are plainly unreasonable" (Thiessen

2001: 71). The primacy of parental rights is taken to entail that state intervention with respect

to education is justifiable only in extreme circumstances.

I wholeheartedly agree that parental educational rights should be considered primary.

However, establishing that the parental right to direct the education and upbringing of children

is primary and fundamental does nothing in the way of delineating the proper scope or content

of this right (Brighouse 2000: 84). Establishing that parents have the primary right to raise their

children does not, for example, obviate the possibility of clear and extensive restrictions on this

right beyond simple protections against 'plainly unreasonable' treatment. In particular, if

exercising this primary parental right to determine the education of children would entail

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[38] See Gilles (1997), Brian (1988) and Thiessen (2001).

violating various fundamental interests possessed by children or other members of society, then surely there are reasonable grounds for restricting parental educational decisions. This is not to say that granting the state the power to safeguard the fundamental interests of children "implies that parents have no right over their children or that their rights are not special" (Brighouse 2000: 84-85). In fact, the importance and unique nature of the parent-child relationship means that the state will rarely be justified in taking a child from his or her parents or engaging in highly intrusive interventions without substantial cause.

Thus, while parents have a special and powerful interest in raising their children, which requires the state to provide them with extensive freedom in educating children in accordance with their values and beliefs, this must be accomplished while at the same time securing the fundamental interests of the child. The fundamental interest that I am most concerned with here is the fundamental interest that every child has in developing the capacity for autonomy. The liberal-democratic state presupposes a minimal conception of the good life that includes a commitment to the value of autonomy and ensuring the capacity of all citizens to improve their understanding of their interests and the common good. The liberal-democratic state has a legitimate role in defining educational restrictions that obviate efforts to hinder the acquisition of autonomy by children. These restrictions are not intended to interfere with the parental interest in passing down values to one's children but have the goal of limiting repressive educational practices that threaten the reasonable ability of children to become autonomous adults and effective democratic citizens. Thus, the primacy of parental rights can be invoked only to support educations that do not compromise children's attainment of personal autonomy and democratic citizenship. In cases where parents violate or unduly hinder the

educational ends necessitated by this conception, the state is justified in intervening to protect these fundamental interests of the child.

It would be a mistake, however, to claim that the development of autonomy is only in the interests of children. On the contrary, I believe the liberal-democratic state's minimal conception of the good life includes a fundamental interest on the part of parents and all citizens in children's developing the capacity of autonomy. That is, the liberal-democratic state endorses a conception of the good in which children have a fundamental interest in becoming autonomous individuals, parents have a fundamental interest in raising autonomous children, and all citizens have a fundamental interest in their fellow members being autonomous and effective democratic citizens. The liberal-democratic state endorses a conception of the good that maintains that all members of society have a fundamental interest in educating children to be free and autonomous individuals. And, as Macedo contends, "Each of us can reasonably be asked to surrender some control over our own children for the sake of reasonable common efforts… designed to help secure the freedom of all" (1995: 486-487). Let me say something about each of these claims.

The claim that all children have a fundamental interest in becoming autonomous comes directly from the liberal-democratic commitment to the value of choosing one's path in life—from the idea that the capacity for autonomy makes one able to live well. The claim that all children have an interest in becoming autonomous (regardless of whether they choose to take advantage of this capacity later in life) is rooted in the belief that living well involves possessing the capacity to change or alter one's life plan in response to self-directed decisions

and beliefs. The capacities for rational evaluation, critical thought, and deliberation are the most reliable methods for figuring out one's own interests and pursuing them. Living well is partially a function of working out the best way to live and partially grounded in endorsing a good way of life 'from the inside.' The liberal-democratic commitment to autonomy, as Kenneth Strike notes, imposes clear restrictions on permissible methods of child rearing. He writes,

> That children are future citizens of the liberal state suggests that they like their parents have a right to their own conception of their own good. Parental authority over a child's education may not, therefore, extend so far as to permit the parent to predetermine the child's adult choices. This at least would seem to restrict permissible methods of child rearing. It also indicates that there must be limits on a parent's rights to restrict what information or ideas are available to a child. (1988: 260).

Children possess what Joel Feinberg calls "anticipatory autonomy rights" that must be weighed against the interests of parents and society in shaping the child's future (1980: 77). Although children must inevitably be governed by the decisions of others,

> the most legitimate basis for this coercion, on a liberal reading, would seem to be that which gives children the capacity for choice—the capacity to overcome the bounds of coerciveness—later in life. The way to transfer power over their own lives back to individuals, of course, is to help them develop a capacity for autonomy. (Levinson 1999: 48).

The interests of a child in choosing his or her own conception of the good life—in working out the best way to live from the inside—must be protected against intrusion of parents even for religious, cultural, or moral reasons. The capacity to act on one's own judgments and decide on a life plan of one's own design is fundamental to a good life according to the liberal-democratic state.

Some liberals, of course, challenge the claim that children have a fundamental interest in developing the capacity for autonomy. William Galston, for instance, rejects the idea that autonomy is a fundamental liberal value and argues that to claim otherwise too narrowly restricts "the range of possibilities available within liberal societies" (1991: 234). Instead, Galston emphasizes the liberal commitments to freedom and diversity while maintaining that autonomy is not an essential component of the liberal good life. The problem with Galston's argument, however, is that he defends a comprehensive set of political virtues that he believes should be imparted to all children but ignores the need to instill the skills necessary for children to critically evaluate or assess these virtues (1991: 246). As a result, Galston's theory conflicts with fundamental liberal-democratic principles insofar as it effectively entrenches the subservience of children to the values of the liberal state while at the same time failing to foster their capacity to consent to them freely. To inculcate any virtues, even those claimed to be minimally necessary for the stability of the liberal state, without equipping children to critically consider and evaluate the virtues taught undermines both personal freedom and meaningful diversity in the liberal state.

It is not only children, however, who possess a fundamental interest in developing autonomy, parents in the liberal-democratic state also possess a fundamental interest in their children's developing the capacity for autonomy. While parents surely have a deep interest in raising their children in accordance with particular values and beliefs—attempting to pass on religious or cultural traditions—parents also possess a fundamental interest in fostering a healthy, prosperous, and happy life for their children. This fundamental interest is related to the development of autonomy in their children in several ways.

First, as the previous chapter mentioned, the psychological health and mental well-being of an individual is importantly influenced by the way in which the values, beliefs, and ideals held by that individual are embraced during childhood. Children whose parents reject the value of autonomy and are compelled to embrace values as a result of obligation, guilt, or approval seeking behavior generally experience greater negative senses of well-being.[39] This research should cause parents to question the value of avoiding autonomy-promoting education particularly when evidence shows that encouraging children to think critically about their beliefs and choose them volitionally rarely undermines the parents' primary influence in the long-term beliefs of the children (de Vaus 1983).

Second, children who develop the capacity for autonomy are best equipped to secure a good life for themselves. Insofar as parents have a fundamental interest in their children being able to live good lives, they ought to seek to foster the skills and capacities needed to discover and choose among different ways of life. Increasing the chances that their child will be able to live a good life requires fostering the development of autonomy because it allows for the ability to critically assess different ways of living and revise one's conception of the good if found to be lacking. Surely no better method exists for living well than thinking critically and rationally about competing conceptions of the good life and remaining open to revising one's conception in light of new evidence or strong argument. Choosing a conception of the good randomly or based simply on what one's parents believe is surely inferior. Thus, an interest in one's children's living well necessitates that parents seek to promote "the conditions necessary to

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[39]See Richard M. Ryan, Scott Rigby, and Kristi King, "Two Types of Religious Internalization and Their Relations to Religious Orientations and Mental Health," 65 J Personality & Soc Psych 586, 587, 594 (1993)

acquire an awareness of different views about the good life, and an ability to examine these views intelligently" (Kymlicka 1995: 81). Children who are ill-equipped to evaluate and consider alternative ways of life are often compelled to live unsatisfying lives or, as is the case in some deeply religious communities, ultimately end their lives because no good life is seen as available.[40]

Of course, many parents believe they already know what the good life entails and maintain that providing children with the capacity for autonomy will only lead them astray. Undeniably, good parents would not seek to impart beliefs and values to their children that they did not believe are part of the good and moral life. Yet a core liberal-democratic commitment is that lives never go better when lived on the basis of values that individuals do not fully endorse themselves. Compelling a child to pray when she does not see the value in this activity does not improve her life; even if prayer truly *is* part of the good life. Thus, while parents rightfully and responsibly should seek to promote the values and beliefs they hold to be part of the best life—including perhaps a rejection of the value of autonomy—recognition of the fact that a good life demands holding a conception of the good rationally endorsed 'from the inside,' parents have an interest in developing their children's capacity for autonomy even if they ultimately encourage them to reject it.[41] Parents who do not encourage the development of autonomy in their children are guilty of "depriving their children of skills which are of great value in working out how to live well" (Brighouse 1998: 730).

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[40] Consider the prevalence of suicides among gay Mormon youth who are unable to live good lives within the confines of the beliefs of their parents and are rarely equipped to consider the option of alternatives.
[41] Dworkin (2002) calls this the 'endorsement constraint.'

Third, parents have a strong interest in fostering and developing autonomy in their children for the purpose of securing a fulfilling and rewarding parent-child relationship. I would contend that the liberal-democratic view of the good life recognizes an important value in parents assisting their children to become self-directed agents. That is, a parent who raises a child who is not able to function successfully as a self-determining individual—who is easily influenced by his or her peers and lacks the ability to think carefully about important decisions—is often saddled with a sense of failure or disappointment. For the most part, a child that grows up to be overly deferential to the views of others and foreclosed in his or her commitments is a source of anguish for parents genuinely concerned about the welfare of their child. Insofar as parents have a fundamental interest in seeing their children grow to become self-governing agents who are adequately equipped to identify and pursue their own interests, and not simply a tool to be used in the pursuit of the interests of others, they have an interest in their children's developing the capacity for autonomy.

The interest in children's developing the capacity for autonomy, however, goes beyond the interests of children and parents; it is also a fundamental interest for all citizens in the liberal-democratic state. This is because all citizens have a fundamental interest in the stability and legitimacy of the liberal-democratic state. Only by developing the capacity for autonomy in all prospective adults can citizens ensure that the state will prosper and meet its basic political obligations.

The role of autonomy in securing the stability of the liberal-democratic state is manifold. The virtues of toleration, reciprocity, and mutual respect are critical to the continued

functioning of the liberal-democratic state, and they are highly dependent on the acquisition of autonomy. For instance, the ability to consider alternative beliefs in a respectful manner and engage others in constructive dialogue is a basic responsibility of citizens in the liberal-democratic society. In light of this, Amy Gutmann argues that children must be taught the skills required for critical reflection, be exposed to alternative conceptions of the good life, and have an inclination for participation in rational deliberations about the good life. While she argues for these skills as being necessary elements of effective political participation in the liberal-democratic state, it just so happens that these are also the skills of personal autonomy (Gutmann 1995: 578). All members of the liberal-democratic society, therefore, have a fundamental interest in making sure that future members will be autonomous because it is only then that they can all effectively participate politically. As David Blacker writes,

> To focus on what is perhaps the most central "liberal virtue" in this regard, to paraphrase the Kantian formulation, citizens in the democratic constitutional state must "dare to be wise" (sapere aude); they must be able in some strong sense to think for themselves and thus be able both to recognize their own best interests and to look out for that of the ethical whole, the political community. Democratic citizens must have the ability to discuss and deliberate rationally different conceptions of the good life. (1998: 254).

This capacity to respectfully engage in deliberations and discussions about the good life and the best interests of the society is not merely a desirable quality, but rather "is one of its necessary conditions" in ensuring the stability of the liberal-democratic state (Blacker 1998: 258).

Harry Brighouse argues that this appeal to the interests of the liberal-democratic society as ground for developing autonomy is problematic insofar as it "places too much weight on the value of democratic participation" (2000: 68). Brighouse argues that Gutmann's view entails a

version of civic republicanism that holds political participation as not simply a right guaranteed by the liberal-democratic state but also as a duty of all citizens. It therefore illegitimately incorporates political participation as an essential part of the liberal good life and fails to recognize that abstaining from political life ought to be a viable and permissible option in the liberal-democratic state (Brighouse 1998). Kenneth Strike expands on this idea by pointing out that the liberal-democratic state "permits people to be aloof from the community except as participation may be required by them to pursue their own interests. Civic education, then, should not promote democracy as "a way of life" if this means that democratic participation is to be seen as a necessary part of the good of all citizens" (1988: 260).

These arguments, however, conflate the idea of equipping children with the ability to effectively participate politically with the idea of requiring adults to exercise this capacity. It is entirely legitimate for the liberal-democratic state to maintain that because political participation is recognized as a requirement of justice and important for the continued stability of the state that all children should be educated in such a way as to secure the development of autonomy. This does not mean that all citizens are required to exercise this capacity for democratic participation or that its exercise is held to be a necessary part of the good life. Liberal-democracy is committed to a stance of *weak perfectionism* that values political participation—seeing it as an essential component in understanding and pursuing one's interests and maintaining the health of the polity—yet does not discriminate against those adults who choose not to engage in this process.

Developing the capacity of autonomy in children is also crucial in meeting the liberal-democratic state's commitment to its citizens consenting to the laws they live under. Liberal-democratic educational theory is often criticized for violating its core commitments to liberation by indoctrinating the "ideology of liberalism" (Thiessen 2001: 34). Moreover, the imparting of liberal values is sometimes characterized as oppressive or illiberal (Tamir 1995). And while I think this criticism is applicable to liberal theories like Galston's, I have already explained how the liberal-democratic theory of education I am defending recognizes the need to impart the skills required to evaluate and assess the unchosen values instilled during childhood. In fact, I would argue that teaching children the capacity for autonomy—to critically reflect and to rationally evaluate ways of life—is the only means for legitimating the imposition of values and beliefs that are an essential part of any adequate education. Rather than instilling an oppressive ideology, traditional liberal-democratic education seeks to secure children's later freedom to overcome the values and beliefs taught during their childhood. It is inevitable that values and beliefs will be taught to children without their consent—this is simply a function of their dependent nature—and coercive methods of education therefore do not constitute oppression. Consequently, it is only failing to equip children with the capacity to question and evaluate the beliefs inculcated in their youth that is truly oppressive.

These considerations provide, I believe, a strong *prima facia* case in favor of traditional liberal-democratic education. Given that the interest in educating children to be autonomous is a fundamental interest held by all relevant members of the liberal-democratic state—child, parent, and society—this interest creates a strong obligation on all members of the liberal-democratic polity to ensure that all children are safeguarded in their acquisition of autonomy

and democratic citizenship. It should be noted, however, that these considerations do not entail that the liberal-democratic state should invariably enjoy exclusive influence over educational institutions or curriculum. For instance, if the culture regularly provides adequate opportunities to all children to foster the capacity for autonomy, then there would be little justification for the state to intervene in the educational programs of parents. It must also be recognized that the acquisition of autonomy requires important features that only extensive parental control can provide—a stable family, physical and psychological health, initiation into a primary culture, etc. All these support a strong primary right of parents to direct the education of their children.

I have only defended the authority of the state to intervene in the education of children for the sake of securing the development of autonomy; understanding what this defense means for actually policy will need to wait until later chapters. What is most important at this point is that even if parents are granted primary control over the education of their children, this does not entail that emancipatory education, common schooling, and secular standards necessarily violate this right. Insofar as these policies are crucial in securing the opportunity for children to become autonomous and informed individuals, they can legitimately be enforced by the liberal-democratic state.

At this point my argument might find many liberals, who are justifiably wary of extensive governmental interference, skeptical. Does not the potential for state tyranny increase immeasurably when we permit the state to intervene so deeply into the private sphere of the family? This is an important worry. However, it loses much of its force when we recognize that

the potential for tyranny exists not only in the state but also resides in the private sphere of the

family itself—a locus of possible tyranny that holds equal potential for restricting the freedoms

and liberties of citizens. Parents can be just as tyrannous as the state, and it would be

erroneous to think that all parents will, for example, voluntarily ensure that their children

develop an appreciation for the rights secured by liberalism or instill the capacity for autonomy.

Education of any form, whether coming from a child's parents or the state, is necessarily

coercive and for this reason holds the possibility for abuse. To leave the task of shaping future

citizens to either parents or the state alone would surely increase this potential.

5.2 The Community Right to Educate

Do religious communities have the right to preserve themselves through their

members? More specifically, does a community have the right to decide what sort of education

(if any) children in the community will receive? When the Old Order Amish challenged a

Wisconsin law requiring that all children attend school until the age of sixteen, the Supreme

Court's decision suggested that religious communities possessed rights distinct from those held

by their individual members. The Supreme Court's decision in favor of the Amish was partially

made on the grounds that the Wisconsin law interfered with the Amish community's right to

integrate children "into the way of life of the Amish community at the crucial adolescent stage

of development" and took children "away from their community, physically and emotionally,

during the crucial and formative adolescent period of life." [42] A community, the ruling implied,

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[42] *Wisconsin v. Yoder*, 406 U.S. 205, 1972.

possesses the right to secure its continued preservation through educational control of its members' children.

This recognition of a community right over education is not exceptional. The philosopher Michael Walzer, for instance, writes that, "Every community has a right to try and reproduce itself-- the right to raise and educate its own children" (2004: 53). Furthermore, the general recognition of a right possessed by local school districts to make decisions about the education of children in the community also follows from this view. In fact, there is a strong commitment among many sectors of our society that the liberal-democratic state must refrain from endorsing educational principles that would erode or interfere with a culture or community's self-preservation. With respect to the Amish and other religious communities, the "wider society has no right to require particular standards or systems of education within such groups…" (Kukathas 1992: 122). A culture's fundamental right to preserve itself, therefore, is claimed to trump the liberal-democratic state's interest in educating children in ways that threaten a culture's continued existence.

5.2.1 Community Rights v. Parental Rights

How should we go about interpreting this claim of a community right to direct the education of children? If the community right is claimed to be merely a collective exercise of individual parental rights, then, given what has previously been argued, this right would not legitimate educational programs that violate the fundamental interests of the child in developing the capacity for autonomy and democratic citizenship. The primary parental right in

directing the education of one's child is contingent upon parents ensuring that the child's fundamental interests are safeguarded. A collection of parents choosing to exercise their parental rights in the context of a cultural community would not entail greater control over their children's educations than a single parent acting individually. Yet the claim of a community right to educate would permit the imposition of extremely austere and foreclosed educations that are likely to be antithetical to the fundamental interests of children (as well as parents and society) as recognized by the liberal-democratic state. Thus, the notion of a cultural right to direct the education of children might be interpreted as asserting a cultural right that is stronger (perhaps at least in the important case of preserving a cultural community) than the primary educational right that parents possess. Is this view plausible?

This interpretation of a strong community right to control a child's education seems much too strong. Consider, for example, the case of an Amish parent who has a child in the Amish community but, for whatever reason, chooses to educate her child in a different community. Would the broader Amish community, in the name of self-preservation, have the right to demand that this child be raised in accordance with Amish educational standards even if this was contrary to the desires of the parent? Can the Amish community, in other words, override the primary right of the parent to direct the education of his or her child?

Of course it might be objected that the Amish community does not have such a right in this particular case because the Amish culture as a whole is not threatened by such isolated practices. Unlike the *Wisconsin v. Yoder* case, which involved a general prohibition that genuinely threatened the continued survival of the Amish culture, the proposed example does

not fundamentally threaten the continued existence of the Amish community. Yet even if we

change the case to one in which the Amish culture is on the verge of extinction—such that if

this child is not raised in the Amish culture, then the culture will cease to exist—is the claim

that the Amish community has a right to control the education of the child any more plausible?

I don't see that it is. Even if the continued existence of an entire culture depended entirely on

its being granted the opportunity to inculcate its values into a particular child, it would be

seriously wrong for the state to allow the culture to do so against the wishes of the parents.

Cultures on the verge of extinction cannot compel their members to educate their

children in accordance with community values crucial to their continued preservation. This is

simply not the sort of right that any liberal-democratic state recognizes. As Rob Reich notes,

"were the state to provide positive supports for cultural traditions and ways of life that no

longer claimed the allegiance of any members, it would almost certainly be an injustice…"

(2003: 75). Thus, we have good reason to reject the idea that the community right to educate,

insofar as it must be weaker than the primary parental right, is strong enough to supersede

traditional liberal-democratic educational commitments.

5.2.2 Community Rights and Human Wellbeing

It might be challenged that my criticism has missed the significance of a community

right to educate. Community membership, it is argued, is a primary human good that is

fundamentally prior to the parental right to educate (Thiessen 2001: 34). That is, liberal-

democrats are guilty of overlooking the fact that the health and stability of one's religious

community is crucially linked to an individual's having the ability to live a good and worthwhile life. An individual's sense of dignity and self-respect is threatened if her community is actively discriminated against, allowed to erode in the face of outside incursions, or permitted to go extinct (Kymlicka 1995: 89). Thus, the preservation of one's community must be presupposed in any discussion about the pursuit of a good life; community rights must precede talk of parental rights.

Consequently, a liberal-democratic state must, if it is to safeguard the dignity and self-esteem of its citizens, grant communities a collective right to ensure their continued survival. Insofar as self-respect is recognized as an essential component of a worthwhile human life, religious communities must be recognized as having the right to secure their self-preservation for the sake of their members' identities. And given that the most critical factor in a community's ability preserve itself is the ability to pass on its traditions and values through its members' children, the ability to direct the education of the children born to its members must be recognized as a necessary community right. In order to ensure its citizens' access to a primary human good, the liberal-democratic state must grant religious communities a right to control the education of their members in order to secure their preservation. Widespread introduction of traditional liberal-democratic educational commitments, in particular, would lead to the dissolution of many religious communities and, as a result, deny a primary human good to many citizens.

I am sympathetic to the claim that the liberal-democratic state has a responsibility to try to protect the cultures and communities of citizens insofar as such membership is important to

an individual's sense of self-worth. However, the implication that this should entail a powerful

community right to educate simply doesn't follow. First of all, it would be misleading to claim

that young children are genuine members of any culture or community. Surely there is

something odd in asserting that a child, who often does not understand or fully recognize the

commitments of the community into which she is born, is an authentic member of the

community. Is a child born into the Muslim community accurately described as a Muslim even

prior to understanding the faith's theological commitments? Or is a child born to a community

that espouses strong communist beliefs a communist prior to recognizing precisely what

communism is? Most children have not critically reflected on, and certainly have not

voluntarily chosen, the commitments espoused by their parents and community. While

research and simple commonsense demonstrate that children display a propensity to accept

the beliefs of their parents and community as they age, it does not follow that they are

themselves members of the community prior to possessing the ability to understand and

choose the beliefs and values associated with the community.[43]

Given this fact, the argument that communities possess a right to preserve their culture

on the grounds that it is essential to the self-respect of their members must be recognized as

applying solely to the adult members of the community who are authentic members. And

although the liberal-democratic state therefore has a legitimate interest in protecting voluntary

members of communities from undue intrusion by outside influences—by refraining from

requiring that all members recognize women's equality or exercise their capacity for autonomy,

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[43] Of course this view of membership would be challenged by communitarians. For my response to the communitarian view see chapter 4.

for instance—it does not follow that it must allow members to impose their cultural beliefs and values on non-members. That is, while there is a legitimate role for the state to protect religious communities on the grounds that they are important to the interests of their respective members, children are not voluntary members and therefore such protection is not directly in their interests. Even if the adult members of a community would be happy to know that their community is likely to continue through the education of their children, it does not follow that members have a right to try to ensure that their community actually does continue through their children.

The importance of protecting a community from extinction requires only that the liberal-democratic state avoid coercive policies aimed at authentic members of communities. It does not apply, however, to a community's actions toward children who cannot be said to be genuine members of the community. As such, educational policies that require all children to be exposed to ideas and values contrary to those held by the community do not threaten the ability of actual members to safeguard their community. While the liberal-democratic state has an important role in securing the dignity of members of existing cultures, this does not entail recognizing the right of these cultures to maintain their continued existence through the imposition of education on others. As was mentioned earlier, the fact that my conception of the good includes my children's coming to accept my religious community's beliefs and values does not legitimate me in compelling or demanding such acceptance—children are not simply elements in my conception of the good, they are also independent persons who must not be denied the chance to choose their own way of life.

Additionally, if we grant that it is an important role of the liberal-democratic state to safeguard the dignity and self-respect of its members by means of cultural membership, then it seems to follow that in certain circumstances the most appropriate action for the state would be to ensure children receive an education in a community that is not shared by the child's parents. If the community a child is born into is on the verge of going extinct, for instance, then it might actually be in the best interests of the young child—who is not a genuine member of any community yet—to be raised in a different community given that they are likely to feel a serious loss when the community expires or remains marginalized. [44] Yet it would surely be a serious case of unjustified intervention if the state, in the name of protecting the self-respect and esteem of children, compelled parents to educate their child in a community different from the one they endorse on the grounds that the parents' community is highly stigmatized, widely denigrated, or on the verge of extinction.

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[44] This objection is raised by Dwyer (1989: 113).

6. Civic Magnanimity

The final chapter in this section addresses a number of criticisms directed at traditional liberal-democratic education which argue public schools must not limit themselves to secular standards if they are to educate future citizens capable of intelligently and respectfully engaging in political dialogue with one another. It is claimed that religious instruction is necessary to foster civic magnanimity among citizens. I argue against these efforts, contending that instruction in sectarian belief is seriously problematic and should be rejected in the liberal-democratic classroom.

6.1 Educating for Intelligent Belief or Unbelief

Nel Noddings, in her book *Educating for Intelligent Belief or Unbelief,* argues that liberal-democratic schools should instruct students in sectarian religious doctrine because doing so provides the opportunity for students to engage in critical discussion and assessment of beliefs that are fundamental to most citizens' lives. The goal is not to "advance or debunk religion," but rather a concerted effort in "promoting *intelligent* belief or unbelief" (Noddings 1993: 68). Students should critically consider arguments for and against various religious doctrines in an effort to develop informed and rationally examined beliefs. Examples of such discussions include feminist critiques of the Adam and Eve myth, the problem that evil posses for an omnibenevolent God, the social benefits and ills of religious membership, the relevance of salvation and immortality in human life, and a critical discussion about the role of minority faiths like witchcraft and Native American shamanism. A healthy and prosperous liberal-democratic state, she argues,

requires children who have developed intelligent views about these matters which are indisputably central to most individuals' lives.

The primary role of educators, Noddings argues, is not to embroil themselves in debates about religion vs. science or reason vs. faith but rather to encourage critical thinking across all disciplines and worldviews. Students are to be prompted to think seriously about the tenets and claims of religion—both their own and others—in order to assist them in developing informed and intelligent beliefs. Schools are to take an active role in helping children to think intelligently about important existential questions as well as the epistemological warrant of their beliefs: Is there a God or Gods? Are there good reasons for what I believe? What are the weaknesses and strengths of my belief? Teachers are expected to challenge students to develop informed defenses of their beliefs and an awareness of the difficulties posed by opposing worldviews. Ultimately, Noddings is concerned with creating a school environment in which children are encouraged to develop their beliefs on the basis of good reasons—beliefs that take into consideration the relevant arguments, criticisms, evidence, and challenges. As she writes, "To be an intelligent believer one needs to know the weak points as well as the strong points of a religion, the insights and the nonsense, the political and the spiritual" (Noddings 1993: 39).

To meet Noddings's vision requires that children are exposed to a wide diversity of religious and non-religious worldviews. Intelligent belief or unbelief requires that one is exposed to a fair and judicious assessment of a variety of religious doctrines and perspectives. Furthermore, because religious worldviews deal with issues and ideas that are fundamental to everyone's

life—questions about the existence of God, the meaning of life, etc.—they should play a prominent role in discussions throughout the school curriculum. The importance of these topics compels schools to provide students the opportunity to develop intelligent beliefs about them. It would be clearly unintelligent, she proclaims, for schools to ignore these issues or censor discussion about them in schools when they are passionately held by a majority of citizens in our society (Noddings 1993: 142).

There are a number of concerns with Noddings's argument that I believe justify rejecting her proposal to incorporate religious belief in liberal-democratic schools. The first is the way in which her attempt to incorporate religious belief into the liberal-democratic classroom trivializes religious claims to truth. That is, Noddings's position entails that truth is of minor concern or simply inaccessible in matters of religious belief. Consider, for instance, her proposal with respect to the contentious issue of teaching creationism in science classrooms. Noddings argues that teachers should include instruction in creationism but refrain from making any claims relating to the truth or falsity of creationism; rather, the teacher is simply to note that many people believe in creationism while at the same time many scientists view it as implausible (1993: 7-8). The issue of whether or not creationism is true is eschewed completely. In a similar way she believes teachers should present competing views concerning the nature of God to students but avoid suggesting that any are more correct than others. As she writes, "…my purpose is to show that teachers need not say, "This is true," or "I believe that…," They need only refer to beliefs clearly stated by others and let students weigh the evidence or decide consciously to reject it in favor of faith" (Noddings 1993: 134). Thus Noddings adopts a coherentist approach to truth with respect to matters of religion in the classroom, suggesting that intelligent or reasonable belief is to be identified with

belief that coheres with one's other beliefs. The test of intelligent belief in matters of religion becomes simply internal consistency. Teachers are not to adjudicate between the conflicting religious beliefs of students but present the available views (or allow students to present their own views) and let them decide for themselves what to believe. Teachers, therefore, are to bracket the issue of truth in matters concerning religious belief.

Yet this bracketing of truth is problematic insofar as it seems to imply that truth is not relevant in matters of religion and suggests that religious belief is simply relative. These are outcomes that are not only likely to be seen as disrespectful by members of religious faiths who believe the truth of their views can be demonstrated by evidence and reasons, but also contrary to students' developing reasonable and thoughtful views about these issues. Noddings's proposal, for example, suggests that teachers put aside the question of whether or not belief in God is true in a way that teachers would not do so for questions like "Did the Holocaust occur?" or "Is the Earth the center of the universe?" Religious belief is portrayed as a special category of belief that cannot be established as true or false; religious belief is conceived by Noddings as something that cannot be definitively adjudicated. Yet this view of religious belief is highly contentious, and many religious believers are likely to see this bracketing of religious truth as belittling.

Consider the case of scientific creationists or intelligent design proponents who make up a significant number of the U.S. population. These groups believe that scientific evidence and experience provide substantial support for their belief that God and not evolution is responsible for the diversity of species found on Earth. The belief that God created all species in their present form is claimed to be objectively true—not simply consistent with believers' network of other

beliefs or relative to a believers' broader religious commitments. Consequently, to include the belief of scientific creationists or intelligent design proponents in schools in a way that presents it as merely "a belief held by many people" rather than as a legitimate contender for truth is likely to be seen as disrespectful to these believers. Surely Noddings would not recommend that schools address the belief that president Obama is a Muslim (a belief held by nearly a third of the U.S. population according to some polls) as simply "a belief held by many people," so why treat religious belief in this marginalizing way?

Ultimately Noddings's approach endorses a form of 'religious clarification' in which teachers do not say any religious belief is right or wrong only that many religious people believe X, or Y is a belief that is consistent with certain other beliefs, or that belief Z is important to many people's lives. But to justifiably bracket religious truth in this way "requires that we first assess and examine competing religious beliefs, claims, and experiences according to some shared standard of evaluation; only by this means can we determine that no religion is in fact true or ascertain that such a conclusion is indeterminate" (Rosenblith 2004: 372). Yet Noddings simply rejects religious belief as a candidate for truth, relegating it to a special class of beliefs that cannot be definitively proven even though many religious believers would argue that religious belief is just as much a candidate for truth as secular belief.

This bracketing of truth also encourages a relativistic view of religious belief. Because religious belief is presented in a way that makes it largely a matter of the believer's prior commitments, and not a candidate for truth based on a common standard of evaluation, students are likely to question the value of religious belief. Conflicts between religious faiths or different

interpretations of sacred texts will be presented as though both are equally warranted insofar as they are consistent with a student's other beliefs. Yet if intelligent belief is simply a matter of consistency in what already believes, then selecting among differing religious views will undoubtedly lose value in the classroom as religious belief is perceived to be a matter of geographical or social contingency. Adherents of religious denominations are likely to see this outcome with extreme hostility. Treatment of religious belief that makes religion simply a function of the presuppositions one accepts rather than insight into universal truths about the world will surely be seen as contrary to most religious believers' worldviews. In the absence of shared standards for evaluating competing religious claims, Noddings's proposal will simply endorse religious relativism.

A further problem with Noddings's proposal is that even though some believers might accept the notion that religious belief is a unique class of belief that cannot be definitively demonstrated—as it is perhaps simply a matter of faith—many are still likely to have serious concerns with Noddings's methodology. This is because Noddings's notion of intelligent belief is grounded in explicit standards of reason-giving, consistency, exposure to alternatives, and empirical evidence. Yet the imposition of this standard is often inappropriate in the case of religious belief. In fact, it is quite common for religious believers to claim that their beliefs cannot be investigated or illuminated by such methods. Many believers would claim that their religious belief is solely a matter of faith and that reason and evidence play little if any role. Consequently, efforts by Noddings to challenge students' religious beliefs or critically examine the reasons behind such beliefs are likely to be perceived as inappropriate concerning matters of faith. Although faith and reason need not conflict, for many believers religious belief is not based on reasons or a

critical assessment of alternative views. Thus, the idea of promoting intelligent belief with respect to matters of religious faith seems fundamentally misguided. Furthermore, although Noddings's attempt to bracket the truth of religious belief in schools is meant to avoid endorsing any particular religious views, it is quite likely that some religious views will fare better than others given the standards Noddings employs. In particular, those faiths that place little value on internal consistency or empirical evidence will inevitably be portrayed as intellectually inferior in Noddings's classroom.

Noddings seems to assume that only strongly fundamentalist parents would be unwilling to allow their children to question their religious beliefs or engage in a critical examination of differing faiths. The views of these parents, Noddings opines, are simply in conflict with basic liberal-democratic commitments and therefore can be justifiably overruled. Yet I believe Noddings overestimates the non-provisional nature of many citizens' religious beliefs. Surely many religious parents who are far from radical fundamentalists would object to their children engaging in discussions about the weaknesses of the religious views taught at home. Simply brushing off parents who are likely to challenge efforts to encourage critical discussions of religion as fundamentalists is clearly inadequate.

6.2 Neutrality as Fairness

Warren Nord argues that liberal-democratic schools must 'take religion seriously' in order to avoid illiberally indoctrinating students into a secular and nonreligious worldview. Our society is deeply religious and citizens disagree sharply about the importance of religion in understanding the world and pursuing a good life. It is therefore incumbent on schools to refrain from promoting a particular conception of the good life that favors a secular and individualistic perspective while at the same time denigrating and marginalizing religious belief. Schools that teach only a secular and individualistic perspective are charged with promoting a particular vision of the good life—the worldview of secular humanism. This is a conception of the good that places human choice and autonomy at the center of the universe while leaving out any room for the supernatural. This view of the good life, Nord notes, is not one shared by many members of the liberal-democratic populous. For instance, the theologian J.I. Packer writes, "Anything short of unconditional submission to Scripture…is a kind of impenitence; any view that subjects the written word of God to the opinions and pronouncements of men involves unbelief and disloyalty towards Christ."[45]

In the face of such disagreement, Nord argues that schools in liberal-democratic states should live up to their commitment to neutrality. While strict neutrality is impossible, Nord suggests that schools endorse the principle of "neutrality as fairness." Liberal-democratic schools should "discuss in an open and fair way all points of view on any question that is religiously contested" (Nord 1995: 166). Much of his argument is based on rejecting the popular claim that a secular perspective is neutral among competing conceptions of the good life. In opposition to this view, he claims that secular instruction is actually *hostile* to religious belief and an educational

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[45] Cited in Nord (1995) It should go without saying that Packer would also have a problem with Noddings's proposal to teach for intelligent belief.

curriculum that focuses solely on secular beliefs while excluding religion ineluctably promotes a secular vision of the world. Furthermore, restricting instruction to secular beliefs is claimed to send the message that religion is neither necessary nor important enough to include in school studies and engenders an inimical attitude toward religious belief in general. To exclude religious belief from schools is to take sides on issues of serious disagreement between those who accept religious explanations and adherents of secularism—it is to denigrate and ignore religion in favor of secular belief. Such an approach makes religious accounts of the world implausible and irrelevant to students while inducing them to accept liberalism and secularism as matters of faith rather than an informed choice among competing alternatives. This, Nord argues, is fundamentally illiberal.

Religious inclusion in schools should be proportional to its importance in our history and culture and should be approached "from the inside." In fact, he suggests that religious instruction take the place of classes like economics and trigonometry which are claimed to be much less important in most people's lives. Taking religion seriously means compelling students to participate in religious practices, requiring them to read and study religious literature and holy texts, and also learn about religion through more conventional third-party accounts. Students should be provided an authentic introduction to various types of religious belief presented by advocates and believers that normalize the value of religious devotion and commitment. They should be taught religious belief as a living and viable alternative worldview to the standard secular humanism taught in schools. Students need to "feel the intellectual and emotional power of alternative cultures and traditions [if they are to be] justified in rejecting them" (Nord 1995: 201). Finally, religion ought to be included whenever it 'naturally' comes up. Students should be

encouraged to try to understand religious belief "from the inside, on its own terms" (Nord 1995: 214). The claims of religious belief are to be assessed solely within the religious tradition from which the claims originate.

Nord's arguments for including religious instruction in liberal-democratic schools are based on several claims that I believe should be rejected. First is the claim that any school that favors a particular conception of the good life is guilty of being illiberal. Second is his claim that secular and religious beliefs are both fundamentally based on faith and that there are no legitimate grounds for electing to teach children one rather than the other. Let us consider each of these claims in turn.

Nord argues that public schools that ignore religion are guilty of "indoctrinating" secularism in students and violating the liberal-democratic commitment to neutrality. In fact, Nord claims that the favoring of any perspective, regardless of whether it is secular or religious, is in direct conflict with the liberal commitment to equipping students to think critically about all alternative views. He writes, "Whenever claims, methods, or theories of a subject are religiously contested, and religion is ignored, neutrality and fairness have been violated" (Nord 1995: 249). For this reason, he claims that liberal-democratic schools have a responsibility to introduce students to all major alternative views about any topic under consideration. Neutrality, Nord argues, requires fairness.

The problem with Nord's argument is his mistaken assumption that neutrality is a fundamental liberal-democratic commitment. As the first section of this work argued, liberal-democratic theory is committed to a number of substantive values—in particular, autonomy, the improvement of citizens' understanding of their interests, moral equality, etc. The liberal-democratic state is

committed to neutrality, however, only insofar as it is consistent with these ideals. The liberal-democratic state, for instance, is not neutral concerning issues such as racism or intolerance which are in direct conflict with fundamental liberal virtues. For instance, a significant number of religious groups believe human races are not equal and should not be treated equally.[46] Is the liberal-democratic school illiberal if it does not give equal time to racist views in class? Surely not. Similarly, liberal-democratic schools that teach children that the sun is the center of the solar system while ignoring the objections of multiple religious groups are clearly endorsing a particular worldview; yet this is entirely consistent with the liberal-democratic commitment to teaching children beliefs that are reliably true. The presence of a conflict between beliefs about a topic discussed in class is not sufficient to warrant a presentation of both views; the liberal-democratic state is avowedly *not* neutral.

Does this mean Nord is correct in claiming that the liberal-democratic state indoctrinates children into the liberal-democratic worldview? In some sense the answer must be yes, but I've already discussed the reasons why this charge is misguided.[47] It is inevitable that certain views of the good life will be imparted to children uncritically. We cannot merely offer children a broad range of values and beliefs from which to pick absent any effort to promote certain values and virtues. Yet what makes the liberal-democratic approach to education unique is how it seeks to secure the capacity of children to effectively choose their values and beliefs for themselves when grown. Is the liberal-democratic approach to education likely to predispose children toward believing in racial equality and a heliocentric view of the solar system? Yes, but these views are

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[46] Consider the Dutch Reformed Church which actively supported apartheid South Africa on the basis of writings found in the Bible or the increasingly popular Christian Identity movement in the United States which believes in a natural hierarchy of the races.

[47] See section 5.1.2

consistent with the broader liberal-democratic project of securing for children the ability to make informed and reliable judgments about how to live their lives.

However, even if I am correct in claiming that the liberal-democratic state is not committed to neutrality concerning contentious views, Nord argues that there are no legitimate grounds for favoring secular views over religious ones. Secular humanism and science, he claims, are themselves religious worldviews; they are worldviews based on certain faiths about the nature of reality that are neither testable nor scientific. The scientific commitment to naturalism, for instance, is charged with being an article of faith much like belief in God. Consequently, any decision to teach only one side of a contentious belief about reality—the heliocentric view of the solar system as opposed to the geocentric model—constitutes a clear case of illegitimately favoring one form of faith over another. Nord contends that by simply accepting the scientific method to adjudicate cases about what to teach we rule out *a priori* the possibility of supernatural or religious explanations. Furthermore, if "students are not allowed access to contending religious ways of thinking about their subjects they are in no position to assess the reasonableness of scientific claims when they conflict with religious claims. Indeed, students are indoctrinated" (Nord 1995: 187). Students need to learn to think about alternative belief *systems* (religious and non-religious), not simply to think critically within a secular worldview with its unstated assumptions and unique articles of faith.

Thus, given that many religious believers reject the accuracy of carbon dating, teachers should present this topic in a way that acknowledges the efficacy of this approach only relative to physicists and a secular framework. And if a class is discussing a topic in biology that is religiously

contested, teachers are to present the views of scientists by saying: "Here is the truth as biologists understand it" (Nord 1995: 252). Because religious views and secular views are equally matters of faith, liberal-democratic schools have a responsibility to treat both equitably and fairly in the classroom. Beliefs are true or false only within the context of the frameworks in which they are considered and there are no common standards with which to evaluate claims to universal truth. In this situation, the most respectful thing for schools to do is present the accounts provided by both religious and secular frameworks equally.

In Nord we find a further endorsement of relativism. Yet while Noddings endorsed relativism only with respect to religious belief, Nord argues for a relativistic approach across both religious and secular matters. All views are simply a matter of faith; thus, fairness in presentation and internal consistency are most appropriate for liberal-democratic classrooms. However, Nord's proposal is likely to be seen as disrespectful and injurious to religious belief for many of the same reasons that were offered with respect to Noddings's proposal. Many religious believers will find the presentation of all religious and secular views as equally justified sources of truth deeply objectionable. Encouraging belief in the incommensurability of different ways of understanding the world will inevitably undermine students' respect for the value of both religious and secular truth.

The fundamental problem with Nord's proposal is the inherent contradiction that exists in trying to incorporate into the classroom religious groups that reject common standards of evaluation but yet want to be included as a candidate for truth with a big 'T'. However, the only way one can include competing religious claims to truth that are not subject to standards of

evidence and critical rationality is by endorsing a position of relativism about truth. This approach, however, is destructive of both secular and religious worldviews while demonstrating respect for neither. Common secular standards of evaluation are necessary for protecting the value of truth and provide the only means for meaningfully adjudicating competing claims about the nature of reality. Consequently, I would argue that Nord is incorrect in claiming that imposing shared secular standards of evaluation excludes or disrespects religious belief; rather, some religions exclude themselves from being candidates for truth within the classroom by rejecting the possibility of subjecting their views to "empirical investigations and rules of evidence" while at the same time claiming a rightful "veto over efforts to achieve scientific understanding" (Singer 1997: 465). Religions cannot have it both ways.

But why choose secular standards as the appropriate standard to evaluate competing claims about reality—why not choose a particular religious standard instead? The principal reason is that Nord's claims about science and secularism being equally grounded in faith are overstated. While it is true that one can hold a belief in naturalism in a way analogous to faith in a supernatural deity, it is critically misleading to claim that this is what a commitment to secularism entails. In fact, Nord gets the relationship between secularism and naturalism backwards. Science, for instance, does not presuppose the truth of naturalism but simply recognizes the fact that naturalism has proven to be most successful in producing true beliefs—far superior to any method that includes the possibility of supernatural phenomena. It is because naturalism has proven to be the most reliable method for producing true beliefs that liberal-democratic schools are justified in employing secular standards in the classroom. In the event that sectarian standards prove to be equally successful, I would be compelled to agree with Nord that a relativistic stance towards

religion and science is most appropriate for the liberal-democratic state. I will further develop this argument and return to Nord's claims in chapter eight when I discuss the issue of intelligent design.

6.3 Ethical Dialogue

Professor of education Robert Kunzman influentially advocates for the teaching of religious views as part of a proper liberal-democratic education that he calls "Ethical Dialogue." Kunzman argues that an essential component of any good society is the presence of mutual respect among citizens. Mutual respect, furthermore, requires an empathetic understanding of the epistemological frameworks of those with whom we disagree. To a large extent, the ethical frameworks that guide people's lives are deeply informed by religion in our society and to respect the beliefs of others requires understanding the religious frameworks these citizens hold. For example, in a deliberative situation with a religious interlocutor who believes that stem cell research is wrong, I am compelled by the virtue of mutual respect to try to "understand how their vision of God and virtue has shaped their position" (Kunzman 2006: 35).

This democratic virtue of mutual respect, Kunzman claims, entails that public schools ought to pursue efforts to promote Ethical Dialogue among students as a way of improving their understanding of the religious frameworks behind fellow citizens' ethical and political views. Schools are to be entrusted with the responsibility of teaching children respect for others by recognizing the value that religious frameworks possess and seeking to understand the way these frameworks inform individuals' beliefs. The value in respecting others by means of

understanding their frameworks is taken to be part of the good life for humans living together

in society and is not merely of instrumental value (Kunzman 2006: 43). Given that the ethical

and political beliefs of many citizens are based on religious convictions, it is crucial that children

learn to "thoughtfully and respectfully 'grapple with the good' as it is envisioned by a range of

religious and other ethical perspectives" (Kunzman 2006: 4). Only in this way can we produce

children suited to engage in respectful democratic discourse and discuss ethical and political

differences meaningfully and fruitfully.

Kunzman's argument for Ethical Dialogue rests to a significant degree on his view of

personal identity. Kunzman believes mutual respect is primarily the attempt to "strive to

understand [another's] identity" (Kunzman 2006: 44). In the case of individuals who are deeply

influenced by religion, he argues, this entails striving to understand their fundamental religious

commitments. He writes,

> For many adherents, religion is inextricably linked with one's very self, and the roots extend deep
> within a community of belief and practice. One is raised within such a community, and one's ethical
> framework and interpretive horizon are largely dependent upon this pervasive and comprehensive
> way of life. (Kunzman 2006: 54)

He goes on to quote approvingly the statement by a theologian who proclaims, "My identity is

given me by my parents, relatives, friends, and communities; there is no 'I' without all these"

(Kunzman 2006: 55). Kunzman suggests that many people simply *are* the collection of

relationships, aims, and projects they hold—that there is no self prior to these ends—a view

famously defended by many communitarians. Michael Sandel, for instance, notably argued

that any attempt to look into ourselves and identify some 'self' lying behind our various ends

and commitments was impossible; our ends are constitutive.

Ethical Dialogue is therefore necessitated on the grounds that it is consistent with the reality that religious adherence is rarely chosen but often simply a fact of people's identities. Religiously "rooted adherents," as he refers to them, find themselves within a particular community that defines the possible and conceivable for the individual. These individuals are unable to imagine themselves apart from the commitments that constitute their identity. Consequently, Kunzman argues that it would be a mistake to think it possible for all citizens to question and revise those beliefs that are fundamental to their ethical frameworks. For this reason Kunzman is critical of emancipatory education and secular standards. Mutual respect demands simply understanding the ethical beliefs of others, not any critical attitude toward these beliefs. It is on the basis of this belief that Kunzman rejects Noddings's approach to religious education, claiming that she perceives religious commitments as something one "picks and chooses" (2005: 73).

I think there are good reasons to reject Kunzman's challenge to traditional liberal-democratic education. While I agree with Kunzman that the health and prosperity of our society depend on producing citizens capable of respectful and meaningful discourse, he takes the fact that citizens are embedded in particular communities and frameworks to support an overly ambitious conclusion that revising and questioning one's commitments (an important commitment of traditional liberal-democratic education) is unfeasible for many citizens. Furthermore, his belief that the common good is to be found primarily in deepening our understanding of our own beliefs while seeking to understand the commitments of others is contrary to basic liberal-democratic beliefs about the good life while being overly burdensome.

Kunzman's communitarian argument in defense of "rooted adherents" is problematic for a number of reasons. Most importantly, the argument that as individuals we are unable to perceive some 'self' apart from our ends and relationships does not support the claim that our ends and views are not revisable. This is because the liberal-democratic commitment to autonomy does not argue for some metaphysical 'ghost in the machine,' existing behind one's chosen ends, but rather is committed only to the idea that rational revision is always possible because it is always possible to imagine oneself with different ends from those currently held. That is, the liberal view "does not require that I can ever perceive a self unencumbered by any ends—the process of practical reasoning is always one of comparing one 'encumbered' potential self with another 'encumbered' potential self" (Kymlicka 2001: 225). The observation that we are unable to imagine ourselves without commitments (religious or secular) does not justify concluding that a conception of respect that includes reason-giving and a willingness to revise one's views is incompatible with the reality of people's commitments.

Ethical Dialogue also conflicts with the basic liberal-democratic view of the good life. Traditional liberal-democratic theory holds that people's interest in living a good life is dependent on personal endorsement of the life led and the value of questioning one's beliefs in order to potentially revise them in light of new evidence, reasons, etc. It is important, Raz notes, that as individuals we do not end up living our lives on the basis of false or mistaken beliefs (1986: 301). Kunzman's advocacy for Ethical Dialogue, however, betrays this liberal-democratic commitment by suggesting that mutual respect is based on an assumption of the general immutability of many individuals' ethical frameworks. This view rejects the value of intelligently examining different views and the value of possibly abandoning or revising one's conception of the good life. I would

contend that from a liberal-democratic perspective genuine respect is not to be found in simply acknowledging value in whatever lives our fellow citizens hold, but in encouraging and assisting them in choosing worthy lives. And the life one is born into—the life 'given' by one's family, community, or religion—is not always worthy. Ethical dialogue ignores this fact.

Liberal-democratic support for emancipatory education and secular standards, therefore, is not about a disrespectful prejudice against religious belief but rather is about prioritizing the interest all students have in leading good lives. Kunzman conceives of the common good as a matter of uncritically understanding the diverse perspectives found in society—since I try to understand where your views originate, I respect you—while the liberal-democratic state views the common good as a matter of citizens working to improve their understanding of their interests in pursuit of good lives. Respect on the liberal-democratic view, therefore, ought to be understood as a function of offering reasons for one's views that acknowledge the importance of coming to a conception of the good life that is informed by good reasons, evidence, and arguments.

For these reasons, I believe that rather than demanding deliberative participants do the work of understanding the broader ethical framework underlying another's worldview, which ultimately does nothing in terms of changing or altering one's assessment of that position, respect from a liberal-democratic perspective requires deliberative participants provide *publicly accessible* reasons for their views.[48] Given this, liberal-democratic schools should not promote nor include beliefs or worldviews that reject this standard of mutually accessible reason-giving. If you defend a policy position by giving reasons that I can accept, then you are conveying

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[48] This view is very similar to John Rawls' ideas on public reason.

mutual respect. However, if you appeal to reasons that I could not accept without adopting

your religious worldview, then you are not extending respect to me as a fellow liberal-

democratic citizen bound by laws that are collectively binding. Views do not warrant respect

simply because they are religious or deeply held by citizens; respect is engendered from

participants' reasonableness.[49] Mutual respect is a willingness "to change our opinions or

preferences because others persuade us that our initial opinions or preferences, as they are

relevant to the collective problems under discussion, are incorrect or inappropriate" (Young

2000: 25).

Finally, Kunzman's belief that respectful dialogue requires that I, when deliberating with a

religious individual who offers a defense of her position by presupposing a sectarian religious

doctrine, must seek to understand how she came to the belief that she has is far too

demanding and outside the demands of liberal-democratic citizenship. It is too demanding

insofar as there are many views that would be impossible, overly repugnant, or simply not

worthy of imaginative consideration. As Spinner-Halev notes, "…when one has a view that

defends Serbian behavior or South African apartheid, I do not become emphatic or try to enter

into their moral perspective. I see no reason why I should try, nor do I think I will be able to do

so…. certain views need not be taken seriously" (2000: 101). Kunzman mistakenly conflates the

important value that differing ethical frameworks have for individuals with their being

reasonable. He argues that the goal of encouraging students to uncritically immerse

themselves into religious ethical frameworks is "to recognize the reasonableness of differing

points of view" (Kunzman 2006: 62). Yet while it is surely true that there is value in considering

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[49] See Macedo (2000: 170).

and reflecting on different perspectives and worldviews, this does not entail that these views

are, in fact, reasonable even if deeply meaningful.

It is important that students are familiar with differing ways of life—both religious and

secular—but this familiarity should be guided by a commitment to reason and autonomy.

Individuals are not simply a stagnant aggregation of their current beliefs, and it is possible to

respect persons without fully understanding their ethical framework; an individual is not

coextensive with her current collection of beliefs and values. It is possible to disagree sharply

about an issue yet discuss it reasonably and respectfully even if two people are coming from

very different ethical frameworks. We respect others as mutual participants on a journey to

lead good lives, not as immutable agents who must be valued on the basis of whatever ethical

framework they hold.

Having defended the liberal-democratic educational commitments of emancipatory

education, common schooling, and secular standards from a myriad of challenges, I will now

employ these standards in grappling with several contentious policy issues. I will argue that a

clear understanding of these commitments provides important guidance in coming to

defensible policy prescriptions concerning several issues that are currently flashpoints in the

clash between religious belief and liberal-democratic schooling.

Section Three: Practical Challenges

7. Homeschooling and Private Schools

The liberal-democratic educational commitment to common schooling has, for the most part, failed to engender much criticism among liberal-democrats concerning the issue of homeschooling and public schools. For the most part, theorists have adopted an exceedingly permissive attitude toward these institutions beyond general requirements to teach basic civic or liberal-democratic virtues to all children.[50] Yet the meteoric rise of homeschooling and private school enrollment in the U.S. in recent years compels proponents of liberal-democratic education to look more seriously and meticulously at the influence and power of these educational institutions in promoting and thwarting basic liberal-democratic educational goals. In this chapter I argue that the permissive attitude toward private schools and homeschooling is mistaken and that some element of mandatory public education must be seen as an essential component of any adequate liberal-democratic education. Exposure to diversity with respect to peers, adults, and alternative views is crucial for any child to develop the capacity for genuine autonomy, and it is only the inertia of history and the fact that most homeschooling is done in accordance with widely held beliefs that prevent greater suspicion regarding these practices.

7.1 A Defense of (Some) Compulsory Schooling

The liberal-democratic state has a legitimate interest in ensuring that all future citizens are provided an education consistent with the aim of creating autonomous adults. Given the

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[50] See Brighouse (2009), Gutmann (1985); Burtt (1994), and Macedo (2000).

liberal-democratic state's commitment to the value and development of autonomy, it has a *prima facie* responsibility to provide an education that will engender autonomy for all children and safeguard their freedom to select the life they authentically wish to live, a life that may, ultimately, involve a rejection of autonomy in many instances. This responsibility to promote autonomy is best accomplished by a policy of compulsory schooling arranged in such a way as to promote the development of the skills and dispositions required for autonomous thought. It should be noted that the concept of autonomy I am presuming does not involve a radical independence from all commitments. Human beings are fundamentally social beings, and the exercise of autonomy must always occur within the context of broader (and often unchosen) cultural/social commitments. Nevertheless, children must be equipped to critically challenge and assess these commitments in a way that makes the rejection and revision of these values a genuine possibility.

It is unlikely that I will find many sympathetic allies in claiming that a commitment to liberal-democratic education heavily favors compulsory public schooling. The Supreme Court has ruled (*Pierce v. Society of* Sisters) that mandatory public schooling is unconstitutional, and few liberal-democratic writers have elected to challenge this view. But as Spinner-Halev remarks, "There is something curious in the lack of liberal concern about private schools and homeschooling. Parents can teach their children almost anything they want, with only a few restrictions, in private schools or at home" (2000: 112). Although liberal-democratic theorists commonly offer cursory arguments defending the need for private schools to teach liberal and civic virtues to children—an approach I've previously argued is inadequate— I will argue that

this permissive approach to homeschooling and private schools is misguided and that the commitment to liberal-democratic education strongly favors a measure of compulsory public schooling for all children. [51]

According to the most recent governmental data available, the number of school age children currently educated at home is slightly greater less than 3 percent.[52] This amounts to approximately two million children kept entirely out of the public educational system. Furthermore, this trend has been increasing rapidly, from approximately 15,000 children homeschooled in 1970, 500,000 in 1990, 1.1 million in 2003, until the roughly two million children educated at home in 2007. Research to determine the primary motivations behind parents' decisions to homeschool their children find the most commonly cited reasons include a desire to provide religious or moral instruction, concerns about the environment of schools (drugs, sex, violence), dissatisfaction with academic instruction (including objections to the content), and the wish to teach certain values, beliefs, and worldviews (Brian 2004).[53]

In support of homeschooling, its advocates point to evidence showing that children generally score several percentiles higher, on average, than their public school peers in core subject areas such as science, math, reading, and social studies (Brian 2004). Homeschoolers also outperform public school students on college readiness exams like the SAT and ACT.[54] Of

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[51] For the argument, see section 4.1.

[52] See the U.S. Department of Education, National Center for Education Statistics, Parent and Family Involvement in Education Survey of the 2007 National Household Education Surveys Program (NHES).

[53] See the NHES report as well.

[54] See Klicka, Christoper, "Homeschooled Children Students Excel in College," *Home School Legal Defense Association*, http://www.hslda.org/docs/nche/000000/00000017.asp

course, it should be noted that when differences in student preparation, family background, and other important factors in academic success are included in research comparing homeschooling vs. public schools, the data suggest that "The advantages of private schooling over public schooling appear to be modest, perhaps even trivial" (Macedo 2000: 23). And in response to the most common criticism of homeschooling—concerns with childhood socialization—homeschooling's proponents claim that not only is bad socialization avoided (e.g., bullying, excessive consumerism, undue concern with one's image, etc.), but the parents are able to regulate and reinforce good socializing through homeschooling co-ops or support groups, church or voluntary activities, and engagement in political action (Stevens 2001). In addition, homeschooling is claimed to provide the opportunity for gifted children to receive an education more adequately suited to their needs and liberates them from languishing in an unchallenging classroom. Thus, homeschooling is claimed to provide parents the freedom to protect their children from negative influences, oversee the content of their child's instruction, and ensure that proper moral values and character are cultivated.

Although proponents of homeschooling frequently minimize the influence of religious conviction in parents' decision to homeschool, preferring to focus instead on the academic and environmental justifications, research has clearly established that religion is the overwhelming factor in parents' decisions to homeschool their children. A recent governmental survey found that approximately 83 percent of homeschooling parents cite religion as a reason for homeschooling (up significantly from 72 percent in 2003) and that religious considerations were

the *most important factor* in choosing to homeschool.[55] A representative of a homeschooling

organization in Texas, one of the fastest growing homeschooling states nationwide, provides a

typical explanation for why parents are homeschooling in greater numbers across the country:

"We feel it is God's will for our family, and we are committed to educating our children at

home, for now, because of our conviction of the spiritual training, character development as

well as the social and academic welfare of our children. Most people who do home school, feel

they have been called by God to do so."[56]

Despite the explosion of parents electing to remove their children from the public

educational system, state and federal oversight of homeschooling is remarkably lax. As Blacker

notes, "Beyond the reporting of attendance and health records, procedural matters concerning

who teaches (e.g., certification standards), and also, in many states, requirements regarding the

coverage of basic academic subject areas, on the whole there are almost no real rules

governing private schools and, a fortiori, homeschools" (Blacker 1998: 243). Half the states in

the U.S. require nothing more than a notification to state officials that a family plans to educate

a child at home (with ten not even requiring this much); while governmental regulation over

the other half of U.S. states involves (at the minimum) merely passing grade level tests in core

subjects to (at the maximum) required textbooks and state representatives periodically

observing the homeschooling process.[57] While this oversight may appear neglectful,

homeschooling proponents point to the academic successes of homeschooled children and to

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[55] See NHES.
[56] Julie Marshall, co-president of the McKinney Area Christian Homeschoolers
[57] Home School Legal Defense Association, http://www.hslda.org

research demonstrating the successful ability of homeschoolers to integrate into their social and economic communities as reasons for leaving the system untouched.

Despite these considerations, a number of critics have argued that homeschooling is problematic for a liberal-democratic society although very few have suggested any form of compulsory public education. Reasons for objecting to homeschooling include concerns with thwarting the development of mutual respect and civic integration, interfering with democratic authority over future citizens, and charges of unfairness or inequality. While these charges each have some merit, I will focus my critique of homeschooling on the grounds that it unacceptably impedes the development of autonomy in future citizens. I will offer a number of reasons to support my contention that the liberal-democratic state is remiss in its duty to cultivate the development of children's autonomy by continuing to allow the institution of homeschooling as it is currently practiced.

As was previously highlighted, the primary reason given by homeschooling parents for removing their children from the public education system is to enable them to educate their children in a preferred religious/moral worldview and to shelter them from undesirable influences/knowledge. Ostensibly the reasoning is that by extracting a child from public school his or her parents are better equipped to instill the tenets of their chosen view of the good life—allowing it to dominate the child's entire formative experience rather than merely playing a tangential role at home—and to minimize exposure to competing conceptions that the parents find objectionable and feel could possibly lead their children astray. By insulating a

child from worrisome/conflicting influences and selecting/interpreting knowledge through the lens of a particular worldview, parents can increase the chances of the child's ultimately accepting the beliefs and values held at home. I am confident that this motivation is pertinent in the vast majority of homeschooling decisions.

Both of these justifications, however, run afoul of the liberal-democratic state's responsibility to impart the skills and dispositions required to act autonomously. The desire to limit the exposure of a child to those views and beliefs professed at home, in order to ensure that a specific ideology dominates a child's formative years, undermines the crucial role that exposure to diversity plays in learning to be autonomous. As we've discussed, learning to evaluate and revise one's conception of the good requires meaningful interaction with alternative views and ways of living. Without extensive practice in listening to others, responding to questions and challenges, and discussing alternatives to one's views with others, children will grow up with a truncated and unacceptably narrow understanding of both their own way of life as well as that of others. Experience interacting with children from different religious, social, and ethnic backgrounds encourages mutual understanding, self-examination, and enhanced understanding of other beliefs (Gurin 1999). It has the ability to dispel stereotypes, foster toleration, and prompt opportunities for learning about difference. It also provides for the recognition of human fallibility in belief formation. Exposure to alternative views provides the opportunity for a child to learn that her current beliefs aren't the only reasonable beliefs available and that intellectual discussion and debate can often be fruitful in improving one's beliefs. The most efficacious investigations into the merits of our beliefs are

likely to come as a result of interactions with others—often those with whom we disagree strongly— and who seek to challenge us through criticism of our preferred view and the buttressing of their own (Hess 2004). Efforts to insulate children from these experiences are *prima facie* objectionable from a liberal-democratic perspective.

Advocates of homeschooling might be tempted to respond that they are only monopolizing a child's education for the first 18 years or so, after which the child is free to choose and pursue whatever life he or she finds suitable. I can't help but find this response somewhat disingenuous as well as implausible. One the one hand, surely homeschooling parents believe controlling their children's education at an early age will be effective in predisposing them to a particular way of life later in life; otherwise, why expend such effort? If homeschooling was believed to provide no lasting effect, at least nothing that would lead children to be more likely to continue in the worldview taught at home, it is hard to see the motivation for engaging in the practice rather than simply sending them to a public school. But regardless, this claim appears wholly inconsistent with commonsense experience. I would contend that exposure to diversity is most crucial during the early years of a child's life, prior to the adoption of pernicious habits, beliefs, or emotions, which often have the effect of hindering the capacity of an individual to successfully take control of his or her own thoughts later in life.

Consider the case of a homeschooled child raised in a household steeped in racist ideology and an intense prejudice toward blacks. The racist education this child receives will inevitably be both rational as well as non-rational. It will be rational in insofar as reasons are

likely to be given by her parents for why blacks are inferior (lazy, low intelligence, sub-human),

why blacks are not deserving of equal moral consideration, or why they should be expelled

from the United States. And if this was the extent of her education, it might be plausible to

claim that she could eventually choose to reject these beliefs in light of evidence and

discussions later in life. However, the majority of a child's education is not intellectual but

affective—continual reinforcement and imitation in 'appropriate' ways of feeling and

emotionally responding to ideas, people, or practices. The grounds of racist belief, for example,

are far more about feelings such as anger, suspicion, fear, reserve, jealousy, and contempt than

about logical syllogisms (Hursthouse 2002: 114). Because of this, it is very difficult in many

circumstances to overcome an early inculcation into a racist worldview. In fact, a complete

retraining may be impossible, as Rosalind Hursthouse notes: "given the emotions' non-rational

face, it may be that reason cannot entirely unseat bad training in childhood, and that

relationships of love and trust formed in adulthood cannot entirely undo a kind of unconscious

expectancy of evil which still manifests itself in racist emotional reactions" (2002: 116). When a

child leaves a racist home, not only has her mind been trained to believe certain things, but her

unconscious emotions and habits have been primed to react in specific ways to situations

involving members of a different race. This makes it extremely difficult, if not impossible, for

her to ever completely eliminate her emotional responses even through future discussions or

extended interactions with members of the rejected race; it will likely be too late. But as

Michele Moses argues, an adequate education in autonomy requires that children

> …develop fair, anti-racist attitudes and multicultural understanding by learning that multiculturalism is a reality in our liberal democratic society, that different cultures deserve understanding and respect, and that coercive assimilation of diverse cultures into the dominant culture should not be endorsed. (1997: 375).

How is it possible to ensure that such understanding occurs when parents are permitted to homeschool or send their children to private schools that reject these ideals—institutions that are often characterized by racist or prejudiced ideologies?[58]

The same reasoning can be applied to virtually any doctrine taught at home. Many children of religious parents, for instance, are schooled into believing that human reason is not to be trusted or is morally debasing—continually reinforced to feel mistrust, fear, and hatred for rational inquiry—culminating in an individual who finds activities like philosophical analysis or critical thought to be psychologically distasteful. This is antithetical to the fundamental tenets of liberalism. The claim that homeschooling merely safeguards a child without significantly predisposing her to believe and behave in certain ways for the rest of her life is simply implausible and should be rejected.

Parents are free to teach their preferred way of life at home, but children need to be exposed to a diversity of views in an effort to counteract the homogeny commonly found at home. The best option for counterbalancing the dominant ideology taught at home is mandatory attendance in public schools. Public schools are most suited to provide the needed

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[58] Gutmann (1985; 120) attempts to obviate such worries by arguing that the democratic state is permitted to prohibit racist or sexist educations on the grounds that our society's common secular standards reject these values. However, I believe the Gutmann's view relies on a dubious overestimation concerning the extent of social agreement on these ostensible common secular standards; a questionable appeal that she makes often in her book.

assortment of beliefs, backgrounds, and experiences essential to the successful development of autonomous thought. Good public teachers also create a climate that encourages and reinforces the values of critical thinking, sharing of perspectives, and intellectual discovery that make such diversity maximally effective. This, of course, is not to say a child's presence in a public school will be enough to ensure a student takes advantage of this diversity—I am not claiming that interactions with multiracial peers will be enough to combat racial prejudices or stereotypes held at home, for instance—but only that it is the best means available for offsetting the intellectual monopoly often found at home. Given this, there exists a strong presumption in favor of the liberal-democratic state's mandating some measure of public school attendance.

My wife communicated to me an example of the value this mandate can have. As a social worker at a 'high-risk' elementary school in Denver, my wife deals extensively with a variety of behavioral issues and has to come up with creative ways to motivate students to act appropriately. A particularly successful reward for good behavior is offering children who succeed in meeting their behavioral goals the opportunity to eat lunch with my wife in her office. Students who earn this reward are always surprised to find that my wife eats no animal products, and they often question her about why she refrains from meat, what she can eat on a daily basis, whether all animals feel pain, and what food products come from animals and what don't. Virtually all of her students come from poor Latino families and have never been exposed to vegetarianism—much less veganism—and are intensely curious about her lifestyle

and beliefs. It seems reasonable to believe that some of these children were faced with questioning a belief they had perhaps never been considered seriously before.

This is the kind of interaction that the liberal-democratic state should seek to foster in an effort to encourage children to think reflectively about their beliefs. Students need to be exposed to teachers, peers, and staff who bring unique and diverse worldviews into the school setting. This means exposure to other students and teachers from different racial, ethnic, religious, cultural, and socio-economic backgrounds. As Meira and Sanford Levinson write, "As children encounter peers and teachers who do and believe different things from what they do and believe, and as they discuss, compare, and debate their own ways of life with others, children necessarily move from accepting their lives simply as unexamined givens to some version of an examined life" (2003: 286). Homeschooling denies, or at least severely constrains, this crucial component of an autonomous education. Common schools, therefore, should be seen as a superior medium for meeting the liberal-democratic commitment to provide an autonomy-promoting education to all children.

Let me say one final thing about this liberal-democratic concern with diversity. Homeschooling is worrying not only because it denies the child kept away from public schools the opportunity to be exposed to alternative worldviews, but also because it denies those children attending the public educational system the opportunity to engage the homeschooled child's views as well. Because homeschooled children in the U.S. are significantly more likely to

come from deeply religious homes, our public schools experience an important dearth of children from these perspectives.

It might be objected that my criticism of homeschooling applies only to the small number of radical parents who attempt to isolate their children completely from outside influences.[59] Most homeschooling parents, it could be argued, do make significant attempts to expose their children to external influences, teach democratic values, and introduce them to diversity. This is often done by joining homeschooling co-ops, encouraging children to participate in volunteer activities, or through reading books that provide diverse perspectives. Furthermore, a number of liberal-democratic theorists have suggested that as long as basic liberal-democratic values are being taught, then the State's responsibility to children is met.[60] Why is this not enough to meet the requirements of liberal-democratic education?

It might be helpful to make a distinction at this point. Homeschooling parents who genuinely seek to expose their children to diversity and foster autonomy generally fall into two categories: 1) parents who reject the value of autonomy themselves, but who refrain from imposing this belief on their children for various reasons, and 2) parents who sincerely value autonomy and therefore wish to expose their children to a variety of views in order to foster its development. I will argue that both options pose important worries for the liberal-democratic state.

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[59] See Kroeker (2004).
[60] See, for instance, Gutmann (1985; 117).

Let us begin by considering option one. This includes parents who have rejected the value of autonomy themselves, but who wish to expose their children to diversity because, for example, they want their child to be well socialized or believe such exposure will reinforce the views held at home. Maybe the parents are so confident that their child will choose the beliefs taught at home that exposure to alternatives is not perceived as threatening to their attempts to impart a particular worldview. There are a number of worries about this approach with respect to meeting the requirements of liberal-democratic education.

First, the types of exposure these parents provide are often still extensively constrained in ways that limit the experiences of their children. For instance, it is typical for the socialization of a homeschooled child to involve participation in church groups, volunteer activities coordinated by the church, meetings with other fellow homeschooling parents of a shared church, and participation in political organizing prompted by a church. While these forms of exposure might introduce some difference into the life of a child, maybe different economic situations or interpretations of church doctrines, this is sorely inadequate to provide a reasonable possibility of exposure to alternative lifestyles or differences about fundamental beliefs.   Not all diversity can be treated equal.

Second, and perhaps more importantly, exposure to views that are clearly outside of the traditions and beliefs of a child's family are likely to be superficial and dismissive if regulated by parents who are not committed to the value of autonomy themselves. This is likely to be true regardless of whether the parents are devotedly religious or secular. As Brighouse points out,

"A child cannot be autonomous either in her acceptance or rejection of a view unless she experiences serious advocacy" (2000: 75). A strong devotion to one's own view, coupled with a deficient understanding of alternatives, is likely to lead to parents portraying alternatives simply as foils to a parent's chosen view of the good life. It is unlikely, for instance, that deeply convinced atheistic parents can adequately introduce their children to the significance and meaning that Christianity has for many people if they lack extensive experience with Christianity's basic doctrines or view religion merely as the 'opiate of the masses.' Similarly, parents who strongly believe homosexuality is one of the gravest sins cannot be expected to expose their children to this way of life in a manner that renders it a genuine option. Parents who reject the value of autonomy, or who are convinced about the truth of a particular worldview, are simply incompetent guides (or advocates) of contrary views. Furthermore, as Claudia Mills asserts, "it is unreasonable to expect parents to encourage children to pursue options that do violence to their own core moral commitments. It is unlikely that parents *could* do this in any convincing way, and even if they could, it is unreasonable to ask them to do so" (2003: 503).

The fact that many parents have rejected the value of autonomy for themselves, and therefore cannot (and should not) be compelled to teach views to their children that they find erroneous or objectionable, does not entail that such parents are permitted to impose this rejection of autonomy on their children through a cursory exposure to alternatives. While parents are not required to teach their children the reasonableness of homosexuality, for instance, a commitment to the development of autonomy necessitates sending them to schools

where other children or teachers might challenge them with precisely this claim. Even

homeschooling parents who try their hardest to expose their children to alternative views are

likely to be inadequate instructors. A teacher who rejects the value of science simply won't be

able to teach science successfully or in a way that presents it as an authentic option; this is the

same with the value of autonomy. The excessive parental control involved in a homeschooling

education ineluctably leads to a one-sided a perspective that has the consequence, even if

unintentional, of blocking or diminishing views not held by a child's parents (Reich 2002).

What about homeschooling parents who genuinely value autonomy, who robustly

present alternative beliefs and foster their child's grappling with his or her nascent views? I

would argue that there are still several problems with this account which should give pause to a

supporter of traditional liberal-democratic education. First, I would suggest that even these

autonomy-valuing parents are unlikely convincingly, or charitably, to present alternative views

of which they have little familiarity or understanding. Second, I would argue that many parents

are simply ill-equipped to impart the skills and dispositions of autonomy even if they

acknowledge its value. Parents often simply lack the time, resources, or knowledge to provide

the requisite instruction. Third, regardless of a parent's intentions or ability, the state simply

cannot be confident it is meeting its responsibilities to develop autonomy unless it can oversee

the environment the child is in for a large portion of the day. Let me say a little more about this

last concern.

Unlike subjects such as literacy, math, or history, a determination of whether or not a student has acquired the skills and dispositions of autonomy cannot be done through simple testing. It is difficult to imagine any feasible way for the state to test for autonomy in a way analogous to the way it tests students for knowledge of American history. One might suggest that simply possessing knowledge of many different views or beliefs should be enough to count as sufficiently autonomous, but knowledge of different views doesn't entail the ability or willingness genuinely to consider them. In my research I found numerous homeschooling online communities that discuss 'teaching to the test'—teaching students the facts and methods required by state exams—while simultaneously instilling the falsity and absurdity of these very same views. The capacity to speak intelligently and defend one's own view certainly doesn't equate to autonomy either. As a result, the liberal state's best option to ensure the development of autonomy in its citizens is to mandate attendance in an environment that provides the greatest opportunity to practice and learn the fundamentals of autonomous action—i.e., public school classrooms taught by teachers who encourage and cultivate autonomy and are populated by individuals with different beliefs, backgrounds, and perspectives. This option will clearly not guarantee that a student comes to value autonomy or acquire the skills of self-governance, but it is the only way to ensure the student has been provided the opportunity to do so.

It should be noted that I am not arguing that homeschooling is inherently antithetical to the liberal-democratic state's achieving its goal of imparting autonomy to future citizens. It is possible that some parents do a successful job of teaching the skills and dispositions of an

autonomous person. However, this is likely to be a minority of homeschooling parents, and I

don't believe there is a good reason to retain a unilateral right to homeschooling once it is

acknowledged that parents do not have a right to isolate their children from outside influences

or singularly indoctrinate their preferred worldview. The liberal-democratic state's response to

homeschooling, therefore, should be a cautious one in which some element of compulsory

public schooling is required for all children. This should also include the establishment of more

comprehensive governmental regulation of homeschooling to ensure repressive actions at

home are not foreclosing a child's future opportunities. Examples of possible policy changes

might include mandatory time during the week that homeschooled children must spend in a

public school setting, required certification of homeschooling parents, universally required

textbooks and home visits, compulsory summer camps that bring students from all around the

country together for a period of time, or compulsory public school attendance during secondary

school.

My personal view is that liberal-democratic states should impose a mandate requiring

that all children attend public schools for at least half of their educational careers—to be

allocated according to their parents' wishes. Parents should have the freedom to teach their

children at home or in sectarian schools, but only to a certain point. The shared responsibility

to raise children that is held by parents and the liberal-democratic state should be reflected in

laws that recognize this complimentary obligation. Defenders of liberal-democracy should view

the substantial increase in homeschooling as deeply troubling and act to protect the liberal-

democratic state's future citizens from policies likely to deny them an authentic opportunity to

develop their capacity for autonomy.

We have now discussed the liberal response to homeschooling at length, but should the liberal-democratic state's response to private schools be any different? Many private schools are merely glorified homeschools—consisting of groups of students whose educations are principally shaped by their parents' common doctrinal belief or socio-economic status. Private schools are essentially diversity filters that produce a more homogenous student body in most cases. The curricula of sectarian private schools, for instance, limit diversity by making religious affiliation a focal point of instruction and incorporating religious practices. This fact clearly dissuades parents of children who do not agree with the religious views promulgated by the school from enrolling their children and consequently denies children attending the school the opportunity to interact with different religious beliefs. Expensive private schools, in contrast, filter students not by religious affiliation but by parental affluence; children are not segregated by an exclusive curriculum but by the cost of attendance, thereby limiting exposure to children of parents in lower economic classes in which minorities are disproportionately represented.

These considerations suggest that private schools should also not be allowed to monopolize a child's education and that there must be some element of compulsory public schooling. While private schools are an improvement over homeschooling in a number of ways—including slightly increased diversity and greater governmental oversight—the justifications for allowing them unilaterally to influence a child's education do not outweigh the importance of exposing children to a variety of alternative worldviews and backgrounds in an autonomy-promoting environment. Diversity alone isn't enough to promote the skills and

dispositions of autonomy, but it is essential for providing the medium in which these elements can be fostered by experienced teachers and quality interactions with diverse peers.   Students in a liberal state should be exposed to the greatest amount of diversity consistent with efforts to minimize governmental intrusion. Public schools are best equipped to achieve this goal.

7.2 Responding to Challenges

It may be suggested that I have been uncharitable in my criticism of homeschooling and private schools, that I have juxtaposed the worst examples of homeschooling against an unwarrantedly sanguine portrait of the public school environment. As Robin West notes, "Passionately involved and loving parents, whether religious or not, can often better educate their children in small tutorials at home, than can cash-strapped, under-motivated, inadequately supported, and overwhelmed public school teachers with too many students in their classrooms" (West 2009: 9). Surely public schools can often be as hostile to the development of autonomy—through their commitment to social conformity, arbitrary rules, or rote memorization—as the most authoritarian homeschooling/private school environment. Conversely, many homeschooled children are often provided the independence and freedom to be creative and authentic selves not bound to the whims of educators. Furthermore, prejudice and demagoguery are not exclusive to intolerant households but can often be found in racist or sexist students/teachers or in public school curricula reasonably described as capitalist/imperialist American propaganda. The homeschooling environment provides responsible parents the opportunity to liberate their children from exposure to, or possible

victimization as a result of, prejudices found in public schools and also the ability to combat

governmental efforts to achieve hegemony over citizens' minds through the nurturing of

independent and radical thought. Finally, while many public schools do exhibit a plethora of

diversity, others are monolithic insofar as they are located in affluent, impoverished, raced, or

deeply religious communities that result in acute de facto segregation. Many private schools,

on the other hand, possess significant diversity given their financial ability to provide

scholarships and aid to poor and minority students. Let me respond to these challenges in turn.

It is undoubtedly true that public schools often provide a more structured environment

than that experienced by many homeschooled children. Many parents who homeschool desire

to provide their children with a structure-free (or at least minimally structured) environment in

which their children are able to follow their ideas and are provided the room to be

spontaneously creative and imaginative without confining rules or dictates. It might be claimed

that the authoritarian and rule-based environment of public schools is often inferior to the

student-centered approach taken by many homeschooling parents with respect to imparting

autonomy to children. Yet I fail see how structure is necessarily hostile to autonomy or a lack of

structure more likely to result in its acquisition. On the one hand, it is a fact of civilized life that

we all must learn to live in compliance with seemingly arbitrary rules and under the authority of

bosses, laws, and simple convention. So it is not as though attendance in public schools can be

criticized for involving an extraordinary or unique case of subjugation to rules or constraints—

even the most 'progressive' households require considerable structure to function well.

Thus, teaching future citizens to live within rules, while not necessarily always agreeing with them, is part of an essential education for any stable society, an autonomy-valuing one included. On the other hand, autonomy, as I have defined it, involves learning to take control of one's thoughts in a skilled and rational way, not merely possessing a completely liberated mind free of all outside influence. So while there is certainly value in unbound and purely imaginative thought, the sort of autonomy entailed by a commitment to liberal-democracy requires instruction in how to engage in organized, systematic, and logical thought in order to equip future citizens with the capacity to make well-reasoned and informed judgments about how to live their lives. This unavoidably involves rote instruction in logical principles, appropriate standards for assessing arguments, and learning to successfully judge the strength of reasons. Rational and systematic thought certainly isn't the only type of thought—arguably not even the most valuable—but it is an indispensible component of an autonomous individual.

What about the charge that public schools can contain as much prejudice or ideological indoctrination as the most intolerant household, or that attendance in public schools often exposes children to a host of negative influences including drugs, violence, and sex? On what grounds, therefore, is it deemed better that children receive indoctrination in public schools rather than homes or that they be compelled to attend public schools in the face of possible harassment, temptation, or perhaps even life-threatening violence?

It is undoubtedly true that prejudiced and biased views exist in public school classrooms. However, I would argue that the diversity of views that a child is exposed to during

his or her public education, in terms of new peers, teachers, and surroundings as a result of

yearly changes, provides a significant bulwark against undue indoctrination. Public schools

present children with a variety of teachers and fellow students who are likely to have widely

different views, teaching styles, and perspectives. As a result, a child's exposure to

questionable views or bad teachers will be mitigated to some degree. This check is absent in an

educational environment restricted entirely to a single household.

Another check against undue prejudice found in public schools, but missing in a

homeschooling situation, is the ability of a child's parent to criticize or challenge the views or

ideas taught at school. After a day at school, children come home to their parents who have

the freedom to be intimately involved in their child's schoolwork—modifying, supplementing,

correcting, or even denouncing the ideas taught at school. Parents thus serve as a check

against prejudices or biases found at school and have the ability to decide whether simple

educational supplementation at home is sufficient or whether more significant action is

required—e.g., complaining about a teacher or challenging curricular content. Yet when the

parent *is* the teacher, this important check on a child's education is lost and possibilities for bias

or prejudice are undoubtedly higher.

Perhaps a more general response to this objection is that by allowing parents with the

means to withdraw their children from public schools to do so, we are actually perpetuating the

undesirable conditions that prompted this move in the first place. Granting parents the option

to leave an imperfect public educational system means forestalling changes for those parents

unable to take advantage of this option. If parents were widely denied the opportunity to

completely remove their children from public schools except under extraordinary

circumstances, it seems reasonable to believe that beneficial changes would come with greater

alacrity as all parents were forced to work together in pursuit of change. These changes would

likely include greater safety measures, more culturally sensitive/multicultural teaching

materials, better equipped and funded school programs, increased emphasis on teaching

tolerance and mutual respect, and greater parental input and involvement in schools generally.

This would, in turn, likely reduce the number of parents wishing to remove their children from

public schools except perhaps those "intensely committed to parochial education" (Gutmann

1985; 121). We must also be cognizant of the fact that academic success and introduction to

undesirable knowledge must be weighed against the importance of exposure to diversity in

pursuit of an autonomous education. While a parent may be able to avert a child's introduction

to the idea of recreational drug use for several years or provide a more individualized education

by homeschooling her, the child will also be deprived of the important educational elements

that attendance in a diverse school setting provides. Given that the vast majority of children

make it out of the public school system relatively unscathed, I tend to think the benefits of

diversity outweigh the potential harms in all but the most extreme cases.[61]

Finally, I acknowledge that some private schools are able to achieve greater diversity

than public schools as a result of their substantial financial endowments. Wealthy private

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[61] Students with severe behavioral, learning, or mental issues may need to be kept outside the public school system in order that a safe and peaceful learning environment can be provided to others while their unique educational needs can be met.

schools are able to provide poor and underrepresented children the opportunity to attend

schools that they would otherwise be unable to attend through scholarships and financial aid;

for instance, one need only compare the student diversity found at my own public college

(University of Colorado at Boulder) with the student body of a private university like Harvard or

Yale.[62] The difference in the number of minority students attending Harvard compared to CU

Boulder, even though Harvard's tuition is approximately twice as much, is quite substantial.[63]

Yet even granting this, I would argue that because most private k-12 schools in the U.S. are

religiously affiliated—approximately 83 percent—the ability and desire of private schools to

attract a diverse student body is importantly limited.[64] On the one hand, it seems unlikely that

a student from a Protestant family, for instance, would accept a scholarship to a private Jewish

school and, on the other hand, it is doubtful a Jewish school would be seeking to attract those

lacking the Jewish faith. In fact, studies of participants in national voucher programs have

found that parents overwhelmingly chose to send their children to private religious schools and

that these schools correlate with the parent's religious orientation (Cohen-Zada and Sander

2007). Although many private schools may have the ability to pay for the attendance of non-

believers or those unable to pay a private school's considerable tuition, there is no substantial

evidence that they do or that the existence of such offers are attractive to diverse student

populations. And while some poorer students might be admitted into wealthy schools based

on scholarships, it is doubtful that the most needy and impoverished students would be

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[62] I would like to thank Claudia Mills for this example.

[63] Harvard enrolls nearly 50% white, 8% Black, 16% Asian, 7% Hispanic, and 10% international. UC Boulder, on the other hand, has about 80% white, 2% Black, 6% Asian, 6% Hispanic, and 2% international.

[64] See the U.S. Department of Commerce, 2006

admitted simply because their life circumstances make it difficult for them to do well in school in the first place. Surely Harvard's diversity is limited in this way.

A further response to the objection that private schools are often more diverse than public schools is that private schools often engage in concerted efforts to promote diversity. Were the liberal-democratic state to support efforts to promote diversity in public schools, however, it is likely that a number of programs could be enacted that would greatly increase diversity in the public school system thereby eliminating any advantage private schools currently exhibit. For example, the liberal-democratic state might impose caps on the number of students able to attend schools from households with given income levels, offer incentives to entice families of diverse backgrounds to move into homogenous neighborhoods, incorporate elements of religious faiths into schools to encourage attendance (vegetarian food, prayer rooms, etc.), work to increase the diversity of the teaching and support staff populations, provide busing programs that offer various inducements for participation, and include curricular differences that are attractive to underrepresented populations within a school.

7.3 Where is the Concern?

I tend to think that much of the ubiquitous public support for private schools and homeschooling in our society is attributable to the fact that these institutions are familiar and largely unthreatening to the broader society. The freedom to educate one's child in a way that reflects the religious beliefs held at home is an option that has become unquestioned in our

society and given that most participants in these institutions seek to impart beliefs innocuous

to most citizens there is often little to fear. But what happens when we challenge these two

considerations?

Consider the possibility of a group of citizens deciding to start a school that seeks to

impart a particular political ideology to its students.[65] In this school, let us call it 'The Tea Party

Academy,' the curriculum is geared toward instructing students in the virtues and morality of

the unregulated free market by means of reading the works of Ayn Rand, Milton Friedman,

Robert Nozick, etc., reciting and singing capitalist mottos and songs, encouraging behavior and

character that supports and is reflective of libertarian ideals, and, finally, includes an extensive

education in the evils and failures of socialism and distributive justice. Everything in this school

is taught with the intention of imparting a strong commitment to libertarian political ideology

to its students. Should the liberal-democratic state permit such a school? Personally, I find the

idea of such a school deeply troubling and recoil at the thought of a balkanized school system in

which the children of Republicans, Democrats, Tea Partiers, and Socialists are all sent to

different schools that seek to inculcate the political beliefs held at home by their parents. I also

do not believe my reaction is exceptional and would presume that most supporters of the

current private schooling system would be equally critical of this possible future. I can easily

imagine the furor that would arise if such a school attempted to acquire accreditation. But why

is this idea of private political schooling such an anathema while private religious schools are

widely perceived as generally unproblematic?

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[65] Law (2007) broaches this thought in his book.

It might be argued that religious belief is far more important to the faithful than political belief is to Democrats or Republicans. Religious parents, therefore, have a greater interest in imparting their beliefs and values to their children and we would do them much greater harm in forbidding private religious schooling. I am dubious of this response given that in my experience people are often just as (if not more so) passionate and committed to their political beliefs as their religious ones. Whether considering the classes I've taught or discussions with strangers, without a doubt people tend to be at least if not more fervent in their beliefs about the free-market system and communism than they are about religion.

Maybe the reason we ought to allow private religious schools but reject private political schools is that parents have a legitimate right to choose a child's religious identity while such a right does not exist with respect to a child's political beliefs. Yet does it make any less sense to say a child is born a capitalist or socialist than to say she is born a Muslim or Scientologist? How can we genuinely describe a child of five as a Greek Orthodox Catholic any more than we can describe her as a welfare liberal? Surely both are equally absurd. But, as Richard Dawkins points out, "Religion is the one field in our culture about which it is absolutely accepted, without question—without even noticing how bizarre it is—that parents have a total and absolute say in what their children are going to be, how their children are going to be raised, what opinions their children are going to have about the cosmos, about life, about existence" (1996: 320).

Support for private schools also quickly wanes when the beliefs taught are not widely acceptable to the citizens in a society. For instance, many children in the U.S. are, in the eyes of broader society, unproblematically taught in private schools and homeschooling that homosexuality is morally wrong, unnaturally perverse, and that practitioners will go to hell. Yet controversy is brewing in the United Kingdom concerning a number of private Saudi schools which allegedly teach their students that there exists is a Zionist conspiracy to take over the world and control the Middle East. In light of these revelations, private schooling proponents have been compelled to defend 'responsible' private schooling from irresponsible private schooling that ought to be prohibited.[66] Yet other than the obvious hostility toward the majority faith that the Saudi teaching imparts, there appears to be no good reason to prohibit these private schools while permitting those which advocate Christian values and beliefs—beliefs that are antagonistic to many members of society. In fact, there is probably greater warrant for the Saudi teachings than the Christian ones.

I don't want to give the impression that I believe compulsory public schooling offers a panacea with respect to fostering the capacity for autonomy. I also don't think that the need for compulsory public schooling requires that all children attend public schooling for their entire educational careers. Perhaps the most attractive compromise with advocates of private schooling would be a system in which mandatory public schooling was required only during the last five years of schooling. This would allow children to be inculcated into the beliefs and worldview taught at home while also securing the capacity for exposure to alternative beliefs

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[66] See NPR broadcast of the BBC World Report, Monday November 22, 2010.

and conceptions of the good life in school. It would also provide the opportunity for children to practice the skills of autonomy through interactions with peers and teachers who hold beliefs different from those held at home. These interactions are, as has been argued earlier, essential for children to develop a healthy and self-directed identity.

8. The Challenge of Intelligent Design

The ongoing controversy concerning the inclusion of Intelligent Design in public science classrooms alongside instruction in evolutionary theory—a conflict that has illuminated deep cleavages among the U.S. population—is perhaps the most conspicuous challenge to the liberal-democratic commitment to secular standards. An increasing number of notable philosophers, furthermore, have recently entered the controversy on the side of Intelligent Design arguing against efforts to limit liberal-democratic science classes to naturalistic explanations. In this chapter I argue that Intelligent Design is not appropriate for inclusion in liberal-democratic classrooms and efforts by Intelligent Design proponents to undermine the epistemic legitimacy of evolutionary theory are fundamentally misguided. On the one hand, I defend the inclusion of evolutionary theory on the grounds that it is an epistemically legitimate theory meeting reliablist standards for generating true beliefs and is not inferior to 'classical science.' On the other hand, I argue that efforts to justify the inclusion of Intelligent Design in science classrooms by appealing to the possibility of supernatural explanations for natural phenomena are mistaken in their presuppositions about the nature of scientific inquiry.

8.1 Introducing the Controversy

It would be difficult to identify a field of science more reviled, more disparaged, and more misunderstood than evolutionary biology. The target of religious believers' most vehement attacks against science for 150 years, evolution has been assailed from every possible direction—criticized at various times for being untestable, unfalsifiable, unscientific, lacking in evidence, misinterpreting the evidence, a secular religion, immoral, a 'just-so-story,'

socially and politically degenerative, 'only a theory,' and the list could go on. With respect to

schooling, religious groups have fought intensely to keep evolution out of the classroom, to

ensure that any presentation of evolution is paired with a discussion of alternative theories,

and to insist that teachers incorporate a discussion of evolution's weaknesses and shortcomings

in a way that acknowledges ongoing 'debates' surrounding the theory.

While a number of different motivating factors go into deciding what ought to be taught

in school classrooms, I've argued above that the principal obligation of liberal-democratic

schools is to impart to students reliably true beliefs.[67] While motivations arising from social

solidarity, moral purity, religious indoctrination, economic productivity, etc., undoubtedly come

into play in selecting a school curriculum, these must be consistent with the goal of imparting

true beliefs to children. It would be illegitimate for liberal-democratic schools, for instance, to

instruct students in Plato's 'noble lie' and teach them that they possess fundamentally different

natures—some naturally destined for manual labor and others for more intellectual work—on

the grounds that it would increase economic productivity and decrease class conflict. While

these are unquestionably desirable goals, it would be wrong to pursue them in a way that

involves teaching students false beliefs about the immutable inequality of humans. Similarly, it

would be unacceptable to teach a geocentric view of the solar system on the grounds that the

heliocentric theory, as was argued by Catholic theologians, would result in decreased sense of

human uniqueness and, as a result, decrease moral piety among persons. Such approaches

deny children the later freedom genuinely to understand and promote their interests

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[67] See chapter two.

concerning the collective features of society; their lives become merely a means to advancing various social goods without their informed consent. This use of schools is inconsistent with a commitment to democratic governance.

In light of these considerations, this section seeks to answer several important questions. First, is evolutionary theory consistent with the reliablist standards previously defended and therefore a dependable method for producing true beliefs; or is it merely a faith-based belief system, as many critics have contended, on par with religious belief? It is of no help simply to appeal to the claim that evolutionary theory is reliable because it is scientific—as numerous philosophers and scientists have done—given, as critics of evolution are quick to point out, there is no agreed upon understanding of what accurately demarcates science from nonscience.[68] A defense of evolution requires a demonstration that the method of belief formation that engenders belief in evolution is one that is consistent with reliablist standards in producing true beliefs. Second, is the primary alternative to evolutionary theory currently offered by critics, that of Intelligent Design, also consistent with reliable methods for producing true beliefs and thereby deserving of possible inclusion in liberal-democratic schools? Answering these questions will help us formulate a curriculum consistent with the epistemic standards suitable for the liberal-democratic classroom.

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[68] See, for instance, Ruse (1982) and Miller (2007).

8.2 The Epistemic Status of Evolutionary Theory

I've argued that in most cases the experts in a discipline should be trusted with deciding what beliefs are most likely to be true with respect to that discipline's relevant area of knowledge. This presumes, however, that the disciplinary approach is itself consistent with reliablist standards. In the case of evolution, critics have been particularly vociferous in arguing that the methods employed in evolutionary theory fail to meet these reliablist standards. In this respect evolution is often segregated from 'good science' like that found in physics and chemistry. Consequently, whatever the views held by experts in evolutionary theory—or its 'bad science' compatriots in geology, archaeology, cosmology, etc.—these need not be heeded because their theories are not based on reliable methods of belief formation but on pseudo-scientific narratives. What reasons are provided in defense of this charge? The anti-evolution literature generally criticizes the epistemic standing of evolutionary theory on three grounds: its status as 'only a theory,' the fact that evolution is untestable or unfalsifiable, and the historical methodology employed in evolutionary science. Let us examine whether or not these objections stand up to scrutiny.

Surely one of the most widely repeated criticisms of evolutionary theory charges that it is unworthy of epistemic deference on the grounds that it is 'only a theory' rather than fact or scientific law (Johnson 1993). Unlike a scientific law or fact, it is argued, which entails a body of information supported and confirmed by observation and experimentation, evolutionary theory is something more like a conjecture or hunch concerning the origins of biological diversity. Most critics of evolutionary theory are quick to distinguish well-supported scientific laws—such

as the laws of thermodynamics and Newton's laws of physics—from what is regarded as the largely unsubstantiated speculation involved in evolutionary explanations. Have not evolutionary scientists already admitted that evolution is simply a hypothesis given the ubiquitous use of the word 'theory' to describe their proposal? And if evolution really is 'just a theory,' surely a belief based merely on an idea or conjecture cannot be a reliable method for reaching true beliefs and should therefore either be excluded from democratic schools or at least presented alongside alternative ideas.

The error in this line of criticism is twofold. First, the words 'fact' and 'theory' employed by these critics do not accurately reflect the meaning of the words when used by scientists to describe evolutionary theory. The meanings of these words as used by scientists are quite different from colloquial usage, and within scientific circles evolution is considered both an observed fact as well as a well-supported theory. Second, the substantial evidence and observations supporting evolution do not sustain the critics' implication that evolution is merely a hypothesis or conjecture.

In scientific jargon, evolution is both a fact and a theory—although neither corresponds precisely to popular usage of these words. A 'fact' in science refers to available data, whether observational or experimental, that demonstrates something to have occurred or be the case. When I drop my book, it falls to the ground. This event is a fact. When I observe the moon, I see that only one side is ever facing the earth. This observation is also a fact. Thus, when scientists mention the 'fact of evolution' they are referring to observational data that clearly

demonstrate the *fact* that all living organisms come from previously living organisms; the *fact* that currently living organisms did not exist in the past; the *fact* that formerly existing organisms no longer exist today; and the *fact* that all currently existing organisms must therefore have come from ancestors that were different from those living today. This collection of facts constitutes the 'fact of evolution.' Furthermore, these facts have been identified as a result of extensive scientific experimentation and observation. As Douglas Futuyma writes, "…the statement that organisms have descended with modifications from common ancestors— the historical reality of evolution—is not a theory. It is a fact…evolution began as a hypothesis, and achieved "fact hood" as the evidence in its favor became so strong that no knowledgeable and unbiased person could deny its reality" (1986: 15).

Of course, some critics of evolution argue that even these 'facts' of a relationship do not entail common ancestry as it is possible that these facts can be explained by "some process beyond the ken of science" (Johnson 1993: 155). However, this skeptical position would justify questioning any factual observation on the grounds that it is logically possible that any fact could have been caused by something other than what is actually observed. For instance, one might argue that the fact of gravity—the factual observation that every time I drop a book it falls to the ground—is not really indicative of a gravitational force but, as *The Onion* sarcastically suggested, "intelligent falling."[69] That is, one can always argue that a given observation is spurious because it is possible we are merely dreaming or that our senses are unreliable or that a supernatural, mystical, or completely mysterious entity was the genuine

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[69] *The Onion*, August 17, 2005.

cause. Consider the implausibility of an argument that the observation that the moon exists is not really a fact because it is possible that there is an evil demon causing humans to hallucinate its existence. It should be clear that this objection to the 'fact of evolution' is not a genuine criticism of evolution in particular, but rather a global skepticism about the possibility of knowledge in general. As such, it is not a fair dialectical move in a debate about evolution given that its allowance would entail that "nearly every discussion can be derailed into a debate about philosophical skepticism" and that without presupposing the falsity of skepticism, discussions about evolution (or any practically any subject) "would never make any progress" (Huemer 2005: 12).

All this is not to say that facts can't be wrong. Many factual observations in the history of science have been shown to be incorrect in light of improved equipment, additional evidence, and even increased gender diversity among scientists.[70] These facts, however, were rejected as a result of conflicting observational data or evidence of observational error and not because of philosophical skepticism. Currently, there is no significant disagreement about the 'fact of evolution' in the scientific community, and this fact is as solidified as the scientific facts of heliocentrism and gravity. While it is always possible that future evidence could be discovered that sufficiently undermined the fact of evolution, 150 years of diligent efforts to depose evolutionary theory have proven to be emphatically unsuccessful.

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[70] See Okruhlik (1998).

The use of the word 'theory' in science does not refer to an idea or conjecture that comes to a scientist late at night in a Eureka moment, an idea that is mere speculation and has yet to be adequately tested or supported with evidence. This description refers to a hypothesis. Rather, the use of the word 'theory' in science is applied only to those aggregates of ideas that have "been confirmed or established by observation or experiment, and propounded or accepted as accounting for the known facts; a statement of what are held to be general laws, principles, or causes of something known or observed." [71] The principles expounded in the theory of gravity account for the fact that things fall to the earth when dropped, while the theory of friction accounts for why things stop when pushed on a non-frictionless plane. Similarly, the 'theory of evolution' refers to the current principles proposed by scientists to account for the fact of evolution—i.e., the theory of evolution establishes the impetus behind biological diversity and descent with modification. By far the primary theory accepted by scientists to explain the fact of evolution is the theory of *natural selection*.

The use of the word 'theory' in the theory of gravity, atomic theory, or the theory of evolution does not indicate that these collections of ideas are merely hypotheses—speculative guesses concerning natural phenomena—but well-supported and verified accounts explaining observed worldly facts.[72] While all of these theories began as hypotheses, they have moved far beyond this stage to a point at which they are unlikely to be overturned without extensive unexplainable observations. We are unlikely, for instance, to overturn the theory of gravity

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[71] Oxford Dictionary; cited in Dawkins (1996).
[72] The reason these views are not called 'laws,' as in Newton's Laws, is that scientists have realized in recent centuries that no theory, no matter how well supported, can ever be considered unassailable. Every theory in science must be tentative to some degree and the use of the word 'law' would belie this fact.

even if we observed an object floating upwards rather than falling to earth. There is simply too much confirming evidence to reject the theory rather than to try and investigate possible background factors. Similarly, given the mass of confirming evidence collected by evolutionary scientists, it is unlikely that scientists would abandon the theory of natural selection even in the face of an ostensibly conflicting observation. This should not be taken as an *ad hoc* attempt to protect the theory from falsification, but rather an acknowledgment of the degree to which the theory of evolution has been established through past experimentation and observation. Evolution was a hypothesis for Darwin, but it is not a hypothesis for modern science; it is a well-established theory supported by copious amounts of confirming experimentation and observation. Consequently, the claim that scientists' reference to evolution as a 'theory' entails that it is merely a guess or idle speculation, and therefore fails as a reliable method of producing true beliefs, is erroneous. It is based on a misunderstanding, or in some cases a purposeful distortion, of the meaning of the word as used by scientists.

However, simply because scientists report that evolution is a well-substantiated theory, supported by mountains of evidence and extensive verification, does not mean that it actually is. There is a long history of scientific theories that have proven to lack such support including the theories of phlogiston, élan vital, psychoanalysis, astrology, etc. Accordingly, a number of critics have objected to evolutionary theory on the grounds that it is an untestable or unfalsifiable theory and that regardless of what scientists believe evolution is not a legitimate scientific field (Behe 1996; Johnson 1993). It is argued that every possible observation is consistent with the theory of evolution and that no observation is sufficient to demonstrate the

theory's falsity. Thus evolution fails to meet the requirements of good science which must be falsifiable.

The influential view that genuine science must be falsifiable originates in the writings of Karl Popper. Popper argued that genuine science, as opposed to "metaphysics," must make "risky predictions" that could in-principle demonstrate that a given scientific theory is conclusively false (1963:). Pseudosciences like astrology or psychoanalysis failed to make risky predictions because these theories are capable of accounting for every possible outcome— there is no way in which they could be shown to be in error. Psychoanalysis, for instance, is able to describe any human behavior as a verification of its principles—a fact its followers found to be the theory's greatest strength—but which Popper recognized as its greatest weakness. This was an insight that prompted Popper to conclude, "Every 'good' scientific theory is a prohibition: it forbids certain things to happen;" he continues, "A theory which is not refutable by any conceivable event is non-scientific…Every genuine *test* of a theory is an attempt to falsify it, or refute it. Testability is falsifiability…" (1963: 33).

Philosophers of science, however, quickly recognized that Falsificationism is deeply flawed as a criterion of 'good' science. On the one hand, scientists rarely practice Falsificationism in the process of normal science—a point made clearly by Kuhn (1962). On the other hand, Falsificationism mischaracterizes the typical experiment as a straightforward test of a hypothesis and not as a test involving a hypothesis and the nearly countless auxiliary assumptions that any experiment entails. For instance, given an ostensibly falsifying outcome

in an experimental situation, a scientist need not reject the hypothesis but could instead reject

the assumption that the specimen had not been contaminated, that the instruments were

working properly, that the laws of physics had not changed momentarily, that background

theories were correct, or that there are no interfering factors. Any of these auxiliary

assumptions could be logically rejected in place of the hypothesis and in many cases this is the

correct action to take.[73] Thus, the simplistic view that 'good' science involves hypotheses that

make risky predictions and are abandoned if the predictions aren't successfully realized is

untenable.

Yet even if Falsificationism is not a fully adequate account of 'good' science, it is still

important that a theory not be irrefutable and that genuine tests of a theory's predictive power

be possible. This is where critics like Philip Johnson proclaim that evolution fails as a legitimate

field of science. Evolutionary theory, he argues, is merely "the search for confirming evidence,

and the explaining away of negative evidence" (1993: 152). Evolutionary theory is portrayed as

failing to make any risky predictions and as being formulated in such a way as to be able to

assimilate any possible observation as a verification of the general theory.

If this criticism is correct, then irrespective of the theory's scientific status, it would fail

to meet the reliablist standard defended in a previous chapter. Clearly if a theory is untestable

or unfalsifiable, then it is completely irrefutable and cannot be a legitimate candidate for a

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[73] An excellent historical example involved the discovery of Neptune as scientists who observed that Uranus did not behave as predicted by Newtonian physics decided there must be some background interference rather than simply taking this as a falsification of Newton's theories.

reliable belief. This is because it is impossible to attribute any degree of reliability to a belief

that cannot be evaluated for accuracy insofar as it cannot be tested or possibly shown to be

wrong. For instance, the belief that earthquakes are created by undetectable Smurfs burrowing

beneath the surface of the earth is not a justified belief according to a reliablist standard

because it simply cannot be tested and does not make discriminating predictions about the

future. As such, is not a legitimate candidate for being considered a reliable belief given that

every observation about earthquakes could be perceived as a verification of the undetectable

Smurf theory.

The charge that evolutionary theory is untestable or unfalsifiable, in any event, is

manifestly false. Not only has evolutionary theory been extensively tested, but in terms of its

general tenets has clearly passed these tests and has also proven to be a highly successful

predictor of future observations. Thus claims that evolutionists seek to protect their theory

from empirical testing simply ignore the history of evolutionary science. Consider several

recent examples.

Darwin believed that species evolved through a process of natural selection acting on

inherited traits. Yet Darwin had no access during his lifetime to information concerning a

possible mechanism that could give rise to these traits or pass them on to an organism's

descendants. Darwin's theory rested on the existence of a source of heredity and variation that

was completely unknown in the mid 19th century. Consequently, when the field of modern

genetics came into existence it effectively put Darwin's theory to the test. Did a biological

mechanism exist in organisms that explained the existence of inherited traits and did this mechanism continually engender new genetic diversity in a population? The discovery of DNA answered both of these questions with an affirmative. DNA proved to be both the source of inherited traits as well as the primary actor in the production of genetic diversity "through mutation, recombination, and related processes" (Mayr 1997: 25). Evolution was tested, and passed.

A second example of evolutionary theory's predictive power is found in the discovery of the fossil *Tiktaalik*. Evolution maintains that all living organisms are distant cousins sharing a common ancestry and that all organisms must therefore share a common ancestor if we go back far enough in time. This means that members of mammalian, reptilian, and amphibian families all share a common fish-like ancestor whose progeny eventually gave rise to these later family branches. It also suggests that there existed animals that bridged the gap between, for instance, primitive fish and amphibians—so called 'transitional fossils'—that exhibited characteristics of both families. An animal that was, to put it simplistically, part fish and part amphibian.

In an ingenious attempt to find a particularly notable gap in the lineage between fish and amphibians, several scientists—looking to evolutionary theory for guidance—were able to determine, if evolutionary theory was true, the approximate age at which the transitional species must have lived to be a candidate for bridging the gap between these two families. If evolutionary theory was to be believed, therefore, it should be possible to find the fossil of an

animal that possessed features of both a fish and amphibian if rocks of the appropriate age were explored. While the failure to find such a fossil would not constitute a falsification of the theory, as fossilization is quite a rare occurrence, if such a creature were found, this would clearly provide significant confirmation of evolutionary theory. Thus, scientists undertook to test the predictive power of evolution and went to rocks of the appropriate age and in their excavations found a fossilized fish-like amphibian they named *Tiktaalik.* It was a transitional fossil characterized by a wonderful combination of fish and amphibian features found in precisely the age of rock corresponding to the time at which evolutionary theory predicted such an animal should have lived (Daeshcler 2006; Shubin 2006). As one of the discoverers, Neil Shubin writes, "Just as Darwin's theory predicted: at the right time, at the right place, we had found intermediates between two apparently different kinds of animals" (2009: 39). Evolutionary theory was again tested, and once again passed.

A final example involves human and ape chromosomes. It turns out that all ape species, our closest living relatives according to evolutionary theory, possess 24 chromosomes while humans have only 23. This seems strange given how recently evolutionary scientists maintain that the human species diverged from its common ancestor with modern apes. If modern apes and humans descended from a common ancestor, then where did this chromosome go? The failure to account for the missing chromosome, given a belief that we recently evolved from a common ancestor, posed a serious concern for evolutionists. Yet it was a commitment to evolutionary theory that provided the solution to the missing chromosome. For if evolution was true, then the missing chromosome must still exist in the human genome—whole

chromosomes aren't the sorts of things that can simply be lost or eliminated even in spans of

tens of millions of years—and scientists needed only to find it hiding somewhere among our

other chromosomes. And this is precisely what scientists found, discovering that the missing

chromosome had actually fused with a separate chromosome—human chromosome #2—at

some point after human ancestors diverged from our common ancestor with apes (Ijdo 1991).

Another test passed.

Even though a critic might acknowledge that these are genuine tests of evolution's

predictive and explanatory power, it still might be asserted that *any* observation is consistent

with evolution. Future observations can always be claimed to be consistent with evolutionary

theory by invoking 'just so stories.' So these so-called 'tests,' therefore, are ultimately vacuous.

But this argument is also mistaken. While it is true that the general tenets of evolutionary

theory have not been falsified—which explains why the theory is still widely accepted today

even after 150 years of determined efforts to find such falsifying evidence—many features of

evolutionary theory have required modification, amendment, and even rejection as various

parts of the theory have proven to be inadequate or simply false. A good example is the now

abandoned hypothesis that the defining feature that spurred the evolution of modern humans

was the development of a large brain. Contrary to this belief, paleontologists have found that

the earliest human ancestors were actually distinguished initially by their ability to walk on two

legs and then by their capacity to use tools.[74] The large brain characteristic of more modern

ancestors was a far more recent feature and thus required evolutionary scientists to revise their

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[74] For instance, *Ardipithicus ramidus*.

understanding of the selective pressures that eventually culminated in modern humans. Such

examples permeate evolutionary theory. As Arthur Caplan points out:

> If the history of evolutionary theorizing since Darwin's day shows anything, it surely reveals that the theory has constantly been subject to modifications, alterations, refinements, and amplifications-- hardly the characteristics one would expect of an untestable theory. Indeed, the changes that have been made to Darwin's theory since he first advanced it-- the addition of a theory of genetics; the discovery of the importance of mutation and recombination; the realization that barriers to gene flow are key elements in understanding speciation; the refinement of Darwin's notions of competition, adaptation, species, and character traits; and so on--reveal that the real question that students of evolutionary theory must address is not whether the theory is testable, but whether the current modern synthetic theory of evolution retains enough commonality with Darwin's original theory to be still classified as Darwinian. (1984: 44)

Furthermore, contrary to the claims of evolution's critics, there exist a plethora of possible

observations that would be sufficient effectively to falsify or at least cast serious doubt over the

theory of evolution. For instance, the genuine discovery of human or rabbit skeletons among

Precambrian fossils would be disastrous for evolutionary theory as would be the discovery that

humans are genetically closer to fish than to marmots. If the often repeated charge that

evolution violates the second law of thermodynamics was adequately substantiated, this too

would be enough to seriously undermine evolutionary theory. Opportunities for falsification

have existed since Darwin first presented his theory and there has yet to be a single falsifying

observation. This is a fact that certainly cannot be attributed to a lack of effort among

evolution's detractors.

   I have argued that evolutionary theory is not simply an unfalsifiable conjecture

proposed by scientists to explain observed facts, but a well-supported theory buttressed by

extensive observations and compelling evidence. Modern evolutionary theory is also the

product of countless modifications and refinements as available knowledge has increased and more accurate testing has become possible. In the face of this case for evolution, many critics are likely to retreat to one of their last intellectual bastions. From this vantage critics will acknowledge the mass of evidence for evolution and admit the theory is testable in some sense, but insist that the methodology employed by evolutionary theory undermines the epistemic value of this support. Challengers of evolutionary theory often assert an epistemologically important difference between the method of science engaged in by evolutionists, paleontologists, and geologists as compared to that of chemists, physicists, and experimental biologists. It is argued that while chemists and physicists engage in what is called 'experimental' or 'operational' science, those scientists doing work in fields such as evolution or geology are employing 'historical' or 'origins' science. These different methodologies, furthermore, are believed to necessitate different judgments with respect to the epistemic weight of their respective conclusions. Let us begin addressing this charge by elucidating the distinction between experimental and historical science.

Experimental science is characterized by scientific inquiry in which repeatable experiments or observations are performed in order to support a theory. For example, an experiment intended to determine the effectiveness of an antibacterial drug against a particular strain of bacteria involves repeated experiments meant to confirm or falsify a given hypothesis (e.g., that it effectively kills X number of bacteria in sample Y). Historical science, on the other hand, relies on reconstructing the past given the observational evidence and information available at the present. Work by scientists seeking to support the theory that the

dinosaurs were killed off by a meteor strike approximately 65 million years ago would be considered historical science. Critics argue that while experimental science is a reliable method for coming to true beliefs given that it is grounded in observable phenomena and repeatable experiments, historical science is not a reliable method because it is characterized by speculative theories based on unproven assumptions about the past. While experimental science is able to prove or demonstrate the existence of a given phenomenon through repeated experimental observation, historical science involves mere conjecture about a past that no one was around to observe and that cannot be replicated today.

A number of popular anti-evolutionist websites argue that historical sciences like geology and evolution are based ineluctably on unproven assumptions that undermine their capacity to provide reliable beliefs. For instance, unlike experimental science, it is claimed that historical science presupposes a belief that the past was like the present, "A science about the past does not observe the past singularity but must depend on the principle of uniformity (analogy), as historical geology and archaeology do. That is, since these kinds of sciences deal with unobserved past events (whether regular or singular), those events can be "known" only in terms of like events in the present" (Geisler and Anderson 1987: 198). However, depending on what presuppositions one takes for granted, it is argued, one will come to wildly different interpretations of the facts that we currently possess—neither of which possesses any greater plausibility or scientific basis than the other. As a consequence, it is claimed that neither evolution nor creationism is genuinely scientific "…because each deals with historical events that cannot be repeated. Both evolution and creation are based on unobserved assumptions

about past events…," and therefore, "It is inconsistent to say that evolution qualifies as a scientific theory while creation does not."[75] Evolution and Creationism are consequently both characterized as simply matters of faith—the geologist having faith in an Earth that is very old when she determines layers of Earth to be millions of years old and a Creationist having faith in a young Earth when she judges that the layers of Earth were laid down during Noah's flood several thousand years ago—which permits each to derive different but equally valid interpretations from the available data.[76]

Two distinct challenges to evolutionary theory are presented here. The first is that historical science, unlike experimental science, is grounded in unproven assumptions and involves an element of faith that is absent in experimental science, thereby attenuating its epistemic warrant. The second implied criticism is that because historical science is not based on observation and experimentation, but rather speculation about past causes of current phenomena, it lacks the authority of experimental science and is not falsifiable. Do the different methodologies practiced by experimental and historical science justify treating historical science as epistemically inferior to experimental science? I don't believe that they do.

The first charge is grounded in a serious confusion. The belief that experimental science and its successes lack the presuppositions of historical science is simply false. Contrary to the idealized power of experimental science presented by these critics, there is no ability to 'prove' or conclusively demonstrate any given phenomena through experimental science. For instance,

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[75] Answers In Genesis, http://www.answersingenesis.org/articles/ee/what-is-science
[76] http://www.truthortradition.com/modules.php?name=News&file=article&sid=644

every general theory arrived at through experimental science is also based on an assumption of uniformity—that the future will be like the present. Is not the belief that the future will be like the present just as unjustified, just as faith-like, according to this criticism as the belief that the past was like the present? How can one reasonably believe that the future will be like the past—that the laws of physics will not suddenly change in the next ten minuets—without presupposing that nature is uniform? One can't. The inductive methods of experimental science are grounded in a belief that repeated experimentation supporting a given conclusion provides justification for believing that conclusion will hold in the future only if it is tacitly presupposed that nature will not change randomly. We could not have achieved any of the tasks often venerated by critics of historical science as exemplars of the success of experimental science—sending a man to the moon or building a computer—without presupposing that the experiments supporting the science behind these endeavors would hold true in the future. Assumptions are inevitable in *any* scientific investigation, historical or experimental.

Is this belief in the uniformity of the future justified? While it cannot be decisively proven to be true, it surely seems reliable given our experiences and the power of science to predict the future. Why should we not, therefore, employ the same principle backwards as forwards? It certainly has proven to be successful in situations like forensic science, for example, where most people are content with the idea of convicting individuals based on crimes that were observed by no one. It might be argued that in those cases we can be sure that nature was uniform because while we weren't in the relevant location of the crime, the rest of the world clearly did not experience a change. But why can't someone simply believe that there are

pockets of non-uniformity popping up all the time given their prior assumptions and thus legitimately conclude that nothing more than speculative faith-based conclusions can come from the mountains of evidence that point to the guilt of a particular individual? Surely this is unbelievable.

What about the charge that experimental science and historical science utilize different methods of evidentiary reasoning in coming to their conclusions? Critics of historical science point out that in experimental science we find scientists looking to falsify their theories or confirm them through repeated experimentation, while in historical science we find a very different effort to support a given theory by making assumptions about past events given observable data. Can't this methodological difference support the charge of an epistemic difference with respect to our assessment of historical science's conclusions? It is true that experimental and historical scientists employ different methodologies in assessing hypotheses. Historical scientists are unable to test their theories by running experiments in the lab or going back in time to observe the phenomenon in question. Yet once we recognize an important feature of reality—the *causal asymmetry of time*—the methodology of historical science can be recognized as an appropriate means of arriving at justified beliefs about past events based on observable phenomena.

What does it mean to say that time is causally asymmetrical? It is to point out a causal feature of reality coined "the asymmetry of overdetermination" by David Lewis (1991). Consider the fact that locating only one trace of a past event, coupled with laws of nature, is

often all that is required to justifiably infer the cause. For instance, given that shocked quartz is

unknown on the surface of the earth except in asteroid craters and nuclear detonation sites, it

is justifiable to believe that the discovery of shocked quartz scattered within exposed layers of

earth 65 million years old suggests that a massive asteroid collided with the earth's surface at

this time. Shocked quartz provides evidence of a past event in just the way a successful

experiment provides evidence of a future generalization. Yet instead of engaging in a battery of

experiments in an effort to eliminate false positive or negative results—given that any

experimental conclusion could be the victim of extraneous factors—historical scientists

generate hypotheses that can explain the observable evidence and search for a trace of

evidence that provides a "smoking gun;" that is, a trace of evidence that clearly supports a

particular hypothesis over all others (Cleland 2002).

Conversely, knowledge of an event is generally not sufficient to justifiably project that a

given set of effects will materialize. Knowledge that a car tire blew while driving down the

freeway does not provide enough data to conclude that it caused a rollover without access to

countless further facts: how fast was it going, what kind of car, what was the nature of the

blowout, how did the driver react, etc. This is why experimental scientists, attempting to

predict future effects of events, must engage in repeated tests to try to control for all of these

background conditions. After the event has occurred, however, it is often very easy to infer

correctly that the car rolled over if certain traces of evidence can be found—e.g., the car lying

upside down.

Past events leave copious amounts of evidence of which only a part needs to be observed

to justifiably infer that the event occurred, while observable events are not sufficient justifiably

to project that a future effect occurs. In other words, it requires much less evidence justifiably

to infer a past event than it does to project a future one. As Cleland notes,

> Historical researchers investigating particular past events cannot test their hypotheses by performing controlled experiments. But this doesn't mean that they cannot procure empirical evidence for them. Because of the asymmetry of overdetermination, there are usually an enormous number of subcollections of the effects of a past event that are individually sufficient (given the right theoretical assumptions) to infer its occurrence. (2002: 490)

She continues,

> Like criminal investigators, historical scientists collect evidence, consider different suspects, and follow up leads. More precisely, they postulate differing causal etiologies for the traces they observe, and then try to discriminate from among them by searching for a "smoking gun"—a trace(s) that identifies the most plausible culprit among the primary suspects. (2002: 490)

It is true that some bit of evidence could undermine the favored hypothesis, that a smoking gun

turns out to be not so hot, and that another hypothesis could supersede the former one. But

this is no different for experimental scientists—there is no such thing as an experiment that will

'prove' a particular generalization. There is always the possibility of new evidence deposing an

old theory—look only to Einstein deposing Newton or the theory of Combustion deposing the

theory of Phlogiston.

Thus, we can see that the different methodologies employed by experimental and

historical science do not justify concluding that historical science is somehow epistemically

inferior. For, as we have seen, the nature of reality is such that one needn't do more than find

a "smoking gun" to justifiably infer a past event, unlike in experimental science where a

successful experiment, while certainly providing support for particular hypothesis, does not rule

out many other factors or assumptions that could adulterate an inferred generalization. This is because causes overdetermine their effects (little evidence in terms of effect is necessary to derive a given cause—a pregnant woman who has not undergone IFV is enough to infer that she had sex), while effects are underdetermined by their ostensible cause (a necessary event is not enough to guarantee a particular effect—sex does not guarantee that a woman will get pregnant). Each approach is appropriate for the given epistemic situation the scientist is in. Many repeated experiments involving an event in which background conditions and assumptions are controlled are required to make well-supported generalizations about a particular phenomenon, while the discovery of a few traces of evidence of a past cause are all that is required justifiably to infer a past event.

In sum, evolutionary theory clearly passes the epistemic standards of reliability argued for previously. The theory is grounded on substantial evidence and predictive confirmation, is the successful outcome of years of contentious debate and serious challenges among experts in the relevant fields, is held in the virtual absence of expert dissent, remains open to future criticism and efforts to supplant or modify the theory, and is grounded on verifiable and sound reasoning from available information. Evolutionary theory rests on methods of belief formation that reliably produce true beliefs. To exclude evolution from the liberal-democratic classroom, therefore, would be unacceptable; it would defy the democratic commitment to improve children's understanding of their interests through instruction in those beliefs most likely to be true.

8.3 Philosophers to the Rescue of Intelligent Design?

I've argued that widespread criticisms of Neo-Darwinian evolutionary theory's epistemic

status are fundamentally misguided. This should be adequate in concluding that evolutionary

theory is not only appropriate but requisite content in the liberal-democratic science classroom.

This does not justify concluding, however, that *only* evolutionary theory should be taught in

science classes in the event there exist legitimate alternatives. One contender that religious

believers have been vigorous in promoting is the theory of Intelligent Design. Proponents of

Intelligent Design (ID) argue that ID offers a genuine and reasonable alternative to the

evolutionary explanation of biological diversity found on the planet. Intelligent Design theory is

based on four general assertions,

> First, that some features of organisms don't just *appear* designed but *were* designed by an intelligent
> agent. Second, these features are "irreducibly complex"—that is, they could not have evolved in a
> stepwise fashion with each step conferring an adaptive advantage, so they cannot be the result of
> natural selection. Third, other features did evolve by natural selection; organisms are mixtures of
> some traits that were produced by intelligent design and others that evolved by natural selection.
> And fourth, nothing is known or can be known about the nature of the designer or the designer's
> goals and methods. (Coyne 2006: 14)

In recent years, a number of philosophers have even authored books or articles defending the

epistemic legitimacy of teaching of Intelligent Design in public schools alongside evolutionary

theory.[77] For the most part, these philosophers have avoided interjecting themselves into the

scientific debates concerning evolutionary theory or ID and have instead targeted what they

perceive to be the flawed intellectual framework relied upon by academics in recent criticisms

and judicial rulings against ID. Even though most of these theorists reject ID and recognize its

theological motivations, it is argued that when we focus solely on the epistemic foundations of

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[77] See Nagel (2009); Monton (2009); Plantinga (2006); and Nord (1995).

ID and evolution we see they are relevantly similar. In assessing whether or not ID is epistemically appropriate for the liberal-democratic classroom I believe we can focus on the work of these authors and leave debates about technical biological matters aside.

The general methodology employed by these philosophers is conspicuously similar. First, these critics present various arguments meant to challenge the ubiquitous tactic of rejecting the epistemic legitimacy of ID on the grounds that it isn't genuinely science. This rationale, for instance, was employed by Judge Jones in the significant ruling that ID could not be taught in public schools because it was not properly scientific.[78] It is argued that the presumption that biologists, philosophers, or judges possess a clear answer to the question of what is or isn't science (the 'demarcation problem' as it is known in the philosophy of science) is fallacious and thus attempts to exclude supernatural explanations in science *a priori* are intellectually arbitrary. Second, these critics argue that given the absence of clear criteria satisfactorily distinguishing evolutionary science from ID, both theories can be legitimately taught in public school science classes. While the question of how and in what context ID ought to be taught is largely eschewed, the overall conclusion held by these authors is that the teaching of Intelligent Design, perhaps even merely as 'bad science' or as a suggested alternative to evolution, would not be illegitimate in the public classroom.

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[78] Kitzmiller et al. v. Dover Area School District, et al, 2005. Judge Jones wrote in his ruling, "We find that ID fails on three different levels, any one of which is sufficient to preclude a determination that ID is science. They are: (1) ID violates the centuries-old ground rules of science by invoking and permitting supernatural causation; (2) the argument of irreducible complexity, central to ID, employs the same flawed and illogical contrived dualism that doomed creation science in the 1980's; and (3) ID's negative attacks on evolution have been refuted by the scientific community." (Jones 2005: 64)

I am sympathetic to the claim that defining ID out of science classes by invoking contentious solutions to the demarcation problem is a fundamentally flawed approach. I have yet to see a convincing argument that science, in principle, prohibits positing supernatural explanations of natural phenomena. Furthermore, focusing on the semantic question of whether or not ID is 'science' seems irrelevant to assessing its value as a source of truth. I will argue, however, that the move from the conclusion that ID is not nonscience to the conclusion that it is legitimate to teach it in public schools is deeply mistaken. There are good reasons for excluding ID from discussion in liberal-democratic schools irrespective of whether or not science can reasonably allow for appeals to supernatural explanatory causes.

The most common reason given for rejecting discussion of ID in science classes is based on the claim that ID violates the fundamental scientific commitment to *methodological naturalism*. Proper science, critics of intelligent design often claim, is restricted to natural explanations of empirical evidence and confirmable data (Miller 2007). Science, the philosopher Michael Ruse argues, "deals only with the natural, the repeatable, that which is governed by natural law" (1982: 322). Accordingly, any explanation that references supernatural causes is precluded from the proper domain of science. But what justifies defining science in such a way that keeps supernatural explanations out of the classroom? This is particularly problematic given that the view that naturalistic explanations alone can "capture all of reality is very much contested" (Nord 1995: 187).

Rarely is an argument given. Often it is simply asserted, as Ruse does, that a commitment to methodological naturalism is an essential tenet of science. The problem with this approach is that you can't simply settle an ongoing dispute about what science is by citing a definition of science. As Alvin Plantinga notes,

> It is hard to see how anything like a reasonably serious dispute about what is and is not science could be settled just by appealing to a *definition*. One thinks this would work only if the original query were really a *verbal* question - a question like *Is the English word science properly applicable to a hypothesis that makes reference to God?* But that was not the question: the question is instead *Could a hypothesis that makes reference to God be part of science? That* question cannot be answered just by citing a definition. (2001a: 345)

Furthermore, the belief that scientific explanations must be confined to natural phenomena ignores the existence of weighty counter-examples. For example, if the claim is that science must restrict itself simply to hypotheses that are empirically testable is affirmed, then it seems possible to construct imaginative examples that involve testable supernatural explanations that could plausibly meet this criterion. Consider the following story provided by the philosopher Bradley Monton:

> Imagine that some astronomers discover a pulsar that is pulsing out Morse code. The message says that it's from God, and that God is causing the pulsar to pulse in this unusual way. The astronomers are initially skeptical, but they find that when they formulate questions in their head, the questions are correctly answered by the message. The astronomers bring in other people to examine this, and the questions are consistently answered. The message goes on to suggest certain experiments that scientists should perform in particle accelerators – the message says that if the experiments are set up in a specified precise way, then God will cause a miracle to occur. The experiments are done, and the resulting cloud chamber tracks spell out Biblical verses. Then the message explains to the scientists how to form a proper quantum theory of gravity… (2009: 29)

Assuming every naturalistic explanation for the above data is exhausted, it doesn't seem unwarranted to believe that an experience like the one described by Monton would provide

scientists with some testable support for the belief that God exists. Here we have empirical evidence supporting a supernatural explanation. Why simply assume, as many scientists and philosophers do, that there could never be empirical evidence for something that science cannot explain? While it is true that the nature or qualities of a God or Gods (if they exist) could never be the proper subjects of scientific inquiry, this does not seem to justify concluding that the existence of such entities could not be supported by scientific inquiry.

Withholding the label of science from ID, and thereby justifying its exclusion, is a misguided (and perhaps intellectually dubious) approach. In the absence of a plausible solution to the demarcation problem, it does not seem unreasonable for defenders of ID to claim that their theory is not nonscience. I have yet to hear a set of necessary and sufficient conditions adequately capturing the practice of science that is so narrow as to keep ID out but still get in everything else that would generally be regarded as legitimate science.   Unfortunately, many academics and philosophers of science appear willing to give the impression of a clear answer to the demarcation problem in the public arena—like an unhappy married couple putting on a good face in public—simply because they strongly dislike the idea of ID creeping into the science curriculum. Surely this is an intellectually dishonest method for achieving a preferred policy outcome.

Consequently, if one is concerned with investigating truth, rather than what might be called 'natural truth,' then it seems arbitrary to exclude the possibility of supernatural explanations. This is not to say, however, that all approaches to reaching the truth should be

taught in schools. Arguing from the premise that science ought not to be constrained to solely naturalistic hypotheses to the conclusion that we should teach such hypotheses in liberal-democratic schools is much too quick. Claims like the philosopher William Nord's that sticking to secular explanations involves an illegitimate "bias"—and students should be exposed to all "the basic alternatives"—are also misguided (1995: 292). Deciding what we ought to teach in liberal-democratic schools involves considerations that are importantly different from those involved in ascertaining what theoretical constraints ought to apply to the broader concept of science.

In particular, some methods of reaching belief are simply more reliable than others and this fact has clearly been born out by experience. It is for this reason that democratic schools should still refrain from teaching ID even if it is true that ID cannot be excluded on the grounds that it is nonscience. It is one thing to say that the concept of science should not preclude supernatural explanations by fiat, it is quite another to say that a scientific framework that allows supernatural events in addition to natural ones is an equally reliable method for reaching the truth. When considering what broad theoretical frameworks ought to guide decisions about what beliefs are taught in schools, we have copious evidence that a naturalistic framework is superior to one that appeals to miraculous or supernatural causes. As the theoretical physicist Sean B. Carroll writes,

> The preference for a natural explanation is not an *a priori* assumption made by science; it's a conclusion of the scientific method. We know enough about the workings of the world to compare two competing big-picture theoretical frameworks: a purely naturalistic one, versus one that incorporates some sort of supernatural component. To explain what we actually see, there's no question that the naturalistic approach is simply a more compelling fit to the observations. (2009)

As this quote makes clear, methodological naturalism is a consequence, not a presupposition, of employing the scientific method—of looking for the most informative and parsimonious explanation of observed phenomena. The scientific method is not inherently committed to naturalistic explanations, but it *is* committed to trying to "account for the data in the simplest and most useful way possible" (Carroll 2009). And it is clear that rejecting the current naturalistic framework would introduce complicating and unnecessary elements that would violate this guiding principle. *It would simply be unscientific*. This is not to say, however, that this will always be the case; there certainly could be some point in the future where supernatural explanations are necessary to adequately explain some observed natural phenomenon. Perhaps an event like the one Monton describes above will be observed in the future and necessitate a shift to a scientific framework that permits the inclusion of supernatural explanations. Nevertheless, at the present such a change in methodology is unwarranted and would only decrease the reliability of scientific investigations.

Democratic schools should teach those beliefs most likely to be true and impart the guiding principles of scientific investigation. Teaching students a scientific framework that includes references to supernatural causes contradicts this goal; such a framework simply has not been shown to be a successful method of reaching true beliefs about reality and abandons the commitment to finding the simplest and most useful explanation for a given observation. It would be a mistake, therefore, to instruct students in beliefs based on a framework that has proven to be inferior in producing true beliefs compared to alternatives. The scientific

commitment to methodological naturalism, at least inside the public classroom, is thus justified by the purpose of liberal-democratic schools and the essential nature of scientific investigation.

On what grounds have philosophers sought to defend the inclusion of ID in public classrooms subsequent to concluding that it cannot be legitimately considered nonscience? There are several approaches, so let us consider them individually. I will argue that none succeed in getting ID into the democratic public classroom.

In Thomas Nagel's article "Public Education and Intelligent Design," he argues that because ID and evolution both involve nonscientific presuppositions (that supernatural explanations are/are not possible), they are both in the same epistemic boat: either both are science or neither is science (2009). He argues that biologists fail to recognize what Phillip Johnson calls "the philosophical dogma of uniformitarianism [and naturalism]" that underlies their belief in evolution and thus presume that it is only ID that involves nonscientific commitments (1993: 146-147). Evolution and ID are what Nagel refers to as "symmetrical positions" and that to include one while excluding the other would result in what he believes is the irresponsible promotion of a particular worldview. The only intellectually responsible response to the fact that ID cannot be excluded on the grounds that it is unscientific is to teach ID in a 'non-committal' way somewhere in the public school curriculum. Nagel, however, does not specify what he means by 'non-committal' nor does he require that ID be given equal time or even be taught in biology classrooms alongside evolution.

The philosopher Warren Nord argues in a similar vein that instruction in evolutionary theory without supplementing it with creationist views involves schools' adopting a position of religious bias and favoritism toward secularism. "A biology text that tells the story of evolution without bringing religious points of view into the discussion is taking sides. It is, in effect, saying, You don't need to understand anything about religion to understand nature" (Nord 1995: 163). The omission of religious ways of understanding in science classes is claimed effectively to denigrate nonsecular alternatives and endorse a naturalistic worldview. This is wrong, according to Nord, because both worldviews (naturalist and religious) are essentially based on faith. And simply to choose one faith (naturalism) over another (theism) is to indoctrinate students into a particular worldview in a way that precludes the opportunity to consider alternative methods of understanding. What is required, therefore, is fair and (as much as possible) neutral exposure to major nonsecular alternative positions in all science classes (Nord 1995: 167).

Nagel's and Nord's arguments fail to appreciate the importance of differing methods of producing belief and the broader goal of liberal-democratic education. These oversights entail conclusions much stronger than I believe either wishes to defend and would portend a nightmarish standard for adjudicating what content is to be included in school curriculums.

Both Nagel and Nord refer to evolution and ID as 'symmetrical positions'[79]—that both are either science or nonscience—on the grounds that they each presuppose a set of

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[79] Nord uses the terms 'science' and 'religion,' but the intended meaning is the same.

theoretical commitments. This is true. Yet it is difficult to see how employing this standard in terms of deciding what should or shouldn't be taught in classrooms can resist the conclusion that ID should be given equal time with evolution and should be required instruction in all biology classes (Aikin, Harbour, and Talisse 2009: 37). What would prevent proponents of ID demanding equal time for Intelligent Design in school classrooms given that evolution and ID are held to be epistemically commensurable? In order to teach evolution in an intellectually responsible way, according to this line of argument, schools must either refrain from teaching evolution completely (as well as ID presumably) or teach the theories in tandem.[80]

Furthermore, accepting the argument that teaching only evolution in science classes is irresponsible because it involves endorsing certain nonscientific metaphysical assumptions about reality (i.e., that only natural explanations are permissible) opens the floodgate to the inclusion of supernatural explanations throughout the curriculum. Employing such a standard in determining what views ought to be taught would legitimate the inclusion of innumerable (and implausible) worldviews.

> Take physics, for example. Surely the Newtonian mechanics taught in high school physics classes presupposes the truth of certain metaphysical propositions, such as that material objects exist over time. Physics therefore proceeds on the nonscientific assumptions that (1) material things exist, and (2) material things causally interact over time. The falsities of Berkeleyan idealism and Malebranche's occasionalism are therefore presupposed by high school physics. Hence a Nagelian dilemma: either the falsities of idealism and occasionalism (and their respective theological views) are themselves an empirically demonstrable thesis or they are not. If they are not, then Newtonian

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[80] This is a conclusion that Nagel wishes to avoid by asserting that ID should perhaps be identified merely as 'bad science.' But it is difficult to see what considerations could engender this judgment given that ID proponents accept the general evolutionary framework but simply posit supernatural explanations for phenomena that evolutionists cannot yet explain adequately. It is not as though appeals to irreducible complexity can be shown to be definitively false like Young Earth Creationist claims about flood geology. If supernatural explanations are legitimate scientific moves, how can ID be legitimately disparaged as 'bad science'?

mechanics is simply a disguised theology; if they are, then room must be made for consideration of the evidence for and against temporally persisting material things. And we're off to the races, but this time in a physics classroom. (Aikin, Harbour, and Talisse 2009: 38)

Given that every theory in science takes for granted various nonscientific assumptions, Nagel's and Nord's arguments would permit the inclusion of any number of supernatural and/or skeptical theories to be given equal time alongside standard scientific views. Consider a radical religious group whose hypothesis concerning the absence of matter in the universe involves not dark matter but invisible supernatural dumbbells used by health-conscious deities. The adherents of this group argue that from within their worldview, and given the available evidence, this hypothesis is the most reasonable explanation for the missing mass of the universe. Furthermore, they claim that it is only prejudice that prevents scientists from abandoning their assumption that there must be a natural explanation (dark matter, for instance) for the missing mass. Ought we to give equal time to teaching the supernatural dumbbell theory in school classrooms? This would be an outcome that I believe even the most committed proponents of ID would like to avoid.

Simply because both evolution and ID presuppose certain theoretical commitments does not entail that their respective methods for producing true belief are equally reliable—quite the contrary. Unlike the framework of methodological naturalism in general, and evolution in particular, appeals to supernatural explanations have not been established as scientifically warranted and ID has not proven to be reliable in producing true beliefs about the origins of biological diversity. So although Nagel is correct in asserting that belief in evolution necessarily involves certain metaphysical assumptions (as all scientific theories do), experience

has borne out that this method is extremely successful in producing true beliefs. This is true whether we look at the monumental successes of naturalistic science as a whole or the history of successful predictions and explanations provided by evolution in particular. Evidence is simply on the side of trying to understand the world in purely natural terms and therefore this is what ought to be taught to students.

These considerations also highlight why Nord's concern with fairness and neutrality is mistaken. Democratic schools are not tasked with being fair or neutral (whatever that would mean) to all beliefs strongly held by citizens, but of imparting to children those beliefs most likely to be true and the methods employed in reaching these beliefs. In particular, those beliefs held by citizens that are inconsistent with the epistemic standards of reliability are not legitimate candidates for inclusion in liberal-democratic schools. The fact that reliable methods for producing beliefs as well as nonreliable methods both involve various theoretical assumptions is irrelevant to determining which is a superior method for generating true beliefs. Yes, schools endorse a specific theoretical framework when they choose to discuss evolution while excluding religious explanations, but this is not because educators are merely committed to the blind faith of secular humanism; rather, it is because a commitment to natural explanations has proven to be the most parsimonious and reliable method for coming to true beliefs. In other words, naturalistic explanations have proven to be most consistent with the ideals of science.

Thus, I am not arguing that science classes should exclude ID on the grounds that "most

Americans have reconciled the tenets of their faith with the findings of science"—a claim that is

surely overstated.[81] Nor am I arguing that selecting secular standards is the most fair or neutral

solution. Rather, I am suggesting that even though we find widespread acceptance in our

society of both secular and religious standards, the secular standards, insofar as they meet the

criteria of being epistemically reliable, are most consistent with science's guiding principles. To

instruct students in the fundamental tenets of science is to ineluctably teach methodological

naturalism. Supernatural explanations are not unscientific because they appeal to nonnatural

causes, but because such explanations, at least at this point, are superfluous and would license

the inclusion of untold numbers of bizarre supernatural hypotheses in science classrooms—an

outcome that should be resisted until completely necessary.

At this point it might be countered that constraining the science curriculum to a

framework that presents only methodological naturalism is inferior to a more inclusive

approach for a different reason. Alvin Plantinga, for instance, argues that constraining science

classes to beliefs based solely on naturalistic explanations hinders the ability of scientists and

students to reach important truths about the world—"It might be that, just as a result of this

constraint, even the best science in the long run will wind up with false conclusions" (Plantinga

2006). Consequently, he argues that scientists should abandon the modern commitment to

methodological naturalism in favor of a return to the 'theistic' or 'Augustinian' approaches to

scientific inquiry that encompass supernatural explanations (Plantinga 1997). I think Plantinga

is correct insofar as he is reiterating the claim that it is possible that a supernatural explanation

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[81] See Gutmann (1985: 103).

might turn out to be true, and that an unwavering commitment to methodological naturalism would preclude knowledge of this truth.

However, the reason for excluding supernatural explanations from the science classroom is not based on the fact that such explanations could not be true, but rather because the frameworks permitting such explanations have not proven to be fruitful in reaching true beliefs. "The point is not that this *couldn't possibly* happen — it's that it *hasn't* happened in our actual world. In the real world, by far the most compelling theoretical framework consistent with the data is one in which everything that happens is perfectly accounted for by natural phenomena" (Carroll 2009). Until the available evidence necessitates supernatural considerations, where we find empirical and testable evidence for a supernatural explanation of the sort imagined by Monton's pulsar, such a method for generating belief can be only a matter of faith. And to inject pure faith into the classroom, when it is not required, will only introduce unnecessary confusion and likely lead students farther from true belief as the physics example cited above adumbrates. I believe this provides a good answer, at least with respect to what is taught in liberal-democratic classrooms, to Plantinga's rhetorical question: "Is there really any compelling or even decent reason for thus restricting our study of nature?" (Plantinga 2001: 137).

It might be objected that this standard of reliability effectively eliminates the possibility of miracles or other one-off events being candidates for inclusion in school science classrooms. How can a miracle, which by definition is a unique event, possibly meet a standard that requires

repeatability or testability?[82] Doesn't this standard therefore inherently exclude much of religious belief? I would argue that it is mistaken to claim that the standard of reliability prohibits unique events. In fact, many scientific theories are based on one-off events—the Big Bang, the extinction of the dinosaurs, etc.—but even though these events are not repeatable, the general method of generating beliefs exemplified by historical science has proven to be reliable in producing true beliefs. This approach, as we've discussed, assumes that the past was like the present and then looks for a 'smoking gun' that discriminates among the available natural explanations for observed evidence. This method of generating beliefs has proven to be highly successful.[83]

On the other hand, belief in a theoretical framework that permits the interjection of supernatural or mysterious causes has not proven to be nearly as successful in explaining the past. For example, many people believe that Mary was immaculately impregnated and experienced a virgin birth. The framework that disallows such supernatural events, however, has proven to be far more successful in explaining the causes of pregnancies than one that permits such supernatural pregnancies. Even the most convinced religious believer would be unlikely to believe a woman claiming to have been immaculately impregnated unless all natural causes were ruled out. Until the naturalistic framework proves to be inadequate in explaining pregnancies, it is undoubtedly a more reliable method for producing true beliefs. The same goes for any supposed miraculous event.

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[82] See Nord (1995: 182).
[83] See Cleland (2002).

What other reasons might be given for including ID in public schools? Monton suggests that it may be beneficial to teach ID in public school science classes on the grounds that it might help students to learn to think more seriously about science and to contemplate scientific controversies rather than merely learning scientific content (2009: 94). This inquiry-based defense of ID is reminiscent of Dewey's approach to teaching science. For Dewey, teaching science should be focused on imparting an understanding of a system of experimental inquiry; not teaching the specifics of any scientific field, but the scientific method in general (Dewey 1916: 219-220). Does this approach to teaching science make room for ID in public schools?

Dewey's approach to the teaching of science would certainly permit schools to forgo teaching evolution and ID all together—focusing on the methods of science rather than teaching scientific facts. Discussions about the scientific method, however, would at most give the possibility of supernatural explanations merely a passing mention given their inferior status (in terms of parsimony and explanatory power) to a naturalistic framework. Thus, limiting science classes simply to scientific methodology would still exclude instruction in supernatural explanations. Remember, a naturalistic framework is a consequence, not a presupposition, of the scientific method.

What about including ID alongside evolution in order that students might engage in ongoing debates within science? It seems to me that this goal of teaching students that science is not a mere collection of facts, but a dynamic and changing enterprise, should be achieved by exposing students to controversies within the naturalistic framework. Given the absence of any

serious natural vs. supernatural debates in science, it would be misleading to include

supernatural explanations of natural phenomena as legitimately debatable alternatives within

science. Such debates simply do not exist. It would be much better to teach students about

competing natural explanations of the Permian Extinction or absence of mass in the universe

than introducing alternatives that are outside the supported framework.

Monton responds that students are going to hear about the theory of ID anyway. Yet

the same could be said for many other supernatural explanations of observed phenomena.

Should we include discussions, for instance, about both natural and supernatural causes for

global disasters because students will undoubtedly hear about this as well? The plagues found

within the Biblical book of exodus are a good example of divinely caused natural disasters

accepted by many. Furthermore, a number of straw polls indicate that large numbers of

religious believers think that God currently plays some role in creating and sending disasters to

various parts of the world.[84] Numerous religious commentators were quick to connect natural

disasters like hurricane Katrina, which hit New Orleans in 2005, to divine punishment for

homosexuality, legalized abortion, or overall decadence. Other examples include the 2010

earthquake in Haiti being attributed to the Haitian people swearing "a pact to the devil" while

the 2004 Indonesian tsunami was attributed by Muslim Imams to divine punishment for

Christian sinners.[85] Should these supernatural explanations for natural disasters be included in

science classes alongside discussions of continental drift and meteorology? What about

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[84] http://www.urbana.org/archives/2006/does-god-send-natural-disasters?showresults;
http://www.beliefnet.com/Faiths/2005/10/By-The-Numbers-God-Didnt-Send-The-Hurricanes.aspx;
[85] Evangelical Pat Robertson made the "pact with a devil" comment on his 700 Club show on January 13th 2010;
Arnaud de Borchgrave, "Allah off the Richter scale," *The Washington Times* 2005,
http://www.washingtontimes.com/news/2005/jan/09/20050109-102911-9121r/;

including discussion of the possibly divine origins of the HIV virus and other diseases as retribution for sexual perversion in microbiology classes?

Surely it is better to exemplify good scientific methodology and actual scientific debates than use popular religious views simply as a scientific foil. Furthermore, should we expect science teachers to become well-versed in the tenets of Intelligent Design or the signs of the coming Apocalypse simply so they can teach these views in an intellectually responsible manner? I would suggest their time could be better spent teaching children to be good scientists.

Would teaching ID alongside evolution be useful in promoting critical thinking? I would argue that juxtaposing the supernatural framework held by believers of ID with that of methodological naturalism would have precisely the opposite effect. Appealing to supernatural frameworks to explain natural phenomena is simply a poor standard of reasoning. This can be recognized in several ways: 1) even religious believers do not use this sort of reasoning in everyday life concerning issues not directly applicable to their faith, 2) this form of reasoning is not even persuasive to religious believers when confronted by dissimilar religious beliefs, and 3) it is the religious individual who is inconsistent in her standards of belief and not the non-believer.

Finally, Monton suggests that perhaps ID can be incorporated into science classes discussing issues pertaining to the philosophy of science (2009: 103-104). I think this is the one

way in which ID can be reasonably taught in a public school science class. I see no problem with broaching the possibility of alternative investigatory frameworks that, as of yet, have not proven needed or efficacious in a philosophy of science class. It is unfortunate that science teachers rarely explain to their students *why* supernatural explanations should be excluded from science classes (other than the spurious and uninformative claim that they simply aren't science) and thus give the impression that science is religiously biased or grounded in materialism. As I've argued, this is false and such an approach only gives credence to the claims of religious believers that science classes are dogmatically intolerant of religion and will likely leave religious students unreceptive toward science. Sadly, few science teachers are equipped or take the time to discuss the important and relevant issues found in the domain of philosophy of science. However, maybe if ID advocates are unable to get Intelligent Design into science classrooms any other way, they might just start trying to promote philosophy of science sections in school science curriculums. I believe this would be a good thing.

9. Expressing Religious Belief in Public Schools

It is often claimed that liberal-democratic education is inherently antithetical toward religion and religious belief in schools. The majority of this work, furthermore, is unlikely to have dislodged this contention. In this chapter, however, I address a topic that should hopefully dispel such misguided beliefs. The issue of religious expression in public schools is one that has been receiving greater attention in recent years as minority groups have sought increased recognition for their unique religious commitments. In the following chapter I argue that the liberal-democratic state has an obligation to recognize and try to accommodate these claims on the grounds that the promotion of autonomy necessitates that schools not promote a particular view of the good life and that children be exposed to a variety of valuable worldviews. This requires that schools fairly accommodate a diversity of religious expression in schools and publically recognize the value of religious belief through food, clothing, and other policies that demonstrate respect for minority religious beliefs.

9.1 Introducing the Controversy

Religious belief often involves various expressions of faith. Such expressions can include recognizing specific observances, donning of religious garments, restriction of believers' diets, and participation in ritual devotionals. Inevitably, these expressions of religious belief frequently coincide with religious believers' participation in schools. Both children and adults (teachers, support staff, etc.) will often be faced with the duty to express their religious faith within the context of the school day. As a result, many religious groups have demanded public

accommodation of religious expression and have sought to compel liberal-democratic schools

to make allowances for the expression of religious faith within public schools. To a large extent,

this demand for the right to express religious belief in public schools has been resisted by

liberals and public officials who argue that such accommodation conflicts with the liberal state's

fundamental commitment to religious neutrality and equal treatment. It is argued that such

accommodations serve only to create division and separation within the school as well as the

broader polity. Many proponents of separate religious schooling and opt out policies have

argued that this highlights liberalism's failure to deal with a pluralist society through public

institutions (Thiessen 2001).

However, the demand for the accommodation of religious expression, is, as Will

Kymlicka notes, generally one of *inclusion* (1995: 176). Most demands for the right to religious

expression come from minority groups who perceive themselves as already excluded from the

social and cultural advantages that come from the public recognition, accommodation, and

support afforded to the members of majority faiths. Demands for the recognition of religious

difference and identity, therefore, have been carried out in opposition to what its proponents

describe as the modern liberal state's hegemonic and assimilating nature. It is the denial of

public recognition and accommodation of religious difference that creates a sense of

marginalization and exclusion among minority groups. Public neutrality, furthermore, simply

leads to the corrosion of cultural and religious diversity and assails the identity and self-respect

of minorities. Minority faiths, it is contended, are not asking for special treatment in requesting

accommodation for their beliefs, but merely demanding fair opportunity to enjoy the

advantages already conveyed upon dominant worldviews.

An important front in minority groups' struggle for religious recognition is to be found in the area of public schooling. Challenges to the hegemonic nature of public schools in western liberal democracies have come from a number of different directions. This is particularly true in the case of religion: Islamic students demanding the right to wear headscarves in classes, challenges to the unequal observance of religious holidays within the American public school system, and efforts to incorporate religious devotionals during school hours can all be cast as struggles for recognition and accommodation by minority religious groups. It is simply unfair, these groups argue, for public schools tacitly to support the religious expression of some groups while denying it to others.

How should the liberal-democratic state respond to these demands for the right to express religious belief in public schools? I will argue that liberal-democratic schools have a significant responsibility to ensure that religious worldviews are appropriately recognized and supported in public schools so as to eschew disadvantaging those children (and adults) with minority religious views and denigrating their beliefs in the eyes of others. It is also important to accommodate the practices of minority believers so as to increase the diversity and impartial exposure of children to alternative worldviews. This liberal-democratic duty of public recognition, however, has its limits and cannot support every demand for religious accommodation.

9.2 The Inadequacy of Neutrality

Liberal-democratic theorists have traditionally resisted demands for religious recognition on the grounds that to recognize such rights would violate the liberal-democratic

ideal of equalizing rights, entitlements, and human dignity (Taylor 1994: 37). It has commonly

been argued by liberals that the only way to attain genuine equality is to implement

governmental policies that adhere to strict neutrality and affirm public blindness to difference.

We treat citizens as equals simply by ensuring that all are afforded equal rights to basic human

needs irrespective of race, gender, or religion. The alternative to this approach, it is suggested,

is a social arrangement in which particular groups and individuals are distinguished for

differential treatment based on their gender, skin color, or beliefs. A state that distributes

group-differentiated rights is seen as counteracting the liberal universalist approach of 'benign

neglect' which maintains that such particularist considerations are not appropriate matters for

state interference.[86]

Much of the attractiveness of neutrality is found in its promise to protect all groups

from discrimination by ensuring that there are no extra costs or benefits for holding a particular

viewpoint or having been born with a particular skin color. Neutrality epitomizes fairness

insofar as it requires that the beliefs and views of individuals and groups are treated in an

impartial and non-discriminatory way. As Elisabetta Galeotti writes, "Its rationale is to avoid

both the translation of religious and moral disagreement into political conflict and the linking of

privileges or costs to anyone's convictions, so as to grant peaceful coexistence and equal

freedom for all" (Galeotti 1999: 38). Every citizen is granted equal basic rights and the freedom

to pursue their preferred conception of the good while the role of the state is merely to ensure

these rights are not infringed upon.

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[86] See supporters of this position see Glazer (1975), Rawls (1975), and Hindess (1993).

Yet as attractive as this ideal is, neutrality and difference-blindness do not secure

fairness when these policies are applied to communities in which groups are situated in

asymmetrical and unbalanced positions.[87] Ignoring difference within a society can often

increase and exacerbate a group's unfair disadvantage or advantage. For instance, public

blindness toward race in a society where wealth is distributed unfairly along racial lines as a

consequence of a history of oppression and exploitation will simply entrench this injustice.

Given that black Americans as a whole are currently in a disadvantaged position relative to

whites with respect to access to wealth, quality education, and political power—largely

attributable to historical injustices—any policy that completely ignores race will likely only

entrench and perpetuate this imbalance. Successfully ameliorating the situation of black

Americans will require explicitly color-conscious policies that seek to rectify their unique

disadvantages. Neutrality is a just response only when the starting position of all groups is fair;

otherwise, neutrality merely preserves the status quo—inherent unfairness and all. It is for this

reason that many philosophers have rejected the liberal ideals of impartiality and neutrality—

Iris Young refers to them as "modernist sins"—given their propensity to perpetuate and

entrench oppression in a society rather than eliminate it (1990).

A major step in understanding the damaging potential of neutrality involves recognizing

that the social, political, and cultural norms found in a society that are widely perceived as

'normal' or 'natural' are often simply reflective of dominant worldviews. A policy that prohibits

anyone from wearing hats in school, for instance, while neutral in its language,

disproportionately affects groups for whom the donning of hats is essential to their cultural or

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[87] See Raz (1986).

religious membership. In our society public holidays are associated with particular religious dates and not others, social institutions and practices are more burdensome for some citizens than others, and norms of attire and speech often favor particular cultural and ethnic backgrounds. While many citizens are likely to view these imbalances as normal or neutral—Sunday closing legislation or government oaths for example—such policies are conspicuously discriminatory against many minority groups. Thus, appeals to neutrality are commonly criticized as being merely "a reflection of one hegemonic culture" and therefore "in a subtle and unconscious way, highly discriminatory" (Taylor 1992: 43). Groups who fail to share the practices, norms, and beliefs of the dominant worldview are marginalized from public life (or at least punished insofar as they are seen as "different"), and their identity must either be denied and hidden in public or expressed at unfair cost.

9.3 The Need for Religious Recognition and Accommodation

These considerations make it clear that appealing to the ideals of neutrality and difference-blindness is inadequate to respond appropriately to the demands for inclusion made by marginalized groups. Neutrality is neither possible nor desirable for members of groups whose cultural and religious identities are intertwined with associations that are currently disadvantaged or invisible in the public sphere. An important area in which many religious minorities argue that their beliefs are unfairly ignored or stigmatized is within liberal-democratic schools. It is argued that there exists a not-so-hidden favoritism toward particular religious worldviews in most public schools. This is reflected in the selection of school holidays,

food options in school cafeterias, absence of opportunities for prayer during the day,
references to God in morning pledges, moments of silence with the implication of prayer, and
widespread antipathy toward conspicuous religious clothing.

In response to this charge of partiality found in public schools, many political leaders
and educational representatives have argued that liberal-democratic states still have good
reason to reject minority demands for religious recognition. Demands for religious recognition
in the U.S., for instance, have been met with arguments appealing to majoritarianism (i.e., most
citizens are Christian, therefore the privileging of Christianity is legitimate), references to
importance of Christianity in the founding of our nation, invocations of the traditional role
these religious practices have played, claims that allowing public recognition of minority faiths
would promote or engender social divisiveness, and pragmatic concerns with economic or
logistical feasibility if schools were to accommodate minority faiths. I will argue that these
arguments for denying public recognition are woefully inadequate and cannot support the
policies that currently exist in public schools. This is due, in large part, to the critical importance
that public recognition and accommodation of a person's preferred way of life has in ensuring
each citizen is able to secure the self-esteem and sense of dignity required to live a worthwhile
human life. While there are undoubtedly necessary limits to religious expression, most
demands for religious inclusion ought to be accommodated and publically recognized as
valuable ways of life.

I believe the arguments enumerated above fail adequately to recognize that a good life
depends crucially on not having one's identity ignored, marginalized, or stigmatized in public.

The failure of the state to extend public recognition and accommodate to differing ways of life can be literally harmful to those groups denied this benefit. Adam Smith argued long ago that material goods were only one component of well-being; a second, and perhaps more important component, is the lack of shame in one's appearance. Similarly, Amartya Sen and John Rawls have argued that one cannot live a good human life if one's identity is despised, ignored, and denied public legitimacy.[88] Given that what counts as 'normal' in many nations and communities is often burdensome and discriminatory toward certain groups—insofar as it supports an exclusive conception of normalcy and corresponding idea of deviance—the social benefits that come with having one's identity cohere with the dominant norms are denied to minority members. This denial of recognition means that it is more difficult for minority groups to obtain the sense of self-respect and dignity necessary to achieve a minimally good life— particularly when these groups' beliefs and practices are already despised or stigmatized by society. It is easy to understand how these considerations apply to religious recognition when we acknowledge the vital role that religious membership plays in most people's identities. If a particular religion is not adequately respected in public institutions, then the dignity and self-respect of its members will be threatened (Margalit and Raz 1990: 447-449). As Anna Elisabetta Galeotti notes:

> No one can feel at ease and retain self-esteem and self-respect if he or she is socially accepted despite being a woman, a black, an Arab, a gay, since such acceptance would amount to denial of significant components or elements of one's (personal) identity. The social pressure to disguise oneself and to act as a white, a macho, or an "Anglo" (a WASP) in order to achieve a condescending and fragile acceptance is humiliating and an impediment to the development of a healthy, autonomous, and self-reliant personality (such as the liberal citizen ideally should have). (2002: 89-90)

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[88] Rawls (1971) writes, "Perhaps the most important primary good is that of self-respect."

I would point out that it is equally difficult to retain self-esteem and self-respect if one were socially accepted despite being a Muslim, Hindu, or atheist. Given the fundamental importance that a sense of self-worth has in securing a worthwhile life, I would argue that liberal-democratic justice requires that public recognition of citizens' religious identities be fairly distributed in public spheres.

It is undeniable that current policies and institutions disadvantage some groups in relation to others. If the perception of an individual's identity is deeply intertwined with her religious affiliation, then the social disparagement or disregard of her religion seriously affects her ability to meet the crucial level of self-respect and esteem necessary to secure a worthwhile life. The formal possession of rights or material resources is simply insufficient to secure the capacity for an individual to act as a full citizen because these considerations do not ensure her identity will not be marginalized or publicly disdained. Public invisibility and social disrespect have the effect of making individuals unable to "function as a 'normal' social agent and as a full citizen" by requiring them to disguise or deny who they are in order to participate in society's ostensibly 'neutral' institutions (Galeotti 2002: 98). The failure to recognize, or to misrecognize, the identities of minority religious members can, as Charles Taylor notes, "inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being" (1994: 25).

Conversely, those who are born into an identity closely aligned with the dominant religious or cultural norms are not faced with these unfair burdens but enjoy the self-esteem and self-gratifying effects of being a member of the mainstream. This idea is similar to the notion of a 'psychological wage' which W. B. Dubois originally employed in talking about the psychological benefits of being white in a white supremacist society. Withholding recognition not only devalues and marginalizes the identity of minority groups but also has the effect of making these ways of life less attractive to others and more difficult to pursue. The consequence is an unfair advantaging of certain conceptions of the good life—conceptions that are considered simply as 'normal.'

It is precisely the disproportionate access to a primary social good (public recognition of the value of one's religious identity) on the basis of morally arbitrary reasons (i.e., the religion or culture one is born into) that liberal theorists have sought so steadfastly to minimize in developing their theories of justice.[89] As Will Kymlicka notes, "inequalities in cultural membership are just the sort which Rawls says we should be concerned about, since their effects are 'profound and pervasive and present from birth'" (1995: 109). A citizen should not find that a worthwhile life can only come about by painfully rejecting his religious identity or distancing himself from it in public. The pursuit of a minority conception of the good life should not be available only to those individuals able to forge onward when all but the most determined would give up or conceal their commitments in the face of ridicule and

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[89] It might be argued that cultural or religious membership is something that can be rejected or abandoned, unlike being born handicapped or Native American. This is undoubtedly true; however, it would also be a mistake to think that religious affiliation is simply a free and voluntary choice—like a preference for the color green—and easily changed or rejected.

disparagement. "Due recognition is not just a courtesy we owe people. It is a vital human need" (Taylor 1994: 26).

Just as it would be unfair for the liberal state to deny an individual born with a physical disability a fair share of the community's resources—a feature the individual had no control over—it would be similarly unjust to deny citizens born into marginalized identities a fair share of society's cultural capital. Accommodation and support for minority religious views compensate for the unequal circumstances that exist in modern liberal-democratic states in which some citizens face a daunting cultural disadvantage compared to others that cannot be traced to free choice. The state has an obligation publicly to recognize and accommodate—that is, extend the benefits of inclusion enjoyed by the majority—to all religious groups. As Young argues, "Groups cannot be socially equal unless their specific experience, culture, and social contributions are publicly affirmed and recognized" (1990: 37). The importance of a state, therefore, that recognizes and takes positive steps to rectify the imbalance found in the status quo is crucial for extending full membership to all citizens. The state must take an active part in challenging the marginalization and invisibility of minority beliefs in public.

It might be objected at this point that self-esteem and self-respect are not qualities that a liberal-democratic state can distribute in the same way it can seek to ensure a fair distribution of rights and resources. As Loren Lomasky points out, "self-respect is yet another good that, although of inordinate value, cannot be conferred on one by some other person or by some set of institutions" (1987: 86). This is certainly true. However, it is also true that the state, though

its actions and policies, can make it more difficult for some groups to enjoy the benefits and advantages that come from having one's identity recognized as 'normal.' The state possesses significant power in creating the conditions under which the pursuit of certain ways of life are self-affirming and advantageous or stigmatizing and burdensome. The state may not be able to confer self-respect to individuals pursuing a particular conception of the good life, but it can undoubtedly impede and dissuade citizens from pursuing unorthodox ways of life. Political decisions to associate public school holidays, government mottos, work weeks, judicial oaths, and standards of worship with a narrow selection of religious faiths advantage some faiths (not to mention faith in general) over other valuable ways of life. The effect of such state support generates an intangible psychological value that confers a greater sense of well-being on those whose religious beliefs line up with what is 'normal' as well as engendering a commensurate disadvantage to nonbelievers who are compelled to hide their identity or risk being seen as deviant and different. So in this sense the state does play a crucial role in whether or not self-respect and dignity is fairly distributed in a society.

So what precisely does public recognition and affirmation of religious difference entail? First of all, religious difference must be adequately accommodated in public institutions. Members of minority faiths, for instance, should not be compelled to leave an essential part of their identity at the door of public schools. Insofar as expressing one's religious belief does not infringe on liberal virtues, the rights of others, or the broader purpose of education, schools should seek to fairly accommodate religious expression as much as possible. As Gutmann writes, "Liberal democracy recognizes the rights of individuals to engage in cultural practices

that offend other individuals with different cultural identities, as long as the practices do not

violate anyone's rights" (1985; 305). Second, while accommodation is an important first step,

schools must go beyond mere accommodation by means of a thin toleration of difference and

acknowledge the value of minority faiths through public recognition of marginalized religious

groups' way of life. The state must, as Michael Sandel argues, demonstrate respect by "if not

admiration, at least some appreciation of the lives" these groups live (1998: 107). Mere

toleration is too fragile to adequately secure the sense of self-respect due to all citizens. Public

recognition can be accomplished by compelling public institutions to take minority faiths into

account equitably when making decisions about policies and regulations.

Consider a student who identifies closely with the Hindu religion. Surely current

widespread school expectations that include pledging to a single God, eating animal flesh, and

enjoying Christian holidays make it more burdensome to be a Hindu than a Christian in

American public schools. This is the case not merely with respect to the lack of accommodation

for this way of life but also in the absence of public support that recognizes this life choice as

valuable (e.g., no vegetarian cafeteria options or Hindu holidays on the school schedule). The

message being sent to this Hindu student, as well as to his peers, is that the Hindu worldview is

not as valuable as the Christian one. Thus, this student is stigmatized as 'different' because he

does not stand for the pledge, does not eat school food, and takes off 'special' days after which

he is compelled to make up for missed classes. The factors that contribute to the second-class

status experienced by the student are not immutable but are conscious choices that favor a

particular way of life over alternatives. Policies that that effectively stigmatize one conception

of the good life while bestowing numerous psychological and material advantages to those whose beliefs fall within the 'normal' spectrum fail to meet the requirement of public recognition.

9.4 Challenging Religious Accommodation

The above considerations undermine the reasonableness of arguments rejecting the accommodation and public recognition of minority religious groups in schools. For example, the argument that most citizens are Christian and therefore public institutions should reflect Christian values is no more relevant to the equitable distribution of cultural capital than the claim that Christian citizens deserve more material resources than non-Christians because they are more numerous. Just as it would be unjust for a dominant racial group to claim greater access to public resources in virtue of their greater numbers, it is equally unjust for the state to deny public recognition of the identities of marginalized groups because they are a minority. It is simply unjust to extend greater cultural capital to the majority simply because they happened to be born into an identity aligned with the status quo. Genetic luck should not unduly influence an individual's access to self-respect.

It is common to hear critics of public accommodation and recognition rail against the absurdity of this when we live in a "country founded on Judeo-Christian traditions."[90] Yet while appeals to tradition undoubtedly have some value, these considerations are inadequate to override the demand for fair access to public recognition of one's identity. The fact that our

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[90] Bill O'Reilly TV Show, Oct 27, 2005.

nation's Constitution was partially motivated by racist beliefs and that state opposition to

racism only began some 50 years ago does not entail that unfair access to jobs, housing, or

service based on race is either desirable or morally justified. Similarly, because many of the

laws and policies of our nation were made during periods of less diversity and less concern for

the rightful claims of minority groups does not entail we need not be responsive to their

demands today. Too often, reverent appeals to tradition are merely a smokescreen for

perpetuating an unfair status quo.

A weightier argument employed against the public recognition and accommodation

of minority religious belief involves an appeal to the divisive effect accommodation would

entail. Justice Antonin Scalia, for instance, argues that accommodating minorities would

have the effect of engendering innumerable demands for special recognition from religious

groups. It is much better, he argues, to stick with admittedly imperfect laws than pursue

some perfect justice that might upset the current stability our society enjoys (1989).

A particularly important case involving the denial of religious expression on the

grounds it would promote separatism has come to be known as *l'affaire du foulard*. This

case involved three French Muslim girls who attended public school wearing Islamic

headscarves and refused to remove them when school officials demanded they be taken

off. School officials argued that all students were all expected to dress similarly and when

these students continued to flout school policy they were expelled. After several years of

contentious debate, the minister of education of France announced in 1994 that only

modest and discreet religious expression ought to be tolerated in schools in order to avoid 'provocative symbols' which might be perceived as attempts to proselytize to others. This statement, although avoiding any explicit mention of headscarves, predictably resulted in the banning of headscarves in French public schools. Former Prime Minister Tony Blair, commenting on a similar case involving a British elementary school teacher who refused to remove her veil around male colleagues, claimed that the veil was a "mark of separation" and that wearing it expressed a lack of any desire on the part of Muslims to integrate. Allowing the veil to be worn in classrooms, it was asserted, would endorse a divisive multiculturalism. The Prime Minster of Italy also went on record in response to these cases as saying that Muslim women should show their faces because it is simply "commonsense."

In denying Muslim children and teachers the right to wear headscarves, a symbol of their religious faith, schools argued that they were simply avoiding the introduction of provocative or divisive clothing into schools. To allow certain groups, such as Muslims, to wear overt symbols of their religious affiliation was seen as unnecessarily confrontational; instead, these individuals should seek to integrate into 'commonsense' norms found in Europe. Thus, efforts by religious minorities to maintain expressions of their religious identity were characterized by critics as being separatist and indicative of an unreasonable resistance to social integration.

The argument that headscarves and veils are unduly provocative and therefore should be excluded on the grounds that they symbolize an unreasonable desire for

separateness is misguided. To claim that Islamic religious expression is provocative or

divisive presupposes a non-Islamic baseline as the religious norm. Headscarves and veils

are certainly not provocative in countries like Saudi Arabia and Turkey; quite the opposite,

these symbols are seen as the norm and the overt expression of Christian symbolism is far

more incendiary. The only sensible way that a woman exposing her face can be called

"commonsense" is by presupposing a particular religious norm that identifies this as

abnormal or deviant in some way—that is, by stipulating Western religious and cultural

standards as neutral and normal. The requirement that only "discreet and modest"

religious symbols should be included in public schools seems patently inadequate to ensure

fair recognition given such a pronouncement's inherently subjective interpretation.

Once it is recognized that European norms are not neutral, it becomes harder to

justify the exclusion of Islamic symbols based on their supposed 'provocativeness.' Such an

argument would permit the exclusion of any symbol that is not orthodox and

commonplace—i.e., it simply reinforces and supports the status-quo—and therefore

conflicts with the ideal of allowing children to be exposed to a wide variety of reasonable

conceptions of the good life and accommodating minority religious expression. Such laws

against 'different' and 'unusual' religious expression only serve to stigmatize and

marginalize minority religious groups. The liberal-democratic state should actively seek to

eliminate such unfair distribution of cultural capital and attempt to ensure the equal

opportunity for all citizens to secure self-respect for their respective identities.

Additionally, whatever disruptive or provocative quality Islamic symbols have now will certainly dissipate as they are no longer unfairly excluded from public institutions. Even if religious symbols like headscarves and veils are provocative to many westerners, as a result of the illegitimate exclusion from public life and the historical pressure Muslims have faced in Western countries to avoid wearing such clothing, they will lose their sensationalism as they are publicly recognized in society. This is not to say that there isn't a limit to how outlandish or disruptive one's attire can be, only that it seems clear that basing such a guideline on the traditional norms of a particular culture is clearly inadequate. A more fair standard is required.

The argument that minority religious expression ought not to be publicly recognized because it is divisive is undermined by the observation that the norms governing public institutions are already exclusionary and favor particular worldviews. The standards and norms that govern public institutions such as public schools are not religiously or culturally neutral. Given this fact, schools have an obligation to pursue a more fair accommodation of minority religious belief and abandon the dubious presentation of dominant standards as neutral and impartial.

A final argument often presented against public recognition and accommodation of religious expression is that it would entail serious economic and logistical problems if fully implemented. A number of religious groups, for instance, have demanded that schools observe alternative religious holidays such as the Islamic holiday of Eid. Efforts to

accommodate alternative religious holidays, however, have been consistently resisted on

the grounds that it would be economically unfeasible or would lead down the slippery

slope of needing to make such allowances for every religious group. A law that would

include several Muslim holidays within the New York City public school calendar, for

example, was vetoed by the NYC governor on the grounds that to allow Muslim holidays

would only invite other religious faiths to include their religious holidays as well.

Undoubtedly these worries should prompt us to think seriously about

accommodating and recognizing religious belief. It would be impractical to give children

the day off from school for every religious holiday observed by any religious group

practicing within a country's borders; children would spend more time at home than school

under these conditions. Similarly, schools cannot provide a specialized meal for every

religious student's unique dietary requirements for lunch every day. These facts, however,

do not justify the move from the reality that we cannot equally accommodate every form

of religious expression to the conclusion that we need not equally consider alternative

religious practices in making policy.

While it is unquestionably true that extra costs will be necessary if the state is publicly to

recognize minority religious expression, this fact does not permit the state to engage in

unfairness. Yes, publicly recognizing minority religious expression will often involve additional

costs and some financial and organizational balancing will need to be done—policy-makers will

need to engage in cost-benefit analyses of various options—but this process is no different

from other budgeting activities that schools engage in. If budget or time constraints make it impossible to grant more than X number of vacation days a year to students, the proper way to go about making a decision about which days to grant students should be one that is cognizant of a fair solution that engenders equal respect for multiple conceptions of the good life. A school cannot, for instance, claim that budgetary or logistical concerns prohibit it from offering vegetarian meals or observing non-Christian holidays simply because these would involve additional costs. This type of argument can be employed to resist *any* effort to move away from the status quo—to resist school desegregation or women's suffrage for instance. The point is that a liberal-democratic state cannot demur from acting justly on the grounds that it would entail additional costs to do so.

I have argued that notions of state neutrality and benign neglect are not sufficient to meet the legitimate demands of minority religious groups. Furthermore, public recognition of minority cultures and religious expressions is a matter of justice and is essential in shaping citizens' identities and dignity. As such, religious expression needs to be publicly accommodated and supported and cannot be rejected by appealing to tradition, divisiveness, majoritarianism, or cost. But how should this duty of public recognition be fulfilled and what are the appropriate limits of state accommodation and support for religious expression? These questions will be answered in the final two sections.

9.5 Recognizing Religious Expression in Schools

Publicly to recognize and accommodate only a narrow subset of good lives in schools impedes the acquisition of authentic autonomy among students—it disadvantages the lives of individuals (and the identities of those children) who come from cultures/backgrounds that do not accept what are generally the dominant views held in society. Autonomy presupposes initiation into a collection of background beliefs and a nascent identity derived from one's cultural/social context. Because of this, it is important to provide adequate recognition for these beliefs and associated identities. The failure of schools to recognize and accommodate minority religious expression has the effect of denigrating these lives in the eyes of children who are exposed to these ways of life. For a way of life to be a genuine choice it must be acknowledged as meaningful; it must not be ignored and stigmatized by public institutions. An individual's identity and sense of self-respect are tied intimately with cultural and religious memberships. Furthermore, it is this membership that often determines how others are treated and perceived, which affects how one sees oneself, as well providing an anchorage for belonging and secure identification. If the group to which one belongs is not respected, this will inevitably have an effect on one's identity as well as the choices and options one sees as meaningful ways of life.

School decisions about what holidays to observe, what clothing to allow, and what food to serve all involve serious consequences for minority religious believers. With the current public schooling system clearly favoring Judeo-Christian faith, calls for greater recognition and accommodation of minority faiths cannot be seen as efforts to 'proselytize' or 'take over' the

school culture. It is rather a response meant to compensate for current disadvantages experienced by minority religious groups. As such, recognition must not be conceived as merely an allowance for minority expression, but must also include the incorporation of minority religious expression in the standard curriculum. This should be the case even if no minority religious believers attend a given school.

How might public schools achieve fair recognition? While it is impossible to make any universal statements given the wide latitude provided to school districts in making their policies, there are several notable examples of widespread preference given to particular forms of religious expression in U.S. schools. In particular, most public schools fail adequately to accommodate or publicly recognize non-Judeo-Christian religious expression. Consider the following examples and suggestions concerning how school policies might be made more equitable.

<u>School Breaks</u>

The school breaks offered to students of U.S. public schools overwhelmingly favor Judeo-Christian religious expression. Students are not expected to attend school on Sundays, and the major school breaks generally coincide with the Christian observances of Christmas and Easter. Furthermore, it is not uncommon for schools to be closed for Yom Kippur and Rosh Hashanah but rarely for important Islamic or other religious holidays. It is exceptional to find any public school that accommodates alternative religious observances

with more than an excused absence.   Public recognition of minority religious expression is virtually nonexistent with respect to school breaks.

This refusal to extend public recognition to religious holidays other than the traditional Judeo-Christian ones is both unfair and discriminatory. Denying recognition of non-Christian holidays is discriminatory insofar as it extends unequal respect to the practices and lifestyles of groups who observe the practices of a minority religion. Children who are forced to leave schools for unrecognized holidays are singled out as 'different' and not extended equal respect for their beliefs. Such unequal recognition cannot help but be at least minimally oppressive and demeaning to these children. By ignoring the religious beliefs of various minority groups, schools are sending a message that these views are not worthy of consideration and directly contribute to the sense of social stigma that is associated with holding a view perceived by the majority as unimportant. Refusing to recognize holidays such as Eid al-Fitr prevents non-Muslims from taking into consideration the reason for having this day off as well as unfairly burdens Muslim students who are required to miss school days. Many Muslim parents are seriously invested in their children's educations, and although an excused absence is easily obtained, it is still an absence that other students are not compelled to take and undermines a student's ability to earn perfect attendance. Genuinely to include people in society as full citizens requires that public schools distribute public recognition to all individuals holding reasonable conceptions of the good life. This means publicly recognizing the views of minority groups

as legitimate life-plan options and, as a result, ensuring that school holidays sometimes reflect the religious observances of minority groups.

But rather than extending equal recognition to the religious observances of minority groups, the response of most schools is simply to abandon terms like "Christmas Vacation" for innocuous sounding ones like "Winter Break." Yet these so-called difference-blind solutions to religious groups' demands for recognition, as I have argued already, fail genuinely to address the needs of asymmetrically situated minority groups and instead simply reinforce the biased status quo. Such policies still give preference to children who participate in Judeo-Christian observances, even if it is called by a difference-blind name, and extend no recognition to reasonable conceptions of the good life that observe different holidays. This invisibility is equally repressive and discriminatory insofar as it continues to shield children from alternative world views and unfairly burdens children of minority religions.

So how might public schools fulfill their duty to fairly accommodate and recognize minority religious belief with respect to the distribution of school breaks? First, it seems even a fair accommodation will not involve eliminating or modifying the standard Saturday/Sunday weekend off. This is because the broader society functions to a large extent with these standard reprieves from school and work. It would be too problematic for schools to need to instruct students on the weekends when their parents are off and to have days off when their parents are working. Kymlicka suggests that perhaps schools run

seven days a week but provide each student with two days off a week, two weeks off a year, and five holidays off a year (1995: 222). However, this proposal also would entail serious concerns—schools may be deserted on certain days, it would be difficult for schools to anticipate enrollment, and classes will likely lack continuity in many cases. This solution also eschews the important task of exposing students to the value of different religious holidays through class exercises and activities.

As an alternative, I would propose that a more equitable and feasible solution is to introduce non-Judeo-Christian holidays into the school year. It would be nearly impossible to eliminate current Christian holidays given how widespread and entrenched they are, so the most pragmatic solution would be to retain Christmas break in public schools but include perhaps two other minority religious holidays each school year. For instance, a school might include a Muslim holiday one year and recognize a Buddhist holiday the following year. Thus, schools would recognize the Christmas holiday observed by the majority of citizens while also incorporating a rotating recognition of minority religious holidays. And not only should the schools observe these minority religious holidays, but I would argue that they should also explain the importance and meaning of these days for their respective religions—explaining to children why the school is recognizing the day as a holiday. However, the broader point is that these are simply debates that need to be had in a liberal-democratic society. We need to approach the question of what holidays ought to be observed with an evenhandedness that is clearly lacking in current policies. Fair

accommodation and recognition cannot unilaterally favor one religious tradition over all others.

Food

Dietary restrictions are an important part of many religious worldviews. Most of these restrictions pertain to the preparation or avoidance of animal products. For instance, many Buddhists, Sikhs, and Hindus are vegetarian or vegan and avoid most animal-derived foods; observant Jews will often refrain from eating meat that has not been prepared in a way that ensures as much blood as possible is drained from an animal (Kosher) and will not take milk and meat at the same meal; Muslims are permitted to eat only Halal (lawful) food which requires invoking Allah's name at the time of an animal's slaughter and forbids pig products and lard.[91] An assessment of school meal programs, however, highlights the integral part that animal products play in our public schools.

Other than water at the drinking fountain, most schools offer only plain or chocolate cow's milk to students as a beverage. In fact, most schools actually require that students take this milk as the U.S. Department of Agriculture—an organization heavily influenced by the dairy industry—mandates that cow's milk be provided with every student lunch in order to qualify for the federally assisted meal plan—a program that many schools rely on for much of the cost it takes to feed their students.[92] A policy that makes it compulsory for students to take cow's milk from factory farms with their meal is clearly in

[91] Dietary Requirements and Faith In Schools, *The Children's Service in Haringey*.
[92] "Got Soy? Not in a school lunch," *Washington Post*, 2002, April 14th

opposition to the religious beliefs of many students and sends a clear school endorsement in favor of drinking this beverage.

Furthermore, almost all school lunch entrees include a prominent meat component and vegetarian options, if provided, are generally restricted to foods focused on dairy ingredients like cheese pizza, grilled cheese, or macaroni and cheese. By and large, however, vegetarian options are far and few between in public schools and vegan choices are virtually nonexistent. Suzanne Havala, a nutritionist at Chapel Hill, N.C., notes that "If you talk to anybody out there in the real world, in vegetarian families, the kids are having trouble finding something to eat."[93] Access to Halal or Kosher foods is similarly difficult for students whose faith necessitates that their food be prepared in religiously sanctioned ways.

School lunch policies that fail to provide adequate options for students of minority religious beliefs are inconsistent with the requirements of fair accommodation and public recognition. Current school policies ignore the way in which lunches that privilege factory farmed meat and cow milk consumption endorse a way of life that finds such behavior unproblematic while at the same time sending a message of deviance to those students whose values do not align with this worldview. What message is sent to students when they are *compelled* to take cow's milk with their lunch! Consider the vegetarian Buddhist or Hindu who is unable to eat school lunches and is thereby singled out as 'different' and

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[93] "Vegetarian School Lunches Are Hard to Find," *Associated Press*, September 5th, 2001

stigmatized for their 'deviant' avoidance of school-sponsored meals. Peer pressure has a

significant impact not only on what children want to wear but also what they eat. The

need simply to "fit in, look just like everyone else, and call absolutely no attention to

themselves" can be difficult when eating something perceived as weird or strange (McCann

2008: 5).

The failure of schools to offer vegetarian, Halal, or kosher options also portrays

conceptions of the good life that necessitate such meals as unimportant or unworthy of

equal consideration. Not only does it result in a tacit affirmation of the normality and

correctness of eating factory farmed meat and dairy, thereby advocating the uncritical

acceptance of a particular way of life, it also constrains children's freedom genuinely to

consider and act upon alternative conceptions of the good. Were vegetarian meals

consistently made available to students, for example, children would have the opportunity

to consider and more easily adopt a vegetarian diet without the social stigma and practical

obstacles currently in place that actively thwart such considerations.

Given these considerations, I would argue that the most prudent and fair policy

would be for schools to always provide an option consistent with the dietary restrictions of

Buddhists, Hindus, Muslims, and Jews: the most obvious option being a vegan option. I

would also argue that policies requiring that children take cow's milk with their lunch be

abolished and that juice or alternative 'milk' options be provided.[94] Given that I am

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[94] For example, schools might provide almond, soy, rice, oat, or hazelnut milk options.

unaware of any serious religious commitment *against* the consumption of vegetable

products, but numerous religious prohibitions against animal and inappropriately prepared

animal products, schools should provide at least provide one vegan entrée and drink for

lunch. This change would fairly accommodate those children whose religious beliefs forbid

the consumption of factory farmed animal products while also publicly acknowledging the

value of alternative dietary commitments. It might also be appropriate to rotate the daily

meat dishes with meals meeting Kosher or Halal requirements.

Such recommendations, however, are unlikely to be easily accepted. The Baltimore

school district, for instance, voted a proposal to implement a policy called "Meatless

Mondays" in which the school lunches would be completely vegetarian on Mondays. This

decision was met with vociferous challenges by media pundits, pro-meat groups, and

conservatives who decried efforts to "indoctrinate vegetarianism and veganism" and

"deprive children and their parents of the ability to determine what is appropriate for their

diets and own personal circumstances."[95] What these critics fail to acknowledge, however,

is that current school policies that eschew vegetarian or vegan options do precisely this for

children who would choose these diets if given the opportunity. Efforts to provide

vegetarian options are but a small step in seeking to counterbalance the stranglehold that

factory farming products currently enjoy in school cafeterias and provide options for

children whose religious, ethical, or health concerns preclude their consumption.

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[95] See, "It's Meatless Mondays for Some," *CNN Living*, April 26th, 2010. Http://articles.cnn.com/2010-04-26/living/

But can't parents concerned about ensuring the consistency of their children's diets with their religious beliefs simply pack a lunch for their child? Such a policy is unfair because it places additional burdens on parents to make and purchase specialty lunches and does not address the additional scrutiny that a vegan or vegetarian child is likely to face in bringing their 'weird' lunch to school as opposed to simply selecting from a school sponsored option. But won't a policy that provides a vegan option be expensive for schools and, derivatively, taxpayers who are forced to subsidize a minority's dietary requirements? It is true that providing vegan options would introduce additional costs and that vegan foods currently cost schools more money than meals utilizing factory farmed ingredients. This fact, however, is only because taxpayers already heavily subsidize the cost of factory farmed meats and dairy products which would otherwise be far more expensive than non-meat alternatives. Thus in terms of true cost, vegetarian and vegan foods are actually cheaper than their factory farmed counterparts. Furthermore, numerous studies have demonstrate that Americans, one in three of which are obese, would be greatly aided by a steep reduction in their consumption of animal products and that a healthier balance of vegetables and fruits might lead to better behavior among students. If true, then schools, as well as the nation as whole, might have a strong practical and monetary incentive—beyond considerations of justice—to provide vegan options to all students.

<u>Clothing</u>

Demands by religious minorities for the right to wear religious garments and symbols have been at the forefront of debates about religious accommodation. Every year numerous students and teachers file lawsuits against schools challenging policies that forbid the wearing of religious clothing and accessories. Consider several recent cases here in the U.S.

- In recent years Wiccan adherents in Texas, Michigan, Indiana, Pennsylvania, and Ohio have claimed unfair discrimination by schools suspending students for wearing pentagrams and other symbols of Wicca religion. Schools argue that such symbols cause disruption and offend Christian students who associate Wicca with Satanism and animal sacrifice. Even former president of the U.S. George W. Bush argued that the military should not accommodate Wiccan religious belief because it is simply witchcraft.

- In Oklahoma a girl was suspended in 2004 for wearing a hijab to school, which was claimed by school officials to violate a dress code banning hats and head coverings. It was also asserted that the hijab "frightened" other students and caused disruptions.

- In Oregon, along with three other states, teachers are forbidden to wear any religious clothing whatsoever. And while the Oregon House of Representatives has recently rejected this law—a decision that will become law in 2011 if signed by the governor— many citizens have expressed worries that striking down this law will lead to a slippery

slope resulting in teachers who fail to show their faces, conceal weapons under layers of clothing, or who choose to not wear shoes and shirts.

How should liberal-democracies respond to these demands by citizens for the freedom to wear symbols of their religious devotion in public schools? I have already argued that simply appealing to the provocative or disruptive effect of religious expression is inadequate to support blanket prohibitions. This same justification was given, for instance, for not allowing blacks to integrate fully into public schools or to enjoy equal access to facilities as it was maintained that such actions would create animosity and foment unrest within schools. Sometimes provocative actions are necessary to meet the requirements of justice. And it is clear that any unpopular viewpoint, stigmatized or misunderstood affiliation, or asymmetrically privileged group will often be perceived by the majority as disruptive, provocative, or frightening.

Furthermore, when we look at the nature of religious garments worn by members of differing religious faiths we see a wide array of attire. The visibility and prominence with which religious clothing and symbols are displayed vary considerably among religions. Furthermore, the provocative nature of religious attire—largely a function of the culture and traditions within which it is worn—also differs greatly between countries and locals. In the U.S., for instance, we find that the Christian cross and Mormon temple garments are relatively benign and easily hidden beneath traditional clothing. On the other hand, the Muslim Niqab, Jewish yarmulke, and turbans worn by Sikhs are more prominently displayed and cannot be easily concealed. As

a consequence, policies permitting the donning of religious clothing or symbols as long as they are inconspicuous and banal—as determined by reference to a particular cultural standard—are neither neutral nor fair-minded.

Some critics of allowing religious expression in public schools have argued that religious clothing and symbols are mere accoutrements that can easily be forgone while in schools or other public institutions. For this reason school policies that prohibit all religious clothing are most preferable and fair. In some cases this may be true—I don't believe there is a deep religious obligation to wear any particular garment or symbol in Christianity, for example—but it would be imprudent to generalize this to other faiths. For Sikhs, the turban is a crucial component of their religious faith that is seen as a source of honor, courage, spirituality, and self-respect. The hijab is fundamental to many practitioners of the Muslim faith as a religious obligation to maintain modesty and propriety in public. Many religious articles of clothing are critical to the proper observance of their wearer's religious faith and, accordingly, to their very identity and sense of self-worth. Thus to claim that these garments can simply be left at home during school hours, as though they were analogous to a watch or baseball cap, is a case of serious naiveté.

So what is the most appropriate response to demands for the right to wear religious clothing in liberal-democratic schools? I would argue that both teachers and students should be allowed in virtually all cases to wear their religious garments and symbols without condition in

public schools.[96] In the following section I will outline necessary limits that the liberal-

democratic state must place on religious expression but, generally speaking, religious clothing

should be allowed and encouraged in schools. Such a policy would allow minority religious

believers the opportunity to express an important part of their identity without needing to

compromise their beliefs for the sake of consistency with prevailing norms. Such norms, as we

have already seen, clearly privilege certain conceptions of the good life over others and make it

more burdensome for minority religious believers to express their religious commitments and

secure self-respect for their identity. This policy would also provide important exposure to

diversity and alternative ways of living to other students in a way that recognizes the value

these faiths possess. What message is sent to students who are introduced to practitioners of

minority religious faiths denied the freedom to express important elements of their beliefs

other than the message that this religion is inferior or unworthy of accommodation? 'Normal'

religious believers don't have their freedom to express religious belief denied. This conclusion

also entails that while school uniforms can be permitted, uniforms should be designed with

different religious dress requirements in mind.

Worries about how such a policy might be abused or exploited in ways that are contrary to

its purpose—or how it might initially be disruptive or disconcerting to a student's peers—are

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[96] It might be noted that there is an important difference between clothing that is necessitated by one's religious membership and clothing that reflects, but is not required, by one's religious commitments. For instance, there have been multiple instances of Christian students wearing shirts that express inflammatory pro-life sentiments being asked to change their shirts or else be sent home by school officials in recent years. While I will not offer a judgment about these cases, I will say that this form of voluntary religious proselytizing is not subsumed under the account I have defended here (although it may be supported under 1st amendment jurisprudence). I have tried to limit my defense of religious clothing to only that attire required to meet the conditions of faithful devotion to one's religious membership.

not sufficient to deny millions of citizens the freedom publicly to express their identity and

secure the sense of self-respect currently enjoyed by adherents of dominant religious faiths.

Allowing blacks and women to integrate into public schools was undoubtedly disruptive and

disconcerting to many white students—but they got over it. Similarly, while the sight of

children in turbans or veils might initially provoke a sense of trepidation or anxiety among

students unfamiliar with these forms of dress and initiated into a culture that commonly

portrays these symbols as associated with terrorism and fanaticism, children are highly

malleable and will quickly adapt. Ending extended periods of injustice often require periods of

strife and discomfort for those in positions of privilege.

Practices

Perhaps the most fundamental component of religious faith is the observance of specific

rituals or practices. This is a very broad characterization that can include prayer, oaths, and

devotionals. While many of these practices do not require observance during the traditional

school day, other important practices do and this is when school policies and religious

expression can conflict. A number of religious groups, Muslims most prominently, have

recently advocated for greater accommodation and recognition of their religious practices in

schools. Some schools have listened to these demands for fair accommodation. In the face of

public opposition several public universities, for instance, have recently spent money to install

footbaths used by Muslims to clean their feet prior to daily prayer.[97] Carver Elementary School

in San Diego was subject to intense international scrutiny when it was widely disseminated that

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[97] These include the University of Michigan-Dearborn, Boston University, Cal State-Fullerton, and the University of Wisconsin-Madison.

it set aside time during the school day specifically for the purpose of allowing its large number

of Muslim students the opportunity to pray during school hours.[98] These cases, however, are

exceptional, and few accommodations are provided to Muslim students in schools.

The resistance to allowing religious practices in schools is not limited to Muslims. A

number of teachers have been fired or reprimanded for reading the Bible during personal time

and multiple suits have been directed at schools that have denied Christian religious groups the

opportunity to utilize school facilities to hold religious meetings. For the most part, schools

have sought to avoid entering into the complicated issue of religious accommodation and have

sought solace in appeals to neutrality and blindness toward religious difference. As we have

seen, however, such appeals are incapable of providing fair accommodation for students'

religious identities when invoked in a situation that is imbalanced. For example, schools that

simply eschew requests by religious students to be given the opportunity to pray at a time

designated by their faith are tacitly favoring certain forms of religious expression. Such a

blanket prohibition against prayer in schools is not neutral to all religious expression but is

inherently more burdensome for Jewish or Muslim students who are necessitated by their faith

to pray at a specific time that may not fall during lunch or recess. The failure to see the

imbalance that exists in current policies of exclusion is evident in criticisms of accommodating

minority religious practices.

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[98] This accommodation was later rescinded under intense pressure and Muslim students are now expected to pray only during recess.

It is often charged that efforts to accommodate Muslim religious practices during the school day entail implementing Sharia Law or 'Islamizing' public schools. It is claimed that such policies violate the separation between church and state and treat Muslim students with a favoritism denied to Christians. For instance, efforts by some schools to permit Muslim students the opportunity to pray at several times during the school day have been met with accusations of religious favoritism and unfairness. Such policies, it is argued, "presume that Christians are less religious and less inspired to worship and praise the Lord and come together."[99] In fact, such policies involve "double standards being used" when Muslim religious practices are accommodated but Christians are not given the same privileges.[100] These criticisms are deeply misguided.

On the one hand, I imagine most religious believers of any religion would reject the idea that one is more religious the more times one prays in a day—as though the number of prayers in a day were an accurate measure of religiosity. Consequently, it is not as though additional opportunities for Muslim students to pray tacitly send a message of greater holiness and desire to worship. This is a red herring. This is like claiming that the installation of ramps for disabled people somehow exhibits a greater social valuing of disabled citizens than able-bodied ones. Do such actions presume that able-bodied people are less willing to use ramps or banisters for support? No, of course not.

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[99] Randy Dotinga, "Public Schools Grapple with Muslim Prayer," *The Christian Science Monitor,* July 12, 2007
[100] Ibid.

On the other hand, the reason that accommodation for prayer is extended to Muslim students is because multiple prayer at designated times during the day is an essential tenet of their religious faith. The religious duty to pray at five times during the day is a necessary pillar of the Islamic faith and thereby of adherents' religious identity. There is no associated requirement, at least not that I am aware of, among Christian faiths for time-specific prayer. A more appropriate analog with Christianity, therefore, would be a school refusing to allow Christian children the opportunity to stay home for Christmas. Thus, accommodation for Muslim prayer is not discriminatory toward Christians but simply extends the privilege of school attendance not interfering with the commitments of religious faith to those whose faith requires ritual prayer during the school day. It just so happens that required religious practices among Christians are either less time-specific or are already accommodated in other ways (e.g., no school on Sundays). If this were not the case, then Christians should also be provided the opportunity to meet the requirements of their faith.

Schools that fail to provide the opportunity for religious students to meet the essential requirements of their faith—assuming such requirements do not run afoul of the limits I will outline in the final section—are not meeting the liberal-democratic obligation to provide fair accommodation for minority religious expression. Setting aside 15 minutes during the school day for Muslim, Jewish, and, if they wish, Christian students to pray seems to be a minor inconvenience for meeting the important religious demands of several prominent religions. The same applies to providing for religious groups to meet in school facilities (as well as secular ones) and permitting teachers to read the Bible or Quran during personal time. These

accommodations would demand very little from schools but have important and inclusive repercussions for minority religious faiths.

It might also be pointed out that fair religious accommodation entails that several practices found in schools that endorse or privilege particular religious belief systems over others should be eliminated. The Pledge of Allegiance, often said at the beginning of the school day in many schools, clearly endorses belief in a monotheistic faith with the line 'One nation under God.' In fact, a teacher named Bradley Johnson at Westview High School took it upon himself to create multiple banners highlighting the religious aspects of the mottos, pledges, and songs often sung or read during official U.S. business. These included, alongside 'One nation under God,' the phrases 'In God we trust,' 'God bless America,' and 'God shed his grace on thee.' While the school district ordered the teacher to remove his banners—on the grounds that they endorsed 'Judeo-Christian faith'—Bradley and his lawyers are currently suing the school on the grounds that all the phrases are officially sanctioned U.S. practices.

The fact that symbols and practices of U.S. patriotism are closely linked with theism in this country is deeply problematic for a liberal-democratic society. Given that both the pledge as well as the mottos and songs mentioned above could easily be made secular without referencing any deity, they should be. In fact, I would argue that many of the U.S. mottos and pledges that make reference to belief in God—widely implemented in response to fears of 'ungodly communism' during the 50's—should be eliminated given the variety of religious belief and unbelief characterizing the U.S. population. Phrases like 'One nation under God' and

'In God we trust' endorse a particular religious view that should not be imposed on all students. Just as teachers should not lead students in school prayer, teachers should refrain from leading students in pledges to some vague God. And to argue that those students who wish to refrain from reciting the pledge can simply stand outside the classroom or remain seated ignores the fact that such alternatives make students pariahs (particularly in our jingoistic and hyper-patriotic society) and demand a level of personal courage that no child should be compelled to display in a public school classroom.

It is unavoidable that efforts to reach fair accommodation and public recognition for minority religious expression will ultimately involve wide gray areas. However, it is clear that doing nothing is not a solution but rather a tacit endorsement of the status quo. The hard work has to be done in order to meet the standards of liberal-democratic justice. Only when the favoritism expressed toward certain religious faiths in our public schools is acknowledged, and the need to extend fair accommodation to minority beliefs is understood, will serious discussions about the best way to accomplish this responsibility be had.

9.6 The Limits of Religious Recognition in Schools

Recognizing the need to compensate for the unfair exclusion of cultural and religious difference, however, should not, as Stephen Macedo notes, "lead us to make the opposite mistake of indiscriminate inclusion: the embrace of all differences, and a laissez-faire attitude to the civic dimensions of the project of liberal self-government" (2000: 27). Many liberal-democratic authors are happy to wax ecstatic about need to abandon the ideals of neutrality

and impartiality and to embrace and promote difference among citizens. Yet they often ignore the crucial limits that must accompany such recognition in a liberal-democratic state. In a liberal-democratic state some forms of religious expression ought to be pushed to the margins of society or prohibited altogether.

What considerations come into play with respect to limiting religious expression in liberal-democratic schools? I will outline five grounds that I believe are sufficient for denying individuals fair accommodation in expressing their religious beliefs. These grounds are distinct from the merely financial or logistical grounds discussed previously and address conflicts that may arise between religious expression and the fundamental values of liberal-democracy and purposes of public schooling.

The first reasonable ground for denying religious accommodation or recognition is when this is not ameliorating a religious disadvantage but positively supporting an already dominant (adequately recognized) view. This reason for denying accommodation has nothing to do with religious expression itself, but is rather to avoid providing additional public support for a religious view that is already amply accommodated and recognized in the public sphere. For example, a common response among Christian groups with respect to demands for public recognition by Muslim believers is to argue that any such policy, if it were to go into effect, should also grant Christians additional rights to religious expression. But given that the purpose of public recognition of Muslim religious views in schools is to combat the dominant Christian perspective found there, granting additional privileges to Christians would simply tip the scales

once more. "At some point, demands for increased powers or resources will not be necessary to ensure the same opportunity to live and work in one's culture. Instead, they will simply be attempts to gain benefits denied to others, to have more resources to pursue one's way of life than others" (Macedo 2000: 110).

Public recognition of the right of Muslims to wear headscarves in school, for instance, does not entail an obligation to allow other faiths the right to wear headgear. Christian students and their parents, for example, cannot reasonably claim that because the Muslim student gets to wear a headscarf or Burka that they too should be allowed to wear headgear (a baseball cap or visor for instance) to class. Similarly, although it may be more equitable to allow all students the opportunity to reflect on their day or pray if they so choose while accommodating a Muslim student's need for prayer at designated times during the day, it surely is not necessary specifically to accommodate the Christian student's desire to have freedom to pray during school hours. Thus, attempts to accommodate religious expression with respect to minority groups does not obligate schools to provide additional recognition to dominant views—in fact, such a policy would defeat the purpose of recognition in the first place. Further allowances given to the Christian faith, for instance, would be inappropriate in our current climate given that it currently enjoys a highly privileged place in public schools (e.g., Christmas celebrations, Sundays off, Christmas holiday break, religious songs in choirs, etc.).[101]

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[101] In the case of *Doe v. Duncanville Independent School Dist.*, a federal court of appeals argued that there was no problem with a high school choir using "The Lord Bless You and Keep You" as its theme song to be sung at the end of classes and performances.

Schools can legitimately deny additional religious accommodations to groups whose way of life is already sufficiently recognized in comparison to other views.

A second ground for denying recognition in public schools is when expression causes justified fear or discomfort among other students or conveys a message of intolerance. The liberal-democratic state must seek to recognize and accommodate minority religions, but this response is limited to those religious views/practices consistent with liberal-democratic principles. One cannot claim the right to fair religious expression, for instance, for views that contradict the fundamental liberal-democratic commitments to moral equality, tolerance, and individual liberty. Consequently, a liberal-democratic state would not permit the recognition of religious views that were inherently/purposefully hostile or intolerant of other citizens. For example, wearing a shirt that expressed hatred or violence toward another group (blacks, homosexuals, Christians, etc.) would not be permissible even if essential to one's faith. The displaying of symbols associated with intolerant or racist religious beliefs is simply unacceptable in a liberal-democratic society because it conflicts with the values of tolerance and moral equality that liberal schools seek to instill and engenders a climate of fear and animosity that hinders learning and mutual understanding.

Fortunately, few religions that I am aware of are unequivocally hostile toward or intolerant of other groups. It should be noted, however, that merely disliking or feeling uncomfortable by the religious expression of a fellow student is insufficient to invoke this rationale. Many children will undoubtedly feel discomfort or fear toward religious expression

that is unfamiliar or is highly stigmatized in our culture. As mentioned previously, Muslim garb

is highly stigmatized in our culture, and it would be understandable for some students to feel a

sense of trepidation around traditional Muslim clothing. Yet an important part of public

schooling is the opportunity to interact with different faiths and practices, and we should look

at the overall meaning of a form of religious expression rather than misconceptions or

distortions popularized in the media. We must also resist efforts by reactionaries to label an

entire religion, and its associated dress and practices, as intolerant or evil based on the actions

of a small number of claimed adherents. If this were a legitimate argument, then *every* religion

would be subject to legitimate charges of hatred and intolerance.

A third ground for denying religious accommodation involves religious expression that

impedes the ability of schools to teach students successfully or unduly hinders the process of

learning. At some point recognition must end for the sake of ensuring that students have

adequate instructional time, are not excessively distracted, and can successfully communicate

with their teachers. As such, it would be impossible for schools to give students every religious

holiday off, set aside excessive time for prayer during the day, or allow disruptive religious

practices in the classroom. Furthermore, religious expression must not seriously interfere with

the ability of teachers to instruct students. Several years ago there was an unlawful

termination suit involving a British Muslim teacher who refused to remove her veil while

teaching at a junior school in West Yorkshire Great Britain. The teacher, Aishah Azmi, recently

lost her case because it was argued that the veil made it too difficult for the students to hear

her speak and therefore made her an ineffective teacher. While I am not qualified to make a

determination with respect to the difficulty with which students could understand the teacher, I would contend that the rationale given for denying recognition in this case constitutes a reasonable justification for denying religious accommodation. With respect to teachers, it is not reasonable for someone whose religious commitments forbid her to think critically, talk to men, value science, forgo clothing, etc. to teach in liberal-democratic public schools. Analogously, children cannot be allowed to express religious belief if doing so would interfere too greatly with the learning process of other students. For example, a commitment to religious expression that involved continuously (and loudly) chanting religious passages all school day need not be accommodated by the liberal-democratic state.

A fourth ground for denying religious expression in public schools is when such expression itself violates liberal commitments to autonomy or racial, gender, and sexual equality. Many religious faiths are patriarchal (it would probably be safe to say that virtually all were prior to modern times) and require religious expression among members that instills and reinforces a religious commitment to gender inequality. Some forms of religious expression, therefore, may not be harmful or intolerant of others but rather symbolize a belief in the inferiority or difference of the individual wearing a particular garment or engaging in a given practice. For example, some feminists argue that the burka is oppressive for women and thus should not be condoned in the liberal-democratic state. Susan Okin, for instance, characterizes the burka as being "aimed at bringing women's sexuality and reproductive capabilities under men's control" (1999: 15). Accommodating religious expression can sometimes run into conflict with the egalitarian ideals of liberal-democracy. As a result, it might be argued that

permitting religious parents to compel their children to wear clothing like Islamic headscarves

to school would reinforce their servitude in the public sphere. A writer recounts the following

story of a discussion she had with a friend who describes watching a "television debate in which

a Muslim girl said she wanted the ban [against headscarves] to stay because without it, her

family would force her to wear a scarf. That changed my friend's view of the matter: the left,

and feminist, position, she now thought, was to support this girl and the ones like her in their

struggle to be independent modern women—not the parents, the neighbors, the community

and religious 'leaders.' I think my friend was right" (Pollitt 1999: 29-30).

How should the liberal-democratic state respond to these worries? First of all, it seems

that in many cases decisions about what forms of religious expression are or aren't symbolic of

oppression will be highly contentious. It isn't entirely obvious, for example, that Islamic

headscarves or burkas are oppressive to women. Many Islamic feminists have argued that the

burka is not a symbol of oppression but rather of liberation and freedom. Any decisions about

the intent and purpose of a particular form of religious expression should be sensitive and listen

to the perspectives of those within the worldview. It is often too easy simply to view the

practices of others through our own cultural lenses. And while explicitly sexist or racist

expressions ought to be excluded, I would say in most cases it is probably better to allow the

expression in schools but encourage debate and perhaps even support liberal interpretations of

religious groups. In fact, it is entirely likely that many feminists would argue that norms widely

accepted in our culture—the wearing of makeup or revealing clothing for instance—are

themselves oppressive to women and entrench their objectified status in our society. Given

such indeterminacy, unless an activity or garment is particularly egregious in its oppressive or iniquitous qualities, it should be permitted by schools.

Liberal schools, by their nature, will inevitably push children raised in patriarchal, racist, or fanatical homes to consider liberal values and virtues. Consequently, it seems preferable to allow children the opportunity to express what are perhaps illiberal commitments rather than impose austere restrictions based on inconclusive judgments. Thus the wearing of a burka, which in some circles is clearly perceived as a symbol of female oppression, should be permitted in schools. Better to encourage and incentivize moving to a liberal outlook than compel it. This attitude is analogous to a foreign policy that limits interfering in the activities of illiberal states—while still providing incentives to move to a more liberal view—unless there exist egregious rights violations.

While the case of the burka may be somewhat unclear, as many forms of religious expression surely are, many are not. Although the liberal-democratic state should clearly allow adults to choose a gender-unequal conception of the good or accept racial subservience if they choose to do so, it should not allow such expression in public schools and thereby convey the impression that such a life is comparable to one of sexual equality. This is simply not a position that the liberal-democratic state can consistently adopt. A liberal-democratic school should not, for instance, accommodate a religious group's desire that separate male and female classes be offered on the grounds that women are inferior or unclean. While there are perhaps good secular reasons for such classes—e.g., they allow for greater concentration on school

work and less on the opposite sex—if the reasons given for such accommodation are based on beliefs about the inherent inequalities of the sexes, then accommodation should not be provided.

Finally, religious accommodation should be denied in schools if it is inappropriately employed in a proselytizing way by a teacher, staff, or student. It is one thing to express one's faith, it is quite another to seek actively to convert others to that faith. More so than students, teachers must restrain their religious expressions to only what is necessary for religious piety and minimize potential misuse of their authority to influence students. For example, while it might be permissible for a student to wear a shirt expressing the sentiment 'What Would Jesus Do?' or witness to another student during recess, such actions would go beyond the professional limits of a teacher. Teachers need not forgo any expression of their faith—in fact teachers play a crucial role in introducing students to diverse worldviews and such expression ought to be embraced—but it must be tempered in a way cognizant of their asymmetrical power. Consequently, while it's permissible for a religious teacher to read his or her Bible during lunch or personal time, it would be inappropriate to post the Ten Commandments on the wall, read the Lord's Prayer at the beginning of class, or fill the classroom library with a disproportionate number of religious books. Such actions simply give too great of weight to a particular worldview and inevitably give students the impression that this worldview is superior to others. Of course, if a student approaches a teacher to discuss his or her beliefs, then the teacher should be free to discuss them in an intellectually responsible manner.

Student efforts to proselytize should be viewed with less scrutiny. Students will inevitably discuss, defend, and seek to persuade peers of their beliefs. This should be encouraged as it is an essential step in developing the skills of personal autonomy. However, the school should refrain from providing a forum or means of doing this in an unbalanced manner. Thus, while it is permissible for students to start religious afterschool clubs or wear shirts expressing their commitment to a particular faith, they should not be provided the opportunity to express their religious faith in a way that provides a captive audience or the appearance of being officially sanctioned. Examples would include religious discussions or efforts to proselytize by students on the morning announcements, during graduation ceremonies, or even in class presentations. Of course writing about religious views for private assignments should be perfectly acceptable if the religious content is germane.

10. Concluding Thoughts

The purpose of this work has been threefold. In the first section, I sought to clearly explicate the basic educational commitments of liberal-democratic theory; suggesting that a commitment to emancipatory education, common schooling, and secular epistemic standards is at the heart of liberal-democratic education. Second, I offered a sustained defense of these commitments from a number of prominent challenges principally arising from the desire to expand the role and influence of religion in liberal-democratic schools. And finally, in the previous section I offered several arguments in which I employ these commitments to defend particular policy proposals concerning a number of contentious policy issues currently at forefront in the conflict between religious belief and liberal-democratic education.

The challenge that religion poses for liberal-democratic education is importantly theoretical but at the same time ineluctably practical. It is for this reason that that we've spent considerable time addressing both theoretical as well as practical challenges in this work. Yet even given the expansive ground covered, we have only scratched the surface with respect to the many important ways in which religion and liberal-democratic education intersect. However, it is important that we not allow the enormity of the problem dissuade us from grappling with issues that have only become more acrimonious and heated in recent years. And while some theorists have suggested that the liberal-democratic state simply acquiesce to the demands of religious parents, in order to prevent them from completely abandoning the

public schools system, I've argued that the responsibilities of the liberal-democratic state—

toward child, parent, and the broader citizenry—preclude such proposed 'resolutions.'[102]

Rather than kowtowing to the demands of religious parents who wish to prevent their

children from learning important liberal values and improve their understanding of their

interests, a commitment to liberal-democracy requires introducing laws and policies that

attenuate these threats. The liberal-democratic state has a responsibility to ensure that *all*

children have the opportunity to develop the capacity for autonomy as well as improve their

understanding of their interests, the common good, and justice. And as I've argued in this

work, concerns with initiating children into a primary culture, respecting the rights of parents

and cultures, and fostering civic magnanimity in future citizens are all insufficient to derail the

traditional commitments of liberal-democratic education.

Religion is a fundamental element of many people's lives. For this reason, the liberal-

democratic state has an important obligation to respect the choices and practices of religious

adherents. Yet this respect does not entail permitting believers to impose educational

prescriptions on their children meant to ensure that they adopt the religious views held by their

parents—particularly when this involves restricting or thwarting the development of a capacity

for autonomous and informed choice.   It is true that without the option to repress the

education of their children in this way, some religious believers will find it near impossible to

preserve their religious faith through their children. This fact, however, simply demonstrates

that such religious belief is not compatible with freedom of thought and choice; it is not, in

other words, compatible with liberal-democracy.

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[102] See Brighouse (2009), Gutmann (1985), and Burtt (1994).

Yet it would be a mistake to conclude from this that the liberal-democratic state is fundamentally antithetical to religious belief. This is for a number of reasons. First, studies show that most children who come from religious households will choose to incorporate religious faith into their lives regardless of the whether their education was characterized by religious authoritarianism or emphasized exposure to diversity and critical thought. Thus, while a liberal-democratic approach to education certainly influences *how* a child's religious faith is perceived in relation to his or her identity, it does not unduly preclude the ability of a child to choose a life in which faith plays a prominent role. Second, the ubiquity of religion in our society, coupled with the liberal-democratic state's commitment to protecting religious diversity, ensures that children will be exposed to many different religious faiths and will have the opportunity to observe the deep meaning religious belief has for the majority of citizens. Even if schools refrain from teaching religious doctrines in the classroom, we can be well assured that children will be exposed to religious belief during their formative years. Finally, as was argued in the final section of this work, liberal-democratic schools have an important obligation to fairly accommodate and recognize the value of minority religious expression. Given the important place that religious faith has in most people's identities, liberal-democratic schools welcome religious expression insofar as it is consistent with liberal-democratic values. Furthermore, from the perspective of liberal-democracy, accommodating religious expression is an important part of fostering diversity and, correspondingly, personal autonomy in all children.

The primary purpose of liberal-democratic education is not to impart those beliefs that have deep meaning for citizens, although it will inevitably do this as well, but to impart the capacity and knowledge necessary for children to find meaning for themselves. This does not

entail that education ought simply to leave children to their own devices, without guidance or training, but rather that the proper impetus of liberal-democratic education is to impart to children the tools, knowledge, and skills necessary for them to truly take control of their own thoughts and promote their interests by means of a fair collective procedure.   And while this conclusion engenders important limits concerning the place and authority of religion, it would be incorrect to assert that liberal-democratic education is inherently hostile to religious faith.

A month from having a child of my own, and after spending a great deal of time thinking about the issues and ideas in this paper during my wife's pregnancy, there have been many times that I've wondering whether I would completely agree with the views defended here with respect to my own child. That is, would I agree with the notion that my child should be exposed to views that I might personally find obtuse or immoral? Or that the choice to completely homeschool our child, in the event my wife and I decide we would like to guide his or her education in accordance with beliefs and values that we've thought deeply about, should be unavailable? Admittedly, there have been times when I've wavered—fully aware of the irrational and outrageous things people are prone to believe—and I think this is the normal reaction of a caring parent. There is undeniably a strong desire, as a parent, to impart to one's child those beliefs that have come to be recognized as valuable and meaningful while at the same time shielding him or her from those beliefs regarded as foolish, naïve, or even possibly detrimental.

Yet even given these considerations, I have maintained resolute in maintaining that the importance of my child developing the capacity for autonomy and the ability to improve her

understanding of her interests is ultimately more valuable than any desire I have to inculcate my own beliefs. While I will do my best to guide and advise my child as she navigates novel worldviews and unfamiliar values, I believe the views defended here are the best way for her to acquire the skills and knowledge to ultimately choose and pursue her own unique path in life. And it is in securing for all children the opportunity to freely choose their views and improve their understanding of their interests that the fundamental promise of liberal-democratic education is realized.

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