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Published in:
Religious Education

DOI:
[10.1080/00344087.2015.989097](https://doi.org/10.1080/00344087.2015.989097)

E-pub ahead of print: 17/02/2015

Document Version
Peer reviewed version

[Link to publication on the UWS Academic Portal](#)

Citation for published version (APA):
Matemba, Y. H. (2015). Mismatches Between Legislative Policy and School Practice in Religious Education: The Scottish Case. *Religious Education*, 110(1), 70-94. <https://doi.org/10.1080/00344087.2015.989097>

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Mismatches Between Legislative Policy and School Practice in Religious Education: The Scottish Case

Religious Education (RE) is arguably one of the most legislated curriculum areas in the world, and yet in countries where legislation and educational policy exist to support its provision how schools implement the subject in practice has not received much attention in the discourse. With particular focus on Scotland, the present article attempts to address this lacuna by analysing the disjuncture between legislative policy and school practice in RE as it exists in Scottish non-denominational public schools. It data draws from a large phenomenological study involving in-depth interviews with key stakeholders (n26), analysis of official documents and a school survey (n287). The discussion offers possible explanations suggesting that the mismatch has to do more with the flexibility of the Scottish curriculum through the use of 'open' national guidelines, and the relative autonomy schools have within the educational system. What is problematised in this article is that mismatches between policy and practice in RE are symptomatic of the complexity of interpreting and applying legislative policy in a contested school subject.

Keywords: Religious education; legislative policy; school practice; non-denominational schools

Introduction

This article highlights the increased contradictions and confusions of differential teacher and school experiences of and responses to legislative policy that govern Scottish RE, a contested and controversial subject (Matemba 2013b, 7ff), existing in an educational system where schools have increased autonomy regarding how the curriculum is delivered in practice (Teelken 1999, 289). To facilitate this analysis and provide a structured guide to the discussion in this article, I pose several questions. First, considering that by law Scottish RE is a compulsory subject, what is the nature and extent of its provision in schools? Second, how do schools engage with Christianity vis-à-vis 'other' religions as a core religion of study in RE? Third, what is the extent of nomenclature shifts in RE, and how can this phenomenon be explained? Finally, how much curriculum time is apportioned to the teaching of RE? Is this within the levels recommended in national policy? If not, why?

To help unpack these questions, Ball's conceptualisation of policy as 'discourse' provides important insights regarding how non-denominational schools in Scotland engage with legislative policy that govern RE, particularly in light of a recent government report ('Teaching Scotland's Future'), which has decried teachers' professional standards and called for an effective professional development regime for teachers as a way, *inter alia*, of minimising the implementation gap between educational policy and classroom practice (Donaldson 2010, 71-72). In his book, *Education Reform*, Ball provides nuanced insights in our understanding of the link between the idealism of educational policy and the practicalities of its implementation in schools. Ball articulates that as opposed to policy as 'text' (what policy authors produce), policy as 'discourse' concerns actors 'making meaning, being influential, contesting, constructing responses, dealing with contradictions [and] attempting representations of policy' (Ball 1997, 21).

Ball is also keen to show the role of agency (dealing with 'what is' and 'can be done' within policy) in different contexts of policy implementation. However, Ball is quick to point out that the ideology of agency in policy implementation misses the *big picture* because 'it concentrates too much on what those who inhabit policy think about rather than what they do not think about' (Ball 1997, 21). Further, Ball posits that policy discourse is not only about what can be said, and thought, but also about 'who can speak, when, where and with what

authority' (Ball 1997, 21). Ball extends this point further in his discussion about power relations which a policy discourse can construct and allow, including the critical point of how state power can sustain or challenge particular fields of knowledge. For Ball the adverse impact of power is that it limits people's possibilities of thinking 'otherwise' and also constraints their response to change, leading them to 'misunderstand what policy is by misunderstanding what it does' (Ball 1997, 23). Other scholars such as Lall have also noted that policy authors (i.e. government) 'cannot control the meaning of their texts even if they do try' (Lall 2007, 5), and that for this policy outcomes have been known to be notoriously different from the original intention of its authors (see Matemba 2014a).

Ball's theoretical lens on policy as discourse has implications for RE within its legislative policy framework. For instance, what meaning would teachers and headteachers as 'actors' in policy implementation make as they construct their response to legislative policy governing a contested school subject? From relevant literature we know that in a neo-liberal educational environment impacted by secularisation some teachers inhabit philosophical objections to *organised* religion (See Nixon 2009, 181ff). Such teachers tend to offer the subject through proxies rather than teach RE 'proper', particularly in the non-examinable stages of the school system where teaching is not geared towards helping students undertake national examinations in the subject (Owen 2011, 263). The role of agency in Ball's argument is worth highlighting, particularly in countries (such as Scotland) where school managers have enhanced decision-making powers (Teelken 1999). In exercising their decision-making powers it has been found that most often than not headteachers who are less sympathetic to RE (for a variety of reasons) tend to ignore the subject in their pursuit to implement aspects of policy aligned to their ontological positions (Bottery et al. 2007).

Context

Scotland has been part of the United Kingdom (UK) since 1707 (on 18th September 2014 Scots voted in an independence referendum to remain being part of the UK), and yet politically the country has always retained a measure of independence in the management of its local affairs (McLean, Gallagher, and Lodge 2013). As part of this difference, Scottish education has always been locally determined and managed, even though in practice it has not escaped entirely the influence of educational developments taking place in other parts of the UK, particularly England (Humes and Bryce 2013). Since 1918 (when a concordat was signed between the state and the Catholic and Episcopalian Churches over the control of their schools within the country's modern system of education) Scotland has operated a 'bipartite system of education' comprising denominational (*de facto* Catholic) and non-denominational schools (Matemba 2014c, 544). For example, in 2013 Scotland had 2,056 primaries, 149 special schools and 364 secondaries, out of which were 366 Catholic (54 secondaries and 312 primaries) schools, one Jewish primary and three Episcopalian primaries (Scottish Government 2011b).

Aligned to the dual system of education, Scotland offers a 'particularist' for of RE in which two different versions of a neo-confessional programme is offered in public schools. One hand is a Christian Protestant RE curriculum but with a strong multi-faith/moral component called 'Religious and Moral Education' (RME) for non-denominational schools (Scottish Government 2009a). Catholic schools excerpted, all other denominational schools use RME (Grant and Matemba 2013, 2). On the other hand is a catechetical programme for Catholic schools known by the standard nomenclature 'RE' (Scottish Government 2009b). Notwithstanding the Catholicity of this RE programme, it gives some attention to 'other' religions in-line with the Vatican II dictum on religious liberty (Franchi 2013). Unlike in England where essentially RE operates outside the curriculum (Baumfield 2013), in Scotland

the subject is offered as one of the eight *core* curriculum areas that includes Expressive Arts, Health & Wellbeing, Languages, Mathematics, Sciences, Social Studies and Technologies (Scottish Executive 2006). For the purposes of this article, the term ‘RE’ will be used throughout.

Another feature of Scottish education is that it exists within a system where public schools are run by local authorities and where headteachers have greater autonomy in the management of schools, including decisions on how the curriculum is offered in practice (Teelken 1999). Scotland does not have a *legally* bound national curriculum but rather a *suggested* curriculum framework contained in national guidelines which schools are at liberty to use or not - although in reality schools have always used the government curriculum subject guidelines (Hayward 2007). For RE the implication of a ‘suggested’ curriculum has always been that although legislation imposes a statutory duty on schools and local authorities to provide RE, it does not detail the *form* that this should take (McKechnie 2009). Through policy directives the education department issues *advice* (contained in policy letters) on how schools and local authorities can meet the statutory obligations in RE.

From the time legislation governing RE was first introduced in 1872 (as part of the educational reforms that engendered the present Scottish system of education), over the decades additional clauses to the legislation have appeared that have either amended or refined the original legislation. Legislation that govern the current provision of Scottish RE derives from the 1980 Education Act, which as in all preceding legislation (1872 Act, 1918 Act, 1929 Act, 1962 Act and 1969 Act) imposes a statutory duty on schools to provide RE to *all* children in public education (UK Parliament 1980). The Act, however, makes two exceptions: first, RE should be locally determined, and secondly, parents have the right to withdraw their children from RE - although in practice few parents (and almost always Jehovah’s Witnesses) ever exercise this right not only because most of them want their children to do RE but also due to ignorance of the existence of this right (see Nixon 2013, 493-494).

Given that the research upon which this article is based was concluded in December 2010, policy governing the provision of Scottish RE was contained in a document known as ‘Circular 6/91’ (Scottish Office 1991). This policy was introduced in-line with a remodeled RE programme during the 1990s major reform of Scottish education, which produced a curriculum called ‘5-14’ in 1992. The key points in Circular 6/91 included: RE as a legal requirement on the curriculum; RE to be based on Christianity and other principal religions; parental right to withdraw from RE; education authorities, schools and school boards given the right to decide the specific nature of RE in their areas; primary schools to allot 10% of curriculum time for RE; secondary schools to spend a notional minimum of 5% of curriculum time on RE in S1 and S2 and a minimum of 80 hours in S3, S4, S5 and S6; government given the right to monitor how local education authorities and schools implement the advice contained in the policy. Circular 6/91 further clarified the government’s justification for the continuance of RE in public schools, reiterating that it is valid educational experience for all learners. It stated that RE should be adequately resourced and suggested the urgent need to train more specialist teachers in the country’s Colleges of Education, including a stipulation that government will provide a special grant (from 1st April 1991) to support in-service training towards an additional teaching qualification for teachers of other subject who wanted re-train in RE (Scottish Office 1991).

Legislation, Policy and Religious Education

In recent years RE in the UK has been subjected to critical appraisal, revealing a more complex picture of the contemporary status of the subject (see Barnes 2014). Two recent

books, both posing interesting questions on the future of RE, are worth highlighting. In *Does Religious Education Work?* Conroy et al (2013) reveal that although RE ‘works’ (i.e. bridges communities, contributes to multicultural awareness, has a positive influence on student’s intellectual life and teachers are committed to their profession), there are many occasions when it does not (Conroy et al. 2013). Some of the obstacles include: a subject overburdened with too many competing aims (13 different areas have been identified); seriously under-resourced (on average schools spend less than £1 per student; the different ways in which RE is implemented in practice allow headteachers to marginalise the subject; despite claims to the contrary, pupils demonstrate widespread ignorance of basic religious concepts; RE is given insufficient teaching time in schools; RE teachers are frequently under-qualified and constantly feel undervalued (Conroy et al. 2013). In the second book, *Does Religious Education Have a Future?* Chater and Erricker (2013) observe that one of the fragilities of RE is that it is made up a loose coalition of disciplines with different pedagogical assumptions (Chater and Clive 2013). They argue that this presents a confusing picture as to the aim of the subject wondering, for example, whether RE should be concerned with the nature of faith or should be about the ‘objective’ study of religion. Further, they suggest that policy inconstancies in RE are in part due to the declining status of the subject in a post-Christian culture (Chater and Clive 2013).

One other issue that has come under sharper focus in the discourse concerns the fact the nature of RE in a neo-liberal and ‘secularised’ educational context is a contested question (Baumfield 2013), and for this reason this remains one of the most legislated school subjects in the world (Davis and Miroschnikova 2013). While historically in countries such as the USA (Greenawalt 2005) and France (religion in French schools was introduced in 2012 at the recommendation of the 2002 ‘Debray Report’) legislation and its impact on educational policy has traditionally been about *restricting* the teaching of religion in public schools (Saint-Martin 2013), in most liberal democracies legislation and educational policy exist to provide guidance regarding how schools should deal with a *difficult* curriculum area (Jackson 2009). For example, in England the 1944 Education Act (reinforced by the intensely debated 1988 Education Act) engendered a number of policies in the governance of RE, although two of these stand out: RE as a *compulsory* subject and the ‘Agreed Syllabus’ policy which directs schools to seek community input in the kind of RE local people may desire for their children (Panjwani 2005). In addition, legislative policy in England mandates schools to recognise Christianity as *primus inter pares* in RE, justified on the basis of history and national tradition (see Fancourt 2012). In Northern Ireland where religion is *notoriously* an issue of public concern education policy dictates that a compulsory ecumenical RE should be offered in public schools but with a clause allowing Catholic schools to prepare children for sacraments (Armstrong 2009).

Although in many countries RE is governed by legislative policy and other protocols, how these are implemented in practice is an issue that so far has received little attention in the discourse. In the UK aspects of this issue have been noted in a few studies such as Conroy et al book *Does Religious Education Work?* (2013) and in three journal articles: Fancourt (2014), Rudge (1998) and Robson (1996). In *Does Religious Education Work?* the authors discuss the policy-practice conundrum for RE across the UK. They observe, for example, that the challenge for contemporary RE lies not only in the peculiarities in which policies in RE are crafted and enacted but crucially on ‘how teachers *act* with respect to policy initiatives’ (Conroy et al. 2013, 63). They also reveal that as the situation currently exists, there is no consistency between policy and practice of RE across the UK (Conroy et al. 2013). On his part, Fancourt analyses policy changes (from 1994) in English RE in state-maintained ‘secular’ schools (Fancourt 2014). Further, he recognises how neo liberalism impinges on debates surrounding policy change in RE, particularly the tension that this engenders between

traditionalist and *progressive* voices in RE. While from the perspective of general policy studies such tensions are common place, Fancourt keenly observes that research has largely ignored how such policy debates impact on a contested school subject such as RE that deals with religion itself a controversial area in society (Fancourt 2014).

Regarding the two older articles, Rudge is critical of RE policy and practice in England because in her view it advantages ‘minority’ groups (including Christianity) and disfranchises what she calls the ‘silent’ majority, including those who describe themselves as ‘nothing’ (Rudge 1998). She argues that although in modern British society Christianity is no longer the religion most people follow (citing post-secular trends as the reason), it is given a prominent place in legislation and policy, with the expectation that schools should emphasise it above other religions in RE. To resolve this tension, Rudge suggests the need for *flexibility* in the way policy is applied in practice to allow both the ‘majority’ and ‘minority’ communities to have equity of experience towards RE (Rudge 1998). In the last article, Robson reflects on the tension between government policy and professional practice in England. Drawing on discussions engendered by the 1988 Education (Reform) Act, which reaffirmed the ‘Agreed’ syllabus system, and also the primacy of Christianity in RE, Robson makes an important distinction between what the law *allows* and what it *requires*. He points out that although schools understand that by law Christianity should be accorded a prominent place in RE, they are nevertheless flexible in the way they apply this in practice (Robson 1996).

The four studies highlighted above explicate the complexity of interpreting legislative policy for a UK educational context where schools have various degrees of autonomy in the way they implement the curriculum in practice (O’Brien 2011). In addition, the statutory wording of the legal framework, for example in England, has produced pedagogical nuances which are being blamed for the marginalisation of Christianity in RE (Fancourt 2012), clearly against the expectation of both legislative policy and the national tradition (OfSTED 2013). The ‘special’ treatment accorded to Christianity is an issue that will continue to generate debate in the discourse of RE, not only in the UK but elsewhere and thus cannot be resolved here (see White 2004, Kim 2012), except noting that as a compromise to an intractable ‘stakeholder’ problem (see Matemba 2013b), increasingly many countries now adopt approaches which allow different RE programmes to be offered concurrently on the curriculum so that parents, pupils and schools can choose the programme best suited to their needs (Brandt et al. 2012). One other pertinent issue in the discourse of RE relates to the role of *agency* in the way teachers implement RE policy in practice (see Conroy et al. 2013), an issue that also resonates with the findings reported in this article.

Research Methodology

This article utilises data collected between 2007 and 2011 for a large qualitative study, which explored curriculum developments in Scottish secondary school RE from 1972 to the present-day (2010). The study adopted a phenomenological approach as a ‘coherent methodology’ (Erricker 1999, 76) to gain, as far as possible, an *objective* understanding of RE. To counteract inherent weaknesses of the phenomenological approach (i.e. researcher subjectivity and hermeneutical naivety due to its descriptiveness) and ensure data trustworthiness (Ary et al. 2006), I used multiple data sources (triangulation) in the study (Polkinghorne 1989). Ethical approval to conduct the study was provided by the university where the research was supervised, and for the research I conducted in schools additional approval was provided by the three local authorities where the selected schools were located.

Table 1: Study participants

Role	Participants
HMIe responsible for RE	Present in post (1) Recently retired (1)
Religious leaders	Muslim (1) Presbyterian (1) Jewish (1) Catholic (1)
RE secondary school teachers	7
Headteachers	4
RE lecturers in teacher education	6
Leaders of RE professional organisations	1
Chairpersons of parent school councils	2
Total	26

The main source of data came from ‘narrative-type’ face to face interviews with key stakeholders selected because ‘they have lived the experience’ of RE through their involvement or interest in the subject (see Matemba 2014a, 302). Of the 40 people who were approached, 26 (65% response rate) agreed to take part in the study (table 1). All interviews were audio-recorded (with consent) and each interview session lasted not more than an hour. The study was informed by insights from Her Majesty’s Inspectors of Education (HMIe), headteachers, teachers, lecturers and leaders of a professional organisation. To preserve participant’s anonymity unidentifiable codes were used and where complete anonymity was not possible to maintain, the principle of limited anonymity was applied (van den Hoonaard 2003).

To supplement the interview data the study utilised a number of documents such as official reports, policy papers, professional reports and curriculum guidelines. The study also used data about RE collected from school websites and accessed through the official government online portal known as ‘Scottish Schools Online’ (<http://www.educationscotland.gov.uk/scottishschoolsonline/>) (see Scottish Government 2013). Of the 310 non-denominational secondary school websites that were examined for this study, useful data was found on 287 (n287) school websites (hereinafter, the survey), particularly related to the following key issues: staffing levels in RE; nomenclature of RE; common topics taught in RE; time allocated for RE on the school curriculum. Statistical data from the survey was presented qualitatively using figures and percentages.

An inductive analysis of the data was conducted involving several heuristic stages in phenomenological research (Ryan and Bernard 2003). To understand the data and ascertain its quality, I listened to each recording several times so that I could properly transcribe the interviews. I then read several times the interview transcripts and notes I compiled from documents and school survey, a process that helped me to understand the material content of the data. From this iterative process I was able to identify a number of common issues emerging in the data. After cross-checking these issues against the research questions, I was able to recognise patterns and relationships in the data. Finally, using the method of open coding I was able to identify and code a number of distinct themes which I considered important in drawing attention to the core criteria for evaluating policy-practice issues in Scottish RE (Attride-Stirling 2001).

However, the selection of themes which inform this article was entirely at my discretion although this was influenced to a greater extent by my prior knowledge of RE through earlier published work, previous professional role as an RE teacher in several Scottish secondary schools and current role as lecturer in RE at one Scottish university. Despite my familiarity with the research area I assumed a ‘phenomenological attitude’ by bracketing my prior assumptions through critical reflection on my own biases and opinions so that I could

‘objectively’ consider the findings emerging from the heuristic process used in data analysis (LeVasseur 2003).

Teaching Christianity vis-à-vis ‘Other’ Religions

In attempting to address the question regarding how schools engage with Christianity vis-à-vis ‘other’ religions in RE, the representative of a professional organisation in the study was concerned with the extent to which Christianity is privileged and separated from other world faiths in Scottish RE. Similarly, leaders of Jewish and Muslim communities expressed disquiet about the term ‘other’ which they blamed for the marginalisation of their religions in the classroom (see also Matemba 2013b, 376). Otherwise, in the majority of cases the study found that schools included the study of Christianity in RE and thus on the face of it, satisfied policy requirement. One participant said:

One thing I will say about RE in Scotland is that the vast majority of teachers still teach two thirds of the curriculum based on Christianity. So two thirds of an RE class is allotted to Christianity. This is a point that must be underlined (Teacher 1).

Given that this study was only exploratory, I did not probe into the quality of this provision. However, from relevant literature we know that across the UK the teaching of Christianity, particularly in non-denominational public schools lacks depth. A recent OfSTED (Office for Standards in Education, Children's Services and Skills) report for England (but whose findings are read with interest in other UK regions including Scotland) reveals that the failure of schools to ‘pay sufficient attention to the progressive and systematic investigation of core beliefs of Christianity’ remains one of the weakest aspects of achievement in the provision of RE (Gearon 2013a, 7). Reiterating this problem, in his book *Religious Education at the Heart of the Curriculum*, Saxbee notes that the teaching of Christianity in many UK schools lacks theological reflection of its fundamental beliefs (Saxbee 2013). Here the negative impact of secularisation on religion and by extension on RE cannot be overlooked, particularly at a time when Christian adherents are said to have declined sharply, at least in Scotland, from 65.09% (2001 census) to 53.8% (2011 census) while people with ‘no religion’ have increased from 27.55% to 36.7% (Scottish Government 2013).

A related finding in the study was that there were some schools (n5 or 1.7%) that taught *only* Christianity at the exclusion of all other religions, clearly at odd with policy which advises schools to include other religions in RE. In such schools the curriculum consisted of topics such as ‘Bible and creation’, ‘life of Jesus Christ’ and ‘worship and the Church’. In a Scottish context where the Catholic Church operates its own schools in partnership with the state, it is not at all unexpected that Catholic schools would be the ones leaning markedly towards a catechetical path. However, this is unexpected in non-denominational schools where the general perception is that the secular agenda has taken hold. Thus, to find instances in which non-denominational schools also have leanings towards a faith position for RE in this way reflects perhaps less on how individual schools respond to religious issues and more on the complexity of religious belief and its impact on school managers and teachers responsible for managing the RE curriculum in line with the needs and contexts of their communities.

How can the above situation be explained? Part of the answer rests on the fact the personal beliefs and worldviews of headteachers and teachers can have a bearing on the status of RE in schools. This also explicates the implication of Ball’s idea of policy as discourse because as forces of change potentially headteachers can be obstacles of change on those areas of the curriculum they are less enthusiastic to implement (see Malcom 1997). This means that

headteachers who are less sympathetic to RE can close the gate for the subject with the implication that without their support teachers can do very little to improve the well-being of RE. Conversely, in cases where the headteacher is sympathetic, RE can occupy a prominent place in schools such as ensuring adequate provision and that teachers are well supported in their effort to improve the quality of this provision (see Conroy et al. 2013, 23). This may explain why the present study found that in schools where headteachers were professing Christians such schools had favourable policies for RE, which included making sure that it had required specialist staff and given the minimum allowed teaching time (and more) on the timetable. The study also found that headteachers belonging to the 'Christian Evangelical Alliance for Scotland' (CEAS), which runs conferences on themes such as the 'role of faith in Scotland's educational system', had this kind of influence. One such headteacher explained:

Personal values of the headteacher and leadership team are fundamental to what happens to RE in most schools. There are headteachers who just want to tick the box that because it is a compulsory subject they have done this and that. I mean that there are headteachers who are minimalist when it comes to RE because they are not enthusiastic about the subject. However, there are others like myself who are committed to the Christian faith (Headteacher 2).

The above excerpt suggests that despite the veneer of 'secular' education in the state non-denominational schools in Scotland, the reality is much more complex. The reason is that small it maybe, there is a group of headteachers in Scotland pushing for a far greater recognition of Christianity in RE in their schools.

Another finding in the study concerned what schools were actually teaching as part of 'other' religions in RE. In a number of schools (n18 or 6.3%) surveyed what was taught included an array of non-traditional religions or beliefs systems such as the Celts, the Druids, Animism and Wicca (neo-pagan). In fact in some of the schools, particularly at the S1-S2 levels, the material content of RE was dominated by 'non-religious' topics such as 'the Simpsons and morality', 'festivals of the dead', 'Native Americans' and 'Australian Aborigines' and 'Humanism' (See also Conroy et al. 2013). Clearly, the teaching of such topics is at odds with policy advice that RE should be based on Christianity and 'other' religions. In fact, in one school where non-religious topics were dominant, Christianity was offered as an 'optional' topic, something which is out of sync with legislative policy regarding the *status* of Christianity in RE. When probed why Christianity was not being accorded a high status in RE, one respondent in the study said:

We should be trying to find out who is making that decision [to keep RE in a privileged position] and why. We have Christianity again [in reference to CfE] as a separate religion for study when it is part of religion which is taught on the curriculum. Okay historical literacy, but really if we are committed to the Personal Search approach this continued apartheid of religions undermines the subject fundamentally (Teacher 3).

The findings reported so far aptly reflect Ball's idea of agency as it relates to the fact that schools tend to implement those aspects of policy that address their specific needs (Ball 1997). The above excerpt also illustrates different ways in which policy implementers engage with aspects of policy in the practice of RE. As we have seen in this section, this involves interpreting policy 'text' in ways that emphasise certain aspects of policy (also ignoring others), which in this case meant promoting areas of RE seen to be in vogue with the needs of the contemporary child perhaps as a way of connecting with young people, for example, teaching New Age spiritualities rather than religion 'proper' - that systematic study of core beliefs of Christianity and 'other' more mainstream religions as stipulated in national guidelines.

This trend also confirms what Ball says about ‘agency’ essentially because of what teachers *can do* within the Scottish educational context where schools have greater autonomy regarding how they offer the curriculum in practice and the subtle ways teachers *construct* meaning around particular aspects of RE policy (Ball 1997). How policy implementers (i.e. schools) construct meaning and challenge aspects of policy, both at its ‘narrow’ (i.e. legislative framework) and ‘broader’ (i.e. any factor that influence RE) interpretation (Conroy et al. 2013, 64), highlights the complex ways in which teachers and schools are able perhaps to shield themselves from accusations that can be levelled against them for failing to apply policy as envisioned by the Department of Education. As I see it, in their defence policy implementers can justifiably say that they *have* RE on their curriculum although in reality how RE is applied in practice may not resemble what policymakers had anticipated, for example, teaching Christianity at the exclusion of other religions or teaching only New Age spiritualities as ‘other’ religions.

Proxies and Trajectories for Religious Education

The study found that a number of schools offered RE through proxies (n12 or 4.1%) such as ‘Social Education’, ‘Citizenship Education’ and ‘Personal, Social and Health Education’ (PSHE). In one school that had no discrete RE elements, the subject was offered through Citizenship Education by the use of a ‘conference’ or ‘seminar’ system. This involved pupils being taken off from the regular timetable to attend a purposively organised conference in the school where youth workers, Church ministers and others talked about their work and their faith. One respondent in the study, a headteacher, explained why his school offered RE through Citizenship:

Our approach to RE is permeative to the whole area of pupil support. In the classroom, RE *per se* is no big deal to us. In the big scheme of things I do not get terribly excited about the teaching of RE. I think that legitimately we can shape the values of our children not in an hour a week of RE but rather in what we can teach them as part of whole school ethos. For a couple of years now we have not had designated periods of RE in S3 and S4 but instead we have Citizenship periods (Headteacher 3).

Another headteacher remarked:

The good thing is that the curriculum advises that outcomes which are labelled in the same way such as RE and Citizenship can be delivered anywhere in the curriculum. For a couple of years now we have not had designated periods of RE in S3 and S4 but instead we have Citizenship periods (Headteacher 4).

However, some of the respondents in the study worried that the use of proxies was doing untold damage to the development of RE as curriculum subject. Respondents such as teachers were forthright in their observation that for a long time schools have failed to resist the temptation to align RE with something else such as Citizenship or PSHE. They expressed concern that doing so was making a statement that RE was not good enough and therefore in need of a boost by combining it with other curricular areas.

One of the more popular trajectories for RE that emerged in the study was Charity Work Education. In some schools ‘charity work’ programmes had become a central feature of RE because this was something that was seen to be of relevance to the wider experience of pupils. In such schools pupils were engaged in various ‘in school’ and ‘out of school’ activities to raise money which was then donated to charities involved in development work in developing countries. A number of respondents (n9) worried that the use of proxies was doing untold damage to the development of RE as curriculum subject. For example, one teacher explained:

It has always been the temptation to want to align RE with something else such as Citizenship or Personal and Social Development. It is as if RE is not good enough and so we have to boost it by combining it with other subjects. This is being done to the detriment of the subject (Teacher 6).

Subjecting the various trajectories to critical reflection, it is evident that increasingly RE in Scotland is being substituted by other curricular areas and thus schools are losing sight as to what ‘core’ RE as envisioned in policy is all about. First and foremost, in the main RE is about the teaching of religion and how religious beliefs inform our present way of life, not only in the historical and theological sense but spiritually as well. Thus, if less caution is exercised and no proper balance maintained, there is a high likelihood that schools will be so focused on these proxies that they may lose sight of teaching *religion* as a core issue in RE in line with the requirement of legislative policy and curriculum guidelines, which expect schools to focus on the development of beliefs and values based on Christianity and other principal religions.

Nomenclature Shifts in Religious Education

A related finding in the study was that although a number of schools (n81 or 28.2%) maintained the official term ‘RME’, in most schools (n206 or 71.8%) the subject was known by different names. Some of the more common that were captured included: ‘Religious, Moral and Philosophical Education’ (RMPE), ‘Religion and Philosophy’, ‘Faith and Philosophy’, ‘Religious and Moral Studies’ (RMS), ‘Religious, Moral, Philosophical Studies’ (RMPS), and even ‘Religious Instruction’ (a historical term for RE no longer in use). Examining the various names given to ‘RE’, the attraction of philosophy (a subject in its own right on the Scottish curriculum) was glaringly obvious. Respondents (n11) who spoke in support of this paradigm shift explained that the preference of ‘philosophy’ was an attempt to reflect what, in their view, RE is actually about, citing the ‘Personal Search’ strand which encourages critical thinking as justification. Respondents’ (i.e. teachers) views on this issue coalesced on the point that the name change leaning to philosophy has been an attempt to make RE appealing to a sceptical clientele in a post-Enlightenment dispensation (See also Conroy et al. 2013). As one participant explained:

When I came to this school I changed RE to RMPS because it is what the Highers and Intermediate courses are called. I felt that it better reflects what we do in the subject. In particular, it is to try and get rid of old stigmas about RE which can come from colleagues and parents in particular - that is you still have some pupils trying to see if this is vibrant, modern and a good subject (Teacher 5).

From relevant literature, Nixon argues that the popularity of philosophical RE in Scottish schools is largely to do with the fact that philosophy is in tune with a society where for most people religion is no longer the basis of their moral and spiritual life (Nixon 2009). Kirkwood, another advocate of philosophical RE in Scotland, has produced a series of rather popular classroom texts (Kirkwood 1987, 1990). In England, Blaylock says that the embedding of philosophy in RE has led to a rise pupil interest in the subject (Blaylock 2008). Similarly, Aldridge justifies the need to interpret RE from wide strata of knowledge, including *secular* philosophy, because for him religion is merely the ‘text’ rather than the ‘subject matter’ of RE (Aldridge 2011, 33).

In the present study, the influence of teacher education towards the ‘philosophication’ of RE was also noted. Specifically, this was related to (a) philosophy as a pedagogical approach for teachers and (b) support for philosophical RE because it gives the subject a *positive* image as the two excerpts below illustrate:

In my view teacher training should focus on what is essential for children in RE without attempting to turn them into diluted priests and nuns. In a curriculum situation where there is a lot to be covered, I tell my students to focus on Personal Search through the use of the philosophical approach (Lecturer 2).

What we have discovered is that RE has taken off in a big way. Some of my former students have the biggest RE classes in the country. I am sure that the appeal of philosophy has a lot to do with this rise in interest for the subject in schools (Lecturer 4).

However, there were some respondents (n3) in the study who said that philosophy was a distraction to the teaching of RE ‘proper’ - that is RE that is aligned to policy and national guidelines. One respondent remarked:

I don’t find the argument for the philosophification of RE compelling. I understand that philosophy is a key fact in RE and that it promotes critical thinking and so on. However, I feel that by adding this extra focus on philosophy there is the danger of diluting RE. Maybe it is a sign that people are not satisfied with the religious part of RE. I think this indicates a loss of confidence with RE which to me is a bit worrying (Teacher 6).

Writing in his doctoral thesis, Hannah (a former HMIe RE official), also observed:

I think we have to be careful to call things what they are, and that we don’t try to re-invent subjects with different names and supposedly different missions in order to try to meet some passing fashion (Hannah 2007, 383).

The preponderance of philosophy in Scottish RE is more worrying considering that philosophy as an interdisciplinary issue in RE appears *only once* out of 85 different strands that comprise CfE guidelines for non-denominational schools (Scottish Government 2009a, 9). Reflecting on this issue more critically, the apparent philosophy ‘take over’ is a distraction to the teaching of ‘proper’ RE ‘proper’ because ‘meaningful’ RE (the kind which ought to help children understand ‘who am I?’ and ‘what am I doing here?’) is being replaced by topics in metaphysics that only touch on ontological arguments for and against the existence of God. While one may wonder what is in a name, my argument is that in a subject such as RE governed by specific legislation and government policy, the expectation is that those mandated to offer it would be clear about what name policy states, which remains RME for non-denominational schools. It is also gratifying to note that both the government and General Teaching Council for Scotland (GTCS) have resisted the pressure from sections of the profession renaming RE to something related to philosophy for teacher certification and registration (Watson 2008).

In a national context where people have become ‘overwhelmingly secular in their culture and thinking’ (Brown 1997, 174) and 37% of the population has no religious affiliation (Scottish Government 2013), the philosophical trend in RE suggests that Scottish schools have chosen what Wright sees as the ‘broad straight road; form of RE, which ‘offers the certainty of immediate gratification and safety’ as opposed to choosing a ‘narrow winding lane’ form of RE, which has the ‘possibility of long term fulfilment, but at the risk of confusion and consternation’ (Wright 1993, 11). Gearon is also concerned that instead of schools using philosophical inquiry as a pedagogical tool to help children think *theologically* about religion, philosophy has actually reduced thinking in RE to the ‘level of a serviceable technique rather than as foundational disposition that drives the entire pedagogy of the subject’ (Gearon 2013a, 122-123). In another recent book, Gearon blames the influence of the post-Enlightenment school culture in making RE seek alternative forms of knowledge far removed from holy life (Gearon 2013b).

In a recent critique of Australian RE, Hyde posits that while RE makes a valuable and unique contribution to the curriculum, particularly in a cross-curricular setting, treating RE the same as other areas of the curriculum, for example, applying learning outcomes based on philosophy is ‘a category mistake’ (Hyde 2013, 36, 41). As I see it a category mistake is happening in Scottish RE because ‘philosophy a discipline with different learning intentions, has subsumed RE in many schools to the extent that even the nomenclature of RE has been changed to reflect that usurpation’ (Matemba 2013a, 32-33).

Declining Presence of Religious Education on the School Curriculum

A more worrying finding in the study was that there were schools (n18 or 6.2%) that did not offer RE at all on their curriculum or that (n5 or 1.7%) offered RE only up to S2 level. Interviews with headteachers on this issue identified insufficient pupil numbers and lack of RE teachers as the main reasons some schools did not offer RE in S3 and beyond. One teacher explained:

RE beyond S2 level is offered in response to need. Children from S1 to S2 are given a period of RE on the timetable. Beyond that the opportunity to study RE is placed upon the children and they vote with their options sheet. They do receive the statutory one period a week and there is a degree of interest in RE but over the last couple of years there has been insufficient interest (Teacher 7).

What these findings suggest is that there are secondary schools in Scotland which do not offer RE for national examination either at Standard Grade (British GCSEs) or Highers (equivalent to British AS/A Level) because in such schools RE is offered only up to the non-examinable classes (i.e. S2) – a situation not uncommon in the 1980s (see Scottish Office 1986, 23). In a subject where an examination was introduced for the first time only in 1984 (see Grant and Matemba 2013, 3), this is a worrying situation requiring the highest level of attention by HMIE. A related finding was that despite the stipulated notional minimum time for RE stated in policy, in practice schools were apportioning different time slots for RE. While in some schools RE (n71 or 24.7%) was allotted two hours a week, in most schools the general trend was that RE was allotted hour or less a week. What was worrisome was that teachers in the study kept on referring to the ‘one hour a week’ as if this was the stipulated maximum time for the subject for schools. As far back as the 1990s the Scottish government acknowledged that:

In non-denominational schools there are significant variations in timetables provision between and within different education authorities. Across the country there is only occasional divergence from the usual allocation of one period per week to religious education, but over a session the total time available varies between 2.5% and 4% depending on the length of the period (Scottish Office 1994, 8).

Since the issue of inadequate time allocation for Scottish RE is not new, one would have thought that in the present time this problem has been addressed but clearly this is not the case. From the findings in this study it can be surmised that the variance in time allocation for RE in the non-denominational sector has to do with the fact many schools interpret 5% of the total teaching time to be spent on RE as being *one hour* a week, which clearly cannot be the ‘standard’ time for every school. A government official in the study revealed that,

In schools inspectors have, for a long time, been talking of inadequate time being given to RE. In fact, in too many occasions the time given to RE in schools does not even meet regulatory requirements (HMIE 1).

Clearly, there is need for clarification about what 5% of curriculum time in S1 and S2 and a minimum of 80 hours in secondary 3, 4, 5 and 6 actually mean. Do these mean one or two periods a week? The fact that most schools in the study understood this to mean *one* period of RE a week is the more reason for greater clarity for this policy. The findings reported in this section confirm the worrying trend that in many Scottish non-denominational schools RE is continually being accorded less teaching time on the curriculum.

Discussion and Conclusion

The contribution of the present article to the discourse of RE is that it describes a less known but important area concerning the extent to which non-denominational schools in Scotland are flouting legislative policy in the practice of RE, a historically ‘fragile’ subject existing in a neo-liberal educational environment. The fact that there are schools not offering RE at all or offering it through proxies is a worrying trend in need of urgent attention. How legislative policy in RE is interpreted and applied in practice will remain an issue of debate and concern.

Given that the national curriculum in Scotland is intrinsically *flexible* to allow local in-put, inevitably mismatches will always exist between policy and professional practice in RE. Inferring from Ball’s argument about policy as an ‘agent’ of state power/authority, a further complexity for the practice of Scottish RE has to do with the inherent limitations of legislative policy. In particular, this relates to the fact the ‘Use and Wont’ clause in the policy ensures that in some way the state cannot impose its authority over local decisions about RE. As such how RE is offered in practice will always be locally determined with the implication that in schools where headteachers are supportive of RE the subject will *thrive* but where the opposite is the case it will remain a less regarded subject area of the school curriculum.

How can policy-practice mismatches described in this article be explained? From a wider Scottish context, it has been suggested that the poor success rate policy for curriculum reform, is in part, due to the complexity of school management because ‘policy makers have proven unable to micro-manage the multifarious range of factors that impact upon the implementation of policy’ (Priestley and Miller 2012, 99). The Scottish situation suggests that the success of policy implementation of the curriculum is largely dependent upon how schools articulate the often complex and confusing legislative policy governing the provision of RE, made even more difficult by the ‘flexible’ nature of the curriculum and headteachers’ autonomy in determining what schools actually teach in practice. As I have noted earlier, it is a situation that creates variance and at times contradictions in the way schools implement different aspects of legislative policy in RE.

A further structural issue is that currently there is only one HMIe (assisted by a seconded development officer) with responsibility to oversee RE in all 2569 schools (i.e. primary, secondary and special) in the country. Here, as in England, I see the enormity of the task before HMIe for any effective monitoring of how schools apply in practice legislative policy in RE (see, for example, Freathy 2008, 5). In Scotland this problem is compounded by the demise of the ‘advisorate’ (Conroy 2014) which until the mid-1990s comprised a cadre of RE specialists who were deployed in each of the country’s 32 local education authorities to oversee and manage RE (Matemba 2014b).

The article confirms what others such as Conroy et al have affirmed that RE is a permanently complex subject principally because stakeholders have different ideas about its aims in the contemporary school (See Conroy et al. 2013). The difficulty for schools is that they are expected to implement legislative policy often made in noisy parliamentary sessions and conflicted boardrooms as stakeholders pull in different directions regarding how each would like RE to be offered in public schools (see Matemba 2013b). As Ball has suggested on the question of ‘agency’ (Ball 1997), the challenge for schools is that somehow these policies, some of which conflict sharply with the worldviews of those charged to implement

them (Conroy et al. 2013), must still be realised. For instance, some schools seem to be struggling with the principle that Christianity is *primus inter pares* in RE because such schools are not teaching it all or that they are more interested in teaching New Age Spiritualities rather than on religion 'proper' as stipulated in national guidelines. Aligning the findings analysed in this article within Ball's conceptualisation of policy as discourse related to 'who can speak' and with 'what authority' (Ball 1997), my argument is that RE professionals are able to 'speak for themselves' and crucially exercise their *autonomy* in contesting, however subtle, aspects of policy they think make RE less appealing to the contemporary child or those aspects they contest on personal grounds - even though such actions might be at odds with legislative policy.

Mismatches between legislative policy and school practice in Scottish RE described in this article are issues requiring attention by both schools and the government to ensure compliance essentially because RE is a legal requirement. In fact being a compulsory subject can be used to the advantage of the subject because advocates can legally demand its provision or that it should be given a prominent place on the school curriculum. Further, given that legislative policy empowers the state to monitor RE, it is expected that HMIe will have a robust inspection regime for the subject. Mindful of course that will require a careful balancing act lest schools construe such action as government 'intrusion' in a system of education where headteachers have greater autonomy in determining how the curriculum is offered in practice.

In 2010 Scottish schools began implementing a new outcomes based curriculum called 'Curriculum for Excellence' (CfE), introduced by the government in 2009 as part of recent reforms to replace the 5-14 programme. A distinguishing feature of CfE is that it is inherently 'flexible' to allow teachers to 'fill in' their content. As part of this reform, in February 2011 the government also introduced a new RE policy framework as replacement of Circular 6/91 (Scottish Government 2011a). Although the new legislative policy has reiterated some of the key provisions in Circular 6/91 (i.e. RE as a compulsory subject, Christianity as a key religion of study and so on), there are notable changes, related to the absence of time allocation for RE in non-denominational schools and a strong emphasis on interdisciplinary learning in RE. Given the *flexible* and *open* nature of RE guidelines within CfE, coupled with schools' autonomy over the curriculum and low staff capacity within HMIe, mismatches between legislative policy and school practice will likely remain a pervasive structural problem for Scottish RE.

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