

# *A Critical Commentary of Stephen Law's The War for Children's Minds*

Routledge: Abingdon, 2006

John TILLSON

University of London

## **Introduction**

The disciplinary range of Law's book *The War for Children's Minds* is broad; it engages in historical discussion about whether the Enlightenment was responsible for the Holocaust and whether Hitler was an atheist. It also uses sociological research to defend the Enlightenment against the accusation that it eroded community values, promoting individualism. In this commentary I shall provide a critical survey only of Law's key philosophical distinctions and arguments. Like Law, I will assume, controversially, that truth is "out there", with observation, experimentation, argument and conceptual clarification being our best tools to find it.

## **Religious and Moral Education**

Law's preface announces his concern with 'how liberal we should be in our approach to moral and religious education'. A little further in however, Law introduces religious education as a subsidiary topic; 'Notice we'll be looking at religious education too, because it is so tied up with the teaching of morality: in many cases an individual's religious education is their moral education' (Law, 2006, p. 18). Even if they were tied up in practice however, it would not follow that they could not or should not be separated, or indeed that what is true for one, must be true for the other.<sup>1</sup> Law's book concludes by recommending 'a

---

<sup>1</sup> The Schools Council's working paper 'Religious Education in Secondary Schools', denies the conceptual entanglement of moral and religious education and urges their distinction in educational practice:

syllabus which includes periods in which open, philosophical discussion of important moral, cultural, political and religious questions takes place' (p. 166). However, extended accounts of the relationship between religious and moral education, and indeed between political and cultural education, are left as desiderata.

### **Libertarian, Not Authoritarian**

Law contrasts Authoritarian and Liberal approaches to raising 'good children' (p. 1): 'the answers to these [moral] questions are not for you to decide. You should consult the appropriate moral authority' says the Authoritarian. The Liberal tradition on the other hand, says 'we should confront young people with their responsibility to think for themselves about right and wrong' (pp. 1-2). Law advocates a Liberal moral education, 'rooted in philosophy not authority' (p. 3).

To be clear, Liberals do not have to suggest that pupils 'make up' answers to moral questions or that they have no right answers, but that pupils ought to think critically about possible answers. Liberalism is not the same thing as relativism says Law, for example 'science is Liberal, not relativist', 'It too emphasizes the importance of independent critical thought ... [But] it's not to say that science is just a matter of making up one's own mind' (p. 93). There is an ambiguity between 'making up one's own mind' and 'making things up', Law would have elucidated the epistemological distinction by saying 'one ought to make up one's own mind about answers, but this is not a matter of 'making up' answers'. Law also rightly distinguishes fallibilism from relativism, since the possibility of being wrong presupposes that there are right answers. 'This book is, in effect, a defence of Kant's Enlightenment vision of a society of morally autonomous individuals who dare to apply their own intelligence rather than more or less uncritically accept the pronouncements of authority' (p. 7). Law goes on to qualify this in a chapter entitled 'Kinds of Authority'.

In an open society, one has the political right to freedom of conscience. This denies that epistemic responsibility should be politically maintained, not that it exists. It is a Popperian argument, paralleling Popper's arguments in the philosophy of science, that open and critical discussion fosters epistemic standards; it does a better job tracking truth than its authoritarian counterpart (Raphael, 2001). '[R]eason is a double edged sword... It doesn't automatically favour the teacher's beliefs over the pupil's. It favours the truth, and so places the teacher and pupil on a level playing field' says Law (Law, 2004, p. 33).

- 
- Moral knowledge is autonomous: it is perfectly possible to have moral education without reference to religious sanctions or presuppositions
  - Schools should beware of linking morals too closely with one religious viewpoint, since some pupils who abandon that viewpoint may be left with no considered basis for morality
  - You cannot successfully take the moral code from a religion and leave the rest: the moral code of a religion is part of the organic whole; it is not the same thing when lifted out of its religious context
  - There is no reason why moral education in school should be regarded as the responsibility of the RE department (Schools Council Working Paper 36, 1971, p. 70).

However, it also justly recognizes the peculiar contribution RE specialists can make to moral education in 'showing the links between moral problems, moral concepts, and religious beliefs' (*Ibid*).

Law thinks that we cannot shirk moral responsibility: ‘The responsibility for making moral judgements has a boomerang-like quality – it always comes back to you’ (Law, p56). Deference is itself an exercise of judgement. One may justifiably follow advice or orders, either because one respects someone else’s epistemic advantage, or because one is persuaded by their reasons, or because one recognizes the order to be morally right or neutral and necessary for social cohesion. However, one is still responsible for their actions in both of these instances.

### **Liberalism, not liberalism**

Law distinguishes between freedoms of speech and action. He argues for Liberalism in education, freedom of thought and speech, but not liberalism, freedom of action: ‘Should children and young people be free to do just whatever they want? Of course not’ he says (p. 15). Of course, speech is itself an action. Moreover, freedom of speech without freedom of action is superficial, being of the character ‘say and think what you like, but just you try it’! To avoid superficiality authority needs to concede fallibility and institutionalise the possibility of revision. Law seems to acknowledge this, but not explicitly enough or as often as he emphasizes Liberalism over liberalism. He says ‘Mistakes are inevitable. What’s important is that we foster a culture in which mistakes can be corrected – where the opportunity exists for us to correct each other’ (p. 65).

In seeming contrast, ‘Be Reasonable, but don’t reason with them’ urges behaviour management guru Sue Cowley (Cowley, 2006, p. 42). Indeed, from my teaching experience, indulging children’s endless discussions about whether they have been justly reprimanded, to which this remark pertains, is practically impossible. However, Law ought to respond that this sort of undesirable discussion is liberal, rather than Liberal. One might also object that Liberal attitudes to freedom of speech can foster false, illiberal and immoral views. Law considers this when he asks ‘what if they end up with mistaken beliefs?’ (Law, 2006, p. 64). Tying in with his point about revisable, fallible authorities, he answers that ‘at least we will be able to enter into a rational discussion with them about the pros and cons of both their and our position’ (p. 65), if their position is wrong, it is unlikely to survive discussion.

Law asks ‘to what extent should children be encouraged to think for themselves and make their own judgements ... [to] publicly disagree, to express their own opinions?’ (p. 15). Similarly, Eamonn Callan asks ‘when should we shut children up’.<sup>2</sup> Callan’s answer is that children, simply punished and told to shut up for each of their ‘liberal heresies’, will not rationally revise their views but merely feign respect. It is better therefore, to allow liberal heresies to be discussed openly, although impersonally. What are consistently lacking in Law’s book are examples of good Liberal practice. Also lacking is an account of what legitimates the restriction of action, and the limits of legitimate restriction.

Since no society can claim to be perfect and yet perfection ought to be sought, I agree with Law that it is desirable to ‘foster a culture in which mistakes [including mistakes of religions and the religious] can be corrected’ (p. 65), that is, a Liberal culture. Even under a non-cognitive interpretation, religious beliefs and practices are usually thought corrigible.

---

<sup>2</sup> In *When to Shut Students Up: Civility, Silencing and Free Speech*, Unpublished. Related questions are: to what extent should we respect the autonomy (self-determination) of children, to what extent should children have to understand and consent to the rationale for their treatment, should we ever lie to or mislead children, are we accountable to children?

## **Religious Liberalism**

Being religious or atheistic does not logically determine how Liberal or Authoritarian one must be. Law wants to say that in producing moral children one must be Liberal and that one can be, but needn't be religious. He points out that Liberal religious education is entirely coherent; one might raise their children to have certain values and introduce them to certain beliefs, but 'will certainly tolerate, and may even encourage critical scrutiny of [their] religious beliefs' (p. 20) and values too presumably. Andrew Wright is a good example of such a religious Liberal: 'in an open and democratic society good education needs to move beyond nurture and introduce a critical element into the classroom ... a good school will unashamedly induct children into the spiritual values and world-view which it considers to be of greatest worth, as well as insisting that children explore alternative possibilities' (Wright, 2004, p. 176).<sup>3</sup>

In his series 'The Root of all Evil' (Dawkins and Clements, 2006), Richard Dawkins shows rehearsals of a Christian theatre project – 'Hell House' – which is intended to scare-children-Christian. Its motivation is to save young people from damnation. Dawkins is compelled by the director's argument that given the reality of Hell, it is morally permissible to use what he would otherwise term 'child abuse', as an evangelical tool.<sup>4</sup> Dawkins, of course, rejects the premise. If we were to argue theologically, we might reason that if children are merely indoctrinated, they cannot have true faith and one cannot meaningfully enforce belief without persuasion or indoctrination: Although the magistrate's opinion in religion be sound ... if I be not thoroughly persuaded thereof in my own mind, there will be no safety for me in following it. No way whatsoever that I shall walk in against the dictates of my conscience will ever bring me to the mansions of the blessed' (Locke, 1966, p. 143). Therefore, educating for eschatological wellbeing must be Liberalist.<sup>5</sup>

## **Moral Vs Technical Authority**

Law distinguishes between technical and moral authorities. Deferring to technical authorities is wise suggests Law: 'The world is now so complex that any one of us can only expect to understand a small part of how it works. We can't all be experts on plumbing, science, the law, car mechanics, psychology and so on' (Law, p. 56). In deferring to bad advice from a technical expert, it's not your fault, but the expert's 'generally speaking' (p. 57). However, one cannot mitigate responsibility by deferring to a moral authority: 'I was only following orders' and 'so-and-so told me to do it' aren't good enough. The qualifications for 'generally speaking' are not made explicit, but taking bad advice is surely not ok when we know what an authority claims is false.<sup>6</sup> Further, it is surely rational not

---

<sup>3</sup> This seems to be an example of confessional religious education, which does not aim to indoctrinate. It aims to rationally persuade children to adopt what they consider to be rationally defensible beliefs and without sidelining other positions. Of course, one may object that they uncertain and maintain that such teaching counts as indoctrination because it aims to promote uncertain beliefs. However, such teaching does not seem as reprehensible as 'indoctrination' would suggest.

<sup>4</sup> Although, we should acknowledge that what may be permissible as evangelism may not be educationally permissible.

<sup>5</sup> Of course, Locke and I are arguing from within one Christian perspective. It may be that these arguments are not compelling to some religious perspective, in which case there will be a tension between sect and state. If, to the extent to which it is amenable to reason, such a religious perspective has poor grounds, its expression ought to be outlawed where it is harmful to others.

<sup>6</sup> Of course, a huge degree of trust and testimony is involved in children becoming educated to the point when they

just to take their word when one can, but to seek a second or third opinion. Also, one ought not to go to the authority most likely to give the answer one wants, but the one best placed to know the answer.

‘Notice the judgement whether someone is expert in a technical area ... needn’t be technical [...] But the judgement whether someone is a moral expert is itself a moral judgement’ (p. 58). Law is careful not to deny that moral judgments have no epistemic standards or expertise, so advice can still be sought. However, one has to come to see that the advice is good and if one fails to see that it is, only a consequentialist analysis will admit the possibility of their turning out to be right, it is at best a gamble.<sup>7</sup>

One wonders on which side of the distinction religious and philosophical and political authorities fall. Since democracy lays responsibility on all voting aged persons, political responsibilities are plausibly of the moral kind. Law’s example of poor moral deference sees a woman ask what her attitude should be to people from other faiths and accepting the advice that she ought to kill them. Law, plausibly, assumes that God has not decreed that one ought to slay members of other religions and /or that divine command theory is incorrect, that the advice sought is wrong. Although religious beliefs have moral implications, they may be technical matters and deference to someone epistemically better placed, justified.

Law points out that we must make up our own minds who to listen to in religion and morality; we have to ask ourselves ‘ought I to take this advice?’ (p. 59).<sup>8</sup> But this is also true in the case of technical advice. There are fakes and frauds posing as technical experts and if I entrust my daughter’s health to a quack, I am just as responsible as when I defer to wicked moral advice. Some better or worse judgement leads me to determine whether a putative expert is credible.

One doesn’t need enabling to make decisions for oneself, even if making good decisions requires guidance; it is unavoidable according to Law. But it is in a Liberal education, which exposes beliefs to the interrogation of reason in which truth is more likely to thrive.

## Reason and Morality

‘Is it possible for an individual, just by applying their own rationality, to figure out what’s right and wrong?’ asks Law (p. 108). We may call a positive answer Ethical Foundationalism (EF). Law does not accept EF: ‘we’re not defending the view that reason can conjure up morality all by itself’ (p. 136). One may wonder what the point is of getting pupils to reason about morality, unless EF is possible. ‘Thinking carefully and critically about your moral beliefs may be highly revealing’ answers Law (p. 116). He offers an account of the role reason can provide in tracking moral truth: revealing unacknowledged

---

can discuss things critically: indeed, historical and scientific discussion about the validity of some piece of science or history is stifled by a lack of knowledge only gained by trust.

<sup>7</sup> Some philosophers of course, say that luck cannot be eliminated from ethical judgement (Thomas Nagel and Bernard Williams).

<sup>8</sup> John Locke makes the same point with respect to revelation: ‘Whatever GOD hath revealed, is certainly true; no Doubt can be made of it. This is the proper Object of *Faith*: But whether it be a divine Revelation, or no, *Reason* must judge; which can never permit the Mind to reject a great Evidence to embrace what is less evident’ (Locke, 1975, 4.18.10)

consequences, revealing logical inconsistencies, revealing faulty reasoning and providing relevant factual information (pp. 116-119). Law offers a good example of the last role: 'The dispute over whether or not women should be allowed to vote was, in part, a dispute over whether women have the necessary intellectual skills to exercise that right properly' (p. 118).<sup>9</sup>

## Conclusion

Law offers a strong case for Liberal moral education, however further discussion will be required to make its relevance to religious, political and cultural education explicit.

## Bibliography

- Callan, Eamonn, *When to Shut Students Up: Civility, Silencing and Free Speech*, Unpublished
- Cowley, Sue (2006) *Getting the Buggers to Behave* 3<sup>rd</sup> edn (London, Continuum)
- Dawkins, Richard and Clements, Alan (2006) *The Root of All Evil?* UK: Channel Four.
- Hand, Michael (2006) 'Against autonomy as an educational aim', *Oxford Review of Education*, 32:4, 535 – 550
- Law, Stephen (2006) *The War for Children's Minds*, (Routledge, Abingdon)
- Locke, John (1966) *A Letter Concerning Toleration*, in J.W. Gough, (ed.) *The Second Treatise of Government and A Letter Concerning Toleration*, 3<sup>rd</sup> edn (Oxford, Blackwell)
- Locke, John (1975) *Essay concerning human Understanding*, Peter H. Nidditch (ed.) (Oxford, Clarendon Press)
- Raphael, Frederic (2001) 'Popper', in R. Monk and F. Raphael, (ed.) *The Great Philosophers: From Socrates to Turing*, (London, Phoenix)
- Schools Council (1971), *Working Paper 36: Religious education in secondary schools* (London, Evans/Methuen)
- Standish, Paul (2007) 'Rival conceptions of the philosophy of education', *Ethics and Education*, 2:2, 159 — 171
- Wright, A. (2004) 'The Spiritual Education Project: Cultivating Spiritual and Religious Literacy through a Critical Pedagogy of Religious Education', in M. Grimmitt, (ed.) *Pedagogies of Religious Education*, (Essex: McGrimmon Publishing co ltd)
- Williams, Bernard (1981) 'Internal and external reasons' in *Moral Luck* (Cambridge, Cambridge University Press)

---

<sup>9</sup> In 'Internal and external reasons', Williams elaborates on the roles of practical reason in deliberations 'such as: thinking how the satisfaction of elements of S [the agent's subjective motivational set] can be combined, e.g. by time-ordering; where there is some irresolvable conflict between elements of S, considering which one attaches the most weight to (which importantly does not imply that there is some one commodity of which they both provide varying amount); or, again, finding constitutive solutions such as deciding what would make for an entertaining evening, granted that one wants entertainment (p. 104).