Stud Philos Educ (2014) 33:23–39
DOI 10.1007/s11217-013-9360-9

Parents' Rights and Educational Provision

Roger Marples

Published online: 26 March 2013

Abstract Legitimate parental interests need to be distinguished from any putative rights parents *qua* parents may be said to possess. Parents have no right to insulate their children from conceptions of the good at variance with those of their own. Claims to the right to faith schools, private schools, home-schooling or to withdraw a child from any aspect of the curriculum designed to enhance a child's capacity for autonomous decision-making, are refuted.

Keywords Parents' rights · Private education · Faith schools · Home-schooling · Sex education

The Parent–Child Relationship

It is far from easy to enumerate one's possessions—even those that belong exclusively to me. The possessive pronoun 'mine' provides little in the way of guidance. After all, England is 'my' country and Roehampton is my university but I *own* neither. When it comes to personal relationships, men have all too frequently swept aside moral obligations towards other people—slaves, spouses or sons, for example—and treated them as possessions, if not in a *de jure*, then in a *de facto* sense. While servitude of any kind is now more widely recognised as intolerable, the proprietarian viewpoint in relation to children is less readily condemned. Although Locke himself did not view children as literally parental property, such a view has its roots in Lockean philosophy relating to the significance of private property, according to which one is the rightful owner of the product of one's own labour.[1]

What is generally referred to as the 'extension claim' is also redolent of proprietarian overtones and is endorsed by a number of contemporary philosophers. According to Robert

[1] See his *Two Treatises of Government.* For a clear exposition of Locke's defence of private property and the respects in which it is unconvincing, see Archard (2003, pp. 87ff.).

R. Marples (✉)
University of Roehampton, London, UK
e-mail: R.Marples@roehampton.ac.uk

Nozick, for example, children are 'part of one's substance … part of a [parent's] wider identity' (1989, p. 28). While according to Charles Fried, '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 to be interfered with in doing those things for oneself' (1978, p. 152, emphasis added). However, the fact that a parent is causally responsible for a child's existence in no way legitimises the relationship as one of *ownership*. The child is a person in her own right with a moral status of her own; something that is quite properly recognised in Article 25 of the Universal Declaration of Human Rights where it says that 'all children, whether born in or out of wedlock, shall enjoy the same protection'.

It is one thing to acknowledge that (most) parents conceive of their parental status as part of their personal identity, and no doubt find parenthood to be a source of profound satisfaction and fulfilment, but it is quite another to conclude that it warrants sufficient justification for the claim that the *interests* of parents and children are coincidental and harmonious, or that by simply occupying the role of parent one is optimally equipped to determine a child's best interests. A child has interests in being able to formulate her own values and 'life-plan' and this is no less true were she to have no interest *in* any such matter. This is why Fried, in seeing a child as a mere extension of her parent with an 'identity between chooser and chosen for', is so far off the mark in refusing to acknowledge the extent to which their interests may fail to converge (*op. cit.*). Treating children as mere appendages to their parents is both to disrespect and undermine their moral status.

The fact that so many people regard the begetting and rearing of children as indispensable to their well-being—a form of flourishing that should be conceived less in terms of self-gratification than a concern for the best-interests of the child—does nothing to show that parents *qua* parents have any rights at all. Legitimate parental authority is not the same thing as a right; there may well be occasions when the state, in its role as *parens patriae* has an obligation to remove a child from parental control. The granting of discretionary powers to parents may well limit the extent to which outside agencies should be permitted to interfere with parents' decision-making relating to their children's welfare, but it in no way follows that parents have *rights* to implement such decisions.[2] More recent attempts to provide justificatory force to parental authority and parental rights have tended to invoke the idea of a parent as 'trustee', and have characterised the parent-child relationship in fiduciary terms.[3] Robert Noggle's rationale for the claim that children, including adolescents, lack the same authority *vis a vis* their parents that adults have over *their* fiduciary relationships (such as that between client and lawyer), is that children lack the fully developed capacity for the kind of moral agency by reference to which adults may be said to relate to one another on equal terms, the consequence of which, he argues, is that children require something more profound than traditional fiduciary relationships. In the parent-child relationship 'the parent must represent not only the child who exists today, but

[2] Philip Montague has gone so far as to argue that the very idea of a parental right is a myth. At the heart of the parent–child relationship, he says, are responsibilities or obligations that parents have to protect the interests of their children and to nurture children's decision-making abilities. Such obligations are child-centred rather than parent-centred 'because of the orientation all rights have towards their possessors' (2000, p. 57).

[3] Elsewhere, in a jointly authored paper with Samantha Brennan, the role is characterised in terms of 'stewardship' (1997, p. 6). The obvious importance of the relationship notwithstanding, its justificatory force is entirely child-centred and as Brighouse and Swift argue, parents have a non-fiduciary interest in carrying out such a role, thereby enabling them 'to exercise and develop capacities the development and exercise of which are, for many…crucial to their living fully flourishing lives' (2006, p. 95). Here, its justification is parent-centred and as such, they argue, may well provide a measure of support for the notion of parental rights. Parents, they insist, need to be 'restored to the picture' (Sec. IV).

the largely unknown future adult whom the child will become, and the moral community which she must join if she is to thrive and flourish' (2002, p. 115).

While sceptical about the very idea of rights talk in the context of intimate relationships, such as that between parent and child, which of necessity requires a measure of privacy and an associated right of non-interference from those outside such relationships, Ferdinand Schoeman argues that parents should enjoy 'a right against all the rest of society to be indulged, within wide limits, to share life with each child and thus inevitably to fashion the child's environment as they see fit, immune from the scrutiny of and direction from others' (1980, p. 11). While the extent of parental discretion should be quite wide, there should be strict threshold conditions relating to what he calls a 'clear-and-present-danger criterion' before coercive state intervention should be allowed. (*Ibid.,* p. 10). Yet in spite of the value and importance of intimacy in a successful parent-child relationship, he is swift to acknowledge that it is insufficient to show that parents have any rights over their children.

There are at least three disputable features associated with Schoeman's thesis: (a) the claim that intimacy necessarily excludes the appropriateness of reference to rights, (b) the fact that (state) intervention in the parent-child relationship is warranted only when children are in clear and present danger, and (c) the supposition that state intervention should be construed as 'interference' in a pejorative sense. As far as the first point is concerned, the fact that continual reference to one's rights may be non-conducive to a satisfactory personal relationship does nothing to cast doubt on the fact that an indispensable part of what is required for the successful continuation of such relationships is a mutual respect based on an implicit recognition of the parties' right to this. Secondly, the clear-and-present-danger criterion could, if taken literally, put many children's lives at risk. Intervention may well be necessary long before the situation becomes dire, on both moral and prudential grounds. Schoeman places too much emphasis on a parent's right to privacy and autonomy in childrearing and insufficient on the interests (as well as the dangers inherent in not having these interests met) that children themselves, including the wider community of which they are members, rightfully possess in the kind of upbringing (including the kind of education) they receive. Thirdly, the state intervenes in the lives of families in a whole variety of ways. It does so for the benefit of families and should not (at least not necessarily) be construed in big- brother terms.

Discussions of familial intimacy give rise to a number of questions, two of which are worth mentioning: (1) the extent to which its unquestionable value provides the requisite support for parental rights, and (2) the degree to which parents are morally obliged to concern themselves with a child's 'best interests'. As far as the first is concerned, Brighouse and Swift, after conceding that having an interest in something neither entails nor supports the idea that one has a right to it, make the important distinction between associational and control rights. While the former (such as the right to spend time with one's children or to share one's enthusiasms with them) require certain control rights if the requisite degree of intimacy is to be enjoyed, parents have no right to control a child's views and commitments by indoctrinatory or any other morally suspect techniques. Such rights of control that do exist are contingent upon the interests and rights of the child. Nonetheless, as David Bridges reminds us, parents are people too (1984). As such, they cannot be reduced to mere instruments towards the good of their offspring; such a view would, as Callan says, make parenting seem like martyrdom (1997, p. 139).

The view that parents are obliged to act in the 'best interests of their children is widely held, and gains support from both the United Nations Convention on the Rights of the Child—Article 3.1 of which states that: 'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative

authorities or legislative bodies, the best interests of the child shall be a primary consideration.' Before this is readily endorsed, it is worth pausing to ask what is to *count* as the child's best interest. There is unquestionably a social relativity attached to the notion, and it is far from being a mere empirical question. As if that were not complication enough, the demands such a requirement would place on parents would be excessively demanding.[4] As a maximizing notion, it demands far too much of parents who would, were they to live their lives in accordance with its strictures, have to concede to their children being brought up by someone with 'better' parenting credentials. Furthermore, if one were to take such an obligation seriously, the consequences would be nothing short of paradoxical. Article 12.1 of the same UN Convention clearly insists on the *right* of a child to be heard on all matters affecting it, with the child's views 'being given due weight in accordance with the age and maturity of the child.'; a right which should be respected even if the child's desires are not in accordance with its best-interests. If one were to conscientiously act in accordance with what one took to be in a child's best-interests, not only would one be in grave danger of riding roughshod over a child's seriously held desires, in failing to treat them with the respect they deserve, one might find oneself in the uncomfortable position of having to surrender one's child to the care of others, should one fail the best-interests test. The tension here is easily resolvable by simply denying that children have a right to the best available as far as upbringing is concerned.[5]

The conclusion so far is that while there is indeed a rightful place for intimacy in the context of childrearing, in that a parent's opportunity to flourish *as a parent* would be seriously undermined if every decision and action were subject to public scrutiny and them accountability, the fact remains that the right to such intimacy is conditional; parents must satisfy a minimal threshold of appropriate care towards their children if state intervention is to be withheld. Failure in this regard would impose a duty on the state to intervene in the child's interests. It is now incumbent upon us to locate some of these issues in the context of the interests, rights and duties of parents, society at large and children themselves. For we cannot specify the boundaries or limits to parental autonomy and the rights (if any) to which they are entitled, unless we have a clearer picture of the interests they may have in the childrearing process.

Parents' Interests and Parents' Rights

In his discussion of parental autonomy, Colin MacLeod emphasises the fact that parents, like everyone else, have an interest in living a good life, and for many people the begetting and rearing of children is part of such a conception. (1995, p. 121). Moreover, such

[4] See, for example, Archard (1993, p. 62, and 2003, pp. 38–53), and Bigelow et al (1988, pp. 186ff.).

[5] In refusing to subscribe to the perfectionist paternalist implications of trying always to act in accordance with a child's best-interests, Bigelow et al subscribe to the altogether more plausible brand of paternalism towards children, namely *protectionist* paternalism, which requires people only to ensure that no *harm* befalls the child. While there is clearly a difference between harm avoidance and good promotion, the case for justified paternalism towards children is stronger in regards to the former. As they point out: 'Perfectionist paternalism would, on the face of it, license other adults to interfere whenever they judge that this would be in the best-interests of a particular child' (*Op. cit*., p. 186). There is, therefore, reason to believe that just as the 'clear-and-present-danger' criterion would appear to sanction too little in terms of interference with parental autonomy, the best-interests test justifies too much. All of this accords with Archard's distinction between the maximalist and minimalist demands upon parents. While 'the former requires that a parent ensure that the child receives the best upbringing, the latter only that the child receives an upbringing that satisfies some basic threshold of care' (2003, p. 99).

interests that may rightly be accorded to parents should not be conceived as entirely self-regarding; the interest a parent has in pursuing a fulfilling relationship with her children is, in part, bound up with ensuring that the child's interests (and needs) are met. As part of their conception of the good life, parents may well wish to induct their children into a variety of religious and cultural commitments and it is the burden of this paper to specify the limits beyond which such induction ceases to be morally acceptable. He seeks to defend what he calls a 'liberal' conception of parental autonomy which entails significant restraints on parental autonomy in virtue of its recognition of the overwhelming importance of securing the development of rational autonomy in children.[6] Such a conception is not entirely unproblematic however, in that it seeks 'to permit both acquisition of autonomy by children and the pursuit of shared family projects and ideals that are, to a significant degree, directed by parents' (*Ibid*., p. 129). MacLeod's solution is to adopt a relatively permissive conception of parental autonomy, whereby parents may 'provisionally privilege' any favoured conception of the good life such as that of Catholic or vegetarian, for example, while not 'authoritatively fixing' their own values onto their children. Parents should not be permitted to 'foreclose the possibility of deliberation about such matters by tightly insulating children from exposure and access to the social conditions of deliberation', the corollary of which is that 'children should be permitted to acquire some distance from the familial conception of the good and should develop an awareness that there are potentially viable conceptions of the good besides the one enumerated by the family' (*Ibid*., p. 130). Such a view is quite compatible with allowing parents extensive latitude in the demands they may be allowed to make in relation to their children in the light of their *own* interests.[7]

In highlighting the respects in which the state has interests in the way children are reared—particularly in an educational context, we shall be better placed to appreciate not only the extent to which children have an interest in their upbringing, but also the ways in which an appropriate balance may be struck between such interests and those of both their parents and the body politic. In so doing, it will become apparent that the child's interests are paramount and merit special protection and promotion, requiring clearly demarcated limitations as to how far parents and/or the state are entitled to operate in the interests of any self-regarding or more general utilitarian considerations. This paper is not specifically concerned with children's rights; its concern is with the right of parents in an educational context, and for this reason the discussion of the state's interests in childrearing will be similarly restricted.

A modern liberal democracy could not function without a minimal level of political and moral literacy such as the rights and responsibilities associated with citizenship. These include, amongst many other things, acknowledging the significance of mutual respect, freedom of speech and association, the nature and purpose of the legal system and its role in the peaceful adjudication of disputes, and, at the very least, the ways in which power may be legitimately exercised. If any of this is to be remotely achievable, the state needs to ensure that there is a properly resourced education system whereby children are taught to

[6] This is in contrast to the more conservative conception defended by, amongst others, Loren Lomasky, who says that 'each family should, as a matter of basic rights, be at liberty to secure through market transactions the sort of educational package it prefers and that educational entrepreneurs can be induced to provide' (1987, p. 172).

[7] As Callan argues, we need to do justice 'to the hopes that parents have and the sacrifices they make in rearing their children…(*Op. Cit.* p. 145). 'A moral theory of relationships in the family that says only the interests of one or both parents count is despotic…. But a moral theory of the family that says only the interests of children really count merely inverts the despotism of patriarchy'.

appreciate the importance of such matters for both their own well-being as well as that of the wider community. The nature, structure and extent of a publicly funded education system, as well as the content of the curriculum to which children are exposed, are all things in which citizens have vested interests.

Children are no different from their parents in having an interest in living a good life even if, as children, their conception of what that might amount to is either limited or non-existent. Whatever they have an interest in *as children* (such as having their physical, psychological and social needs met) they also have an interest in developing the powers and capacities required for a life of autonomous well-being. The interest a child has in learning how to live a life in accordance with a script she wrote for herself as opposed to one written for her by parents, priests or peers, is inextricably bound up with her being able to flourish as a person. An autonomy-facilitating education is vital if we are to avoid the perils associated with fawning deference so frequently associated with servitude. If, in the course of childrearing, a parent successfully insulates her child from all conceptions of the good at variance with her own, the child is in very grave danger of growing up unable to do anything than that which concurs with her parent's *weltanschauung* and is, thereby, doomed to live an ethically servile life.

A parent's so-called right to deny her child access to such an education should be resisted in the interest of what Joel Feinberg (as part of his defence of the 'rights-in trust' to which a child may be said to be entitled) has memorably referred to as 'a child's right to an open future', where significant options in life–such as the adoption (or rejection) of a particular religion—are not foreclosed.[8] This is an appealing notion for several reasons. Not only is it a realistic and hard-edged view about children and the conditions required for autonomous well-being, it is resistant to the idea of children's rights carrying more weight than it merits. Reference to a child's right to an 'open future', not only provides a sharper focus to the nature of parental obligations, it also serves to provide limitations by reference to which parents' decisions in regards to their children are justified, thereby enabling us to be better placed to determine whether or not they have a right to send their children to private schools, faith schools, teach them at home, or to limit their exposure to a liberal curriculum.

The fact that parents have interests in their children's upbringing is indisputable. What is disputable is whether such interests provide sufficient grounds for the attribution of rights over their children as Brighouse and Swift, for example, would have us believe (op cit, p. 96). All that follows from an interest in childrearing is that one is entitled to the right of forbearance, which is to say that one should be left free (within reason) from the interference of others as to how one goes about this; the boundaries in question having to do with the possible harm suffered by one's children. The right to which I am entitled in this regard, is the right to privacy; a right to which everyone is entitled in virtue of their personhood as opposed to their parenthood. It is a claim right *against* others unlike a so-called parental right *over* others.

[8] See, Feinberg (1980, p. 133). Although Feinberg is more sympathetic than is warranted to the idea of parents being able to ensure that their own values are endorsed by their children when he says: 'because of their special relation of intimacy and affection with their children,' [parents] 'are permitted and indeed expected to make every reasonable effort to transmit by example and precept their own values to their children' (*Ibid.*: p. 133). He is also inclined to defend a maximal interpretation of autonomy when he says that education should equip the child 'with as many open opportunities as possible, thus maximising his chances of self-fulfilment' (*Ibid.*, p. 135), in contrast to the more minimalist conception favoured by Reich, for example (2002).

The right to privacy needs to be distinguished from the right to autonomy. A parent's right to raise her children in her own way is not unconditional, and *as a parent* her autonomy in this regard is not entirely unconditional. If she fails to assume the mantle of responsibility herself, there is a strong *prima facie* case for intervention on the part of external agencies. The point requiring emphasis here is that a parent should be willing to acknowledge the obligations and duties she has towards her children which take priority over any purely self-regarding interests. To acknowledge the priority of duty over so-called parental rights is not to reduce the parent to a mere functionary in relation to her child's well-being. There is no more reason to reject the place of duties in relation to childrearing than there is to exclude references to rights from intimate relationships of any kind. It is possible to concede the fact that parents should be granted a measure of autonomy as to *how* they fulfil their parental duties without denying that their obligations to care is absolute. Parental discretion ends at the point where one's child is in danger of being either seriously harmed or not having her fundamental needs properly catered for; and a child may be said to be harmed when deprived of the minimal conditions necessary for normal functioning, below which she has a right to be prevented from falling.

What might be said in response to the claim that there are parental rights entirely disconnected with parental duties—such as the right to 'enrol' one's child as a member of religious faith or political party? Some parents see it as their right to be provided with faith schools or single sex schools or, if they can afford it, to send their children to private schools or schools specialising in things such as ballet or playing the violin. Many believe that it is within their right to smack their children or to hit them with straps, to receive school reports and to be kept abreast of their child's educational strengths and weaknesses, as well as not to be prevented from introducing them to their own passions and enthusiasms such as football or fly-fishing. A proper response requires a number of distinctions.

Firstly, on the assumption that a child has a genuine stake in pursuing her, autonomously chosen projects and goals, there is nothing incompatible with this and being infected with a parental enthusiasm for sport. Even here, however, there are certain limitations on the right of anyone, including parents, wishing to initiate children into their pastimes and pleasures. A parent may enjoy hard drugs, pornography or sado-masochistic sex, but it would be quite improper for her to introduce her children to such things. Secondly, there are reasons to believe that a child's autonomy may well be seriously curtailed if the single sex school to which she is sent, offers an overtly sexist curriculum or, in the case of faith schools, a curriculum premised on the assumption that a particular religion is the fount of all truth. Any interest a parent may have in such a restricted educational diet is trumped by the child's right not to have her options foreclosed. This is why that view of parenthood which sees it as affording the right to *determine* a child's moral, religious or political outlook is unacceptable. Again, a child's right to pursue her own career may well be compromised by being sent to a specialist dance academy when very young. When it comes to a parent's right to receive information concerning the child's progress in school, or even to meet out certain kinds of punishment, such rights are derivative from more general duties associated with responsible parenting. Rights such as these are not something to which the parent is entitled, as if it were a discriminatory right, the benefit of which is for her and her alone. They are, as White (1983) argues, enabling rights whereby a parent is better placed to fulfil her parental obligations in relation to her child's education. It is a fortunate parent who never has to chastise her child, but if there are circumstances when it is necessary, it in no way follows that physical violence or public humiliation are acceptable means. Children have the right not to be treated in degrading ways and parents have no right to compromise their children's self-respect. One

could go further and say that the child has a right to affection and love, which of necessity excludes any form of discipline that is belittling or demeaning.

Do Parents Have a Right to Send Their Children to Private Schools?

If the education provided by all the schools within reasonable travelling distance of a child's home is so awful that it is, in effect, no education at all, then there is a strong case for trying to find alternative provision on the grounds that the *child* has a right, at least in a wealthy country such as Britain, to an education the standard of which should meet a minimal level of adequacy. This right belongs to the child and not to her parent. In her attempts to secure this on the child's behalf, the parent is not exercising her right either *to* education or to a choice *between* alternative kinds of education; she is exercising her custodial duties towards her offspring stemming from her position as trustee, charged with the responsibility of ensuring that her child's present and long-term interests are secured.

When it comes to the so-called right to pay for a private education, it is no doubt the case that most parents claim this for reasons other than that the local schools are *totally* inadequate. Their reasons are more likely to be related to what they perceive to be a better education and/or because private schools are thought to equip their children with significant competitive advantages after leaving school. However, if the state is already providing a child with an education that is adequate enough, does the parent have a right choose a private alternative? If not, is the state within its right to abolish them?

In his *How Not to be a Hypocrite: School Choice for the Morally Perplexed Parent* (2003), Adam Swift is at pains to defend a parent's decision to 'go private' *even if* the educational opportunities for those left in the mainstream sector are fewer than they would have been had their wealthier peers remained alongside them, on the grounds that 'parents are justified in helping their children avoid inadequacy', with the caveat that its acceptability is premised on the assumption that 'the cost to others of that micro-choice is minimal' (p. 135). As was suggested earlier, a school might be judged inadequate if it failed to cater for a child's special needs or refused to consider the necessity for an anti-bullying strategy. Swift would agree, while highlighting additional criteria of adequacy including the extent to which a school attempts to avoid emotional and psychological harm to children, restricting them to a life of poverty, or preventing a child from receiving an intrinsically valuable education or a fair chance in life (*Ibid*.: pp. 114ff.).

If the criteria of adequacy lack specificity—there being widespread disagreement over what is to count as 'good enough', it is beyond dispute that the decision to choose a fee-paying school will have consequences, not all of which are desirable, for the lives of other people's children, the wider community as well as for the children who are sent to such schools. The choice of school one makes for one's child is unlike the right to choose to be tattooed, in that choosing the former one's action is far from self-regarding.

There is a sense in which the kind of education one receives is a private good. My knowing all there is to know about the French Revolution, the poetry of Yeats or differential calculus in no way prevents you from knowing as much, because knowledge is infinitely shareable. However, as Swift points out, education is at the same time a 'positional good'. 'The value of a person's education depends not only on how good it is an absolute terms, but on how good it is compared to that of other people …. What matters is not how much education one gets, or how good that education is, or even one's results, but one's position in the distribution of things' (*Ibid*.: p. 23). It is, as Hollis (1971) noted,

similar to numbered lithographs in that its value is partly dependent on the extent to which other people don't have it.[9]

The costs to other people's children and the consequences for the wider society are incalculable. The people who are most likely to suffer the adverse effects of private schooling are the very people who are the least privileged and least able to rectify their disadvantage. Matthew Clayton and David Stevens are therefore quite right in suggesting that: 'If someone's situation is worsened by your appropriation, then you must either compensate them or renounce your claim to the resources you have taken' (2004, p. 117).

The extent to which privately educated children are themselves harmed by being isolated from their less financially well-endowed peers, resulting in an all too frequently held belief in their own superiority, together with the potentially damaging social consequences resulting from such erroneous conclusions, is not something that can be pursued here. What merits emphasis however, is that where there is a choice between public and private educational provision, serious conflicts of interest may result, and it is far from self-evident that they should always be resolved in favour of one's own children.

Suffice it to say that if the position of those children who are already in a disadvantageous position in relation to educational opportunities is significantly worsened by the existence of fee-paying schools, then, in the interests of social justice the case for their abolition is very strong.

Do Parents Have a Right to Send Their Children to Faith Schools?

As part of its concern for diversity of educational provision, the British government proposed in 2001 that religious minorities should be encouraged to open their own faith schools, for which there would be state funding (DfEE 2001). This decision was taken, in part, in recognition of the fact that the UK is a multi-faith society in which the Church of England and the Roman Catholic Church appeared to be invidiously privileged in respect of such funding. However, an equally valid response to the perceived injustice would be the abolition of all schools with a religious foundation.

The reasons why so many parents choose to send their children to faith schools are numerous and need not detain us. This section will argue that they have no right to such schools, whether state or privately funded. While it is undeniably a human right to worship in a manner of one's choosing, nothing follows concerning parental entitlement to schools which reflect their own religious convictions. The claim rests on the fallacious assumption that because one is a Catholic or Moslem oneself, one's children are *thereby* Catholics or Moslems. There are at least three reasons why parents do not have a right to faith-based schooling; the likelihood of indoctrination, the threats such schools pose to both social stability, and the possible threats to their students' autonomy.

While this is no place to embark on a lengthy discussion of such a contested concept as indoctrination, it is easy to see why the Humanist Philosophers' Group is concerned about the possible indoctrinatory effects of faith schooling (2001). To account for religious indoctrination in terms of the *intention* to establish belief irrespective of evidence and

[9] The implications are profound. As Ruth Jonathan says: 'If the exchange value of education, in combination with the stratified nature of the society in which it is embedded, make the relative advantage of one child in part a *necessary* function of the relative advantage of other children, then the parent cannot seek to promote the interests of her own child without indirectly damaging the interests of children with a less effective agent' (1989, p. 334).

counter-arguments, as they do, is to presume too much. If children do acquire religious beliefs unquestioningly, out of fear or undue respect for parents and teachers, then they may be said to have been indoctrinated whether or not there was any intention. The key factor is the *likelihood* of children coming to accept the truth of religious propositions given the influences to which they may have been exposed. Children are not only vulnerable, many are gullible. If, in their formative years, their principal influences are parents and teachers who share the same religious outlook, they are more likely to believe in the truth of religious propositions than they might otherwise have been, and it is unrealistic to suppose that all faith schools would attach priority to ensuring that pupils are encouraged to *critically* reflect on their religious beliefs.[10] Opinions differ over whether children in faith schools are more likely to be indoctrinated than their peers, but the dangers are sufficiently great as to cast doubt on whether they should be permitted to operate.

In considering whether the existence of faith schools might result in a kind of voluntary apartheid, Mark Halstead is complacent in supposing that 'rivalry and divisiveness would be less likely… in a state which showed equality of respect towards diverse cultural groups and [that] suspicion and resentment between groups would be further diminished by education for cross-cultural understanding' (1995, p. 270). One has only to look at the recent history of Northern Ireland, where most children have so little opportunity to relate to their peers from different religious backgrounds during their formative years, to appreciate how difficult it is to achieve the cross-cultural understanding favoured by Halstead. If faith schools were allowed to proliferate, is it not counter-intuitive to expect that they would be overly concerned with the socially divisive consequences that are more than likely to ensue? Having wedded himself to the significance of what Terence McLaughlin refers to as a child's 'primary culture, whereby children receive a 'determinate starting point from conditions of stability as well as openness' towards achieving autonomy (1994, p. 103), which, by extension entitles them to 'a determinate form of schooling, harmonious with the values and beliefs of the family' (*Ibid.,* p. 106), Halstead ignores the very real difficulties faced by many young (and not so young) people in developing the wherewithal to 'exit' from their primary culture.[11]

Halstead's attempt to find a compromise between the demand of religious minorities for faith schools as part of their preservation of a cultural identity on the one hand, and the ability of students to distance themselves from their primary culture in the interests of autonomous decision-making on the other, together with an attempt at reconciliation through a variety of curricular proposals, is far from persuasive. Not only does he fail to specify the *content* required for what he calls 'education for specific cultural attachment', he is the first to concede that there are profound implications for social cohesion attached

[10] The Humanist Philosophers' Group presents a very powerful case against faith schools but relies on an account of 'religious education' as nothing more than 'teaching *about* religion' (2001: 14, their emphasis). I have elsewhere argued that in order to be religiously *educated*, as opposed to being merely instructed, one needs to *understand* religious concepts (such as 'God'), which entails that one is to some extent—the extent depending on the depth of understanding—on the 'inside' of a religion. How otherwise could one understand in anything other than a superficial sense, if one had not been initiated into their possible *use*? To understand anything at all about the nature of God is to believe that there is something that counts *as* God—which is another way of saying that understanding presupposes belief. If true, and if it is not the business of a publicly funded system of schooling to get children to believe in the truth of propositions that are highly disputable, then it is difficult to see how there could be a place for a religious education of this kind. Indeed, it is difficult to see how it could be distinguished from indoctrination (Marples 1978).

[11] As Susan Moller Okin says, 'individuals must not only be formally free but substantially and more or less equally free to leave their religion or culture of origin; they must have a *realistic right of exit* (2002, p. 206, emphasis added).

to the very idea. His 'education for cross-cultural understanding', designed to provide 'tolerance and respect and the ability to live alongside groups with different cultural values' (Op. Cit pp. 269ff), fares no better.[12] Unless children are exposed to the views (preferably those robustly held) of people with radically different outlooks on life to themselves, there is a very real danger of social conflict and strife.[13]

We have already seen the force of attaching importance to a child's right to an open future, part of which includes, according to Feinberg, 'anticipatory autonomy rights' of which religious freedom is one. (Op. Cit., pp. 125–126). If more than lip service is to be paid to this right it is essential that children are equipped with the intellectual and emotional resources essential for autonomous decision-making as well as having the opportunity to consider the merits of other religious or non-religious viewpoints. It is too easy to slough off the charge that the products of faith schools are as equally capable as other school leavers of subjecting the claims of religion to rational scrutiny when faith schools actively foster religious commitment through their assemblies, religious education lessons, and selection of teachers. In the light of avowals by the Church of England, (2001), to the effect that the Church's mission is 'to bring others into the faith' (3.11), that the Church school '*promotes Christian values* through the experience it offers all its pupils' (3.24, emphasis added), values that will 'run through every area of school life as the writing runs through a stick of rock' (3.25), it is easy to see why there are reasons to be sceptical of the idea that their prime concern is with a child's anticipatory autonomy rights whereby she may be well-placed to reject the whole package if and when she thinks fit. If faith schools were to take such a laudable goal they would, of necessity, have to operate with double standards by providing some kind of education which ran counter to what they were originally set up to achieve. This is not to say that *all* faith schools are unconcerned about a child's burgeoning autonomy, and it would require some very sophisticated research in order to establish the relationship between attendance at a faith school and the degree to which a person's autonomy might be restricted. Moreover, there are many parents who, while subscribing to no particular faith on the one hand or, as adherents to a very different faith from that to which they send their children, opt for a faith school for reasons other than ensuring that their children become or remain devotees of a specific faith, the fact remains that were fears relating to children's anticipatory autonomy rights proven groundless, there is sufficient warrant to suppose that where children are surrounded by teachers and others who are devout, the likelihood of their possessing what it takes to argue against such an all-pervasive *weltanschauung* may well be sufficiently reduced as to merit the charge of indoctrination, however unintentional. It is highly unlikely that they will be at the forefront of a movement to ensure that children are provided with the essential dose of healthy scepticism required by an appropriate concern with autonomy-promotion.

[12] If cross-cultural understanding is an important part of a liberal education, it flies in the face of common sense to hive children off from one another on the basis of their *parents'* religion. Again, our fears in relation to the socially divisive consequences of faith schools would be no less misplaced were we to rely on a curriculum that merely teaches *about* other cultures and religions, with actual contact with children from different religious backgrounds having no bearing on the matter. Neil Burtonwood cites the extraordinary comments made by the governors of the Torah Maczikei Hadass School in London who, when criticised by the inspectors for failing to prepare their pupils for the wider society 'simply declared no interest in this particular educational purpose' (2003, p. 424).

[13] Mere exposure is in itself insufficient. For as Mill says: 'Nor is it enough that he should hear the arguments of adversaries from his own teachers, presented as they state them, and accompanied by what they offer as refutations. That is not the way to do justice to the arguments, or bring them into real contact with his own mind. He must be able to hear them from persons who actually believe them; who defend them in earnest and do their very utmost for them' (1975, p. 36).

Unfortunately, discussions of autonomy frequently fall short in being confined to cognitive autonomy, the principal concern of which is the process by which people decide what to *believe*. Emotional autonomy—what it is appropriate to *feel*—is no less important in the assessment of a person's overall autonomy. As a result of certain kinds of upbringing some people are overcome with guilt when acting in accordance with convictions at variance with those of their parents, so much so that they find it difficult or impossible to act in the light of those of their own. How often has one met one-time Catholics who, having lost their faith, continue to feel *guilt* about not going to mass or confession? Again, someone who has been raised in a devout Moslem family, while no longer sharing the convictions of her parents, may well continue to *fear* not only their reactions, but also the consequences of trusting her own judgments. As Benson says, 'intellectual skills cannot exist without qualities of character. The fear and anxiety that subvert the mind in forming judgments also subvert the will in standing by them and translating them into action' (1975, p. 14). The extent to which parents, priests and teachers exert a powerful influence over children's emotions should not be underestimated. No doubt many faith schools do equip children with the capacity to think for themselves, but restrictions on the capacity for autonomous decision-making exist where there is a mismatch between feelings and beliefs.[14]

Do Parents Have the Right to Withdraw Their Children from School or from Those Parts of the Curriculum to Which They Have Either Moral or Religious Objections?

The reasons why parents choose to withdraw their children from school are diverse, and include: discontent with what they perceive to be poor teaching, failure to meet the child's special educational needs, the attempt to protect her from bullying, as well as those pertaining to things such as religious fundamentalism. As to whether any or all of these provide sufficient justification for parents having a *right* to withdraw their children is a matter of dispute.

Where it is demonstrably the case that a child's experience of school is the very antithesis of 'educational', the case for withdrawing her from such an establishment is strong. It is even stronger if there is no suitable alternative within easy reach of the child's home. However, even in such dire circumstances, it is the interests of the child that are paramount. Withdrawing the child from school may well be a parental duty, but it is highly questionable as to whether it is a right. The fact remains that what is to count as 'poor', 'bad' or 'inadequate' is far from easy to specify,[15] and it is undeniably the case that many parents who opt for home-schooling do so for reasons more to do with ideology or religious bigotry. The Home School Legal Defense Association in the USA, for example—an organisation set up with the purpose of supporting fundamentalist Christians—is quite explicit in its aim of protecting children from what it considers to be the pernicious views associated with secular education. Where a school fails to meet a child's special

[14] One crucial question which advocates of faith schools rarely seem to answer, is how the relevant criteria by reference to which a particular faith should be denied public funding to set up their own school, are to be determined. *The Times Educational Supplement* not so long ago published a letter claiming that Paganism 'is recognised as a religion by the NHS and the Prison Service, both of whom enjoy pagan chaplains.' (7 November, 2003).

[15] For a useful attempt to explicate the kinds of inadequacy that would justify withdrawing children from school, see (Swift 2003, Ch. 8).

educational needs, or turns a blind eye to bullying, the parent has a duty, not only to her own children but to other children in the school, to voice her concerns. It is a gross abdication of responsibility to see withdrawal as the first move in what may be a complex strategy to improve an unacceptable state of affairs.

What, then, of the so-called parental right to withdraw children from school on religious grounds such as those claimed by, and granted to, the Old Order Amish in 1972 when the United States Supreme Court ruled in favour of their claim to withdraw their children from secondary education on the grounds that attendance after the age of 14 would be a violation of their freedom and would pose a threat to their way of life. Their claim rested on the assumption that exposure to the ways of the world beyond eighth grade would undermine the very existence of the Amish community. The truth of this apart, the Court's decision not only assumes that children's interests coincide with those of their parents, but also concurs with the view that religious minorities have rights over their children meriting judicial protection. The verdict provided the green light for parents wishing to 'home-school' their children.

Difficulties of defining a 'community' notwithstanding—they are rarely homogenous with clearly defined identities and unchanging ideals—there may well be cultural minorities who are perilously close to extinction. The fact remains that it would be erroneous of adult members to conceive of themselves as *nothing more than* members of a particular community. In spite of the distress felt by someone facing the prospect of the community fizzling out due to the next generation's preference for living in accordance with values associated with the mainstream culture, there is no case whatsoever for denying her children *their* right to a proper education, including the opportunity to evaluate the pros and cons of living in ways radically at odds with her own. It is all very well, as Piet van der Ploeg reminds us, to speak of 'the cultural tradition into which one was born [but] it does not follow that people are born *as* members of a cultural community. They are born *in the midst* of members and their culture. [Whether they become] members of a *particular* cultural community is therefore partly the result of education' (1998, p. 181).

There are very strong reasons for denying the existence of 'group rights' on the grounds that the rights of individuals should never be subordinate to those of groups. It follows that there are strict limits to what a liberal society should be prepared to tolerate in the interests of minority cultures, and it is a nonsense to pretend that a child ' belongs' to the group in such a way that she may be insulated from the wider societal values. This no less true when it comes to an individual parent's right to 'protect' her child from interacting with her peers from different religious or cultural backgrounds, because, as has already been argued, the child is not (in the proprietarian sense) 'hers' to protect.

The conclusion so far is that while there may be prudential reasons for withdrawing one's children from a publicly funded system of schooling, there are no parental *rights* to home school. The fact remains, however, that many parents take great exception to the educational diet offered to their children, often on religious grounds, and claim the right to remove their children from classes which present certain lifestyles as valid alternatives to those which they themselves find anathema. In Hawkins County Tennessee, the Mozert parents obtained the legal right to withdraw their children from reading classes (a right subsequently overturned by the Appeal Court on the grounds that compulsory attendance at such classes violated neither the free exercise nor establishment clauses of the First Amendment). The parents' objections to the reading materials were numerous, and included the fact that a boy was depicted adopting a role in the kitchen traditionally associated with women. Above all, they rejected the distinction between exposing their children to ways of life other than their own, and the inculcation of a belief in the value of such ways of life. As far as they were concerned, getting children to critically evaluate different ways of life was tantamount to

heresy.[16] While it is self-evident that the decision to rule in favour of Hawkins County and against the Mozerts was the proper one to make, it might be thought that those parents who would prefer their children not to be exposed to certain aspects of sex education—homosexuality, for example—should have the right to withdraw their children from such lessons; something to which in England at least, since 1994, they are legally entitled (see, DfE, 1994).

Teaching about homosexuality is thought by some to be sufficiently controversial to allow those parents who are against it, to exempt their children from it.[17] On the other hand, as Hand asks, 'Why should we agree to count as controversial any moral question to which the answer is not entailed by a commitment to basic rights and liberties? (2007, p. 73). As he says: 'issues should be counted as controversial not when public values happen to be silent on them, but when opposing values on them are rationally defensible' (*Ibid*., p. 76). He is quite right to remind us of the fact that reproduction is only one of several possible goods that might be served in engaging in sexual acts, and in view of the fact that this (unlike pleasure, sexual outlet, intimacy, etc.) is the *only* sexual good unavailable to homosexuals, it follows that homosexual acts are morally legitimate. If true, it follows that John Pertrovic is correct in asserting that 'the virtue of recognition and the principle of non-oppression' are fundamental to democracy, entailing a policy of 'positive systematic inclusion' of gay, lesbian and bisexual people (1999, pp. 203 and 205). All of which rules out 'allowing damaging arguments to be placed before children struggling with their present and future sexual identities, predsisposing them to buy into the heterosexist presumption of abnormality and sin' (2002, pp. 150–151).

On the assumption that sex education is an essential component of liberal education, it is difficult to envisage how issues pertaining to homosexuality should, or indeed could, be avoided.[18] Compelling Moslem children to attend such classes might well appear to be in

[16] The Mozerts' claim to have their religious convictions take precedence over an appropriate civic education is vigorously attacked in many places. Stephen Macedo argues that 'children cannot be good citizens of a diverse and liberal polity unless they are taught that critical thinking and public argument…are appropriate means of political justification. Children must be exposed to the religious diversity that constitutes our polity for the sake of learning to respect as fellow citizens those who differ from them in matters of religion' (1995, p. 226). Macedo is correct to suggest that 'a liberal order does not and should not guarantee a level playing field for all the religions and ways of life that people might adopt….we have no reason to be equally fair to those prepared to accept, and those who refuse to accept, the political authority of public reasons that fellow citizens share' (*Ibid*., p. 227). According to Amy Gutmann, a well-considered democracy ' expects us to exercise critical judgment in our willingness to take unpopular political positions, respect reasonable points of view that we reject, and respect public policies from which we dissent. A civic education that satisfies the *Mozert* parents' objections…would interfere with teaching the virtues and skills of liberal democratic citizenship (such as the teaching of toleration, mutual respect, racial and sexual non-discrimination, and deliberation)' (1995, p. 563).

[17] As far as the criteria of controversiality are concerned, opinions differ. The criterion adopted here, is that provided by Robert Dearden to the effect that '…a matter is controversial if contrary views can be held on it *without those views being contrary to reason*. By "reason" here, is not meant something timeless and unhistorical but the body of public knowledge, criteria of truth, critical standards and verification procedures which at any given time has been so far deployed' (1984, p. 86).

[18] In her treatment of the issue, Patricia White points to the relevance of the fact that while we have no *choice* about our sexual orientation, we have a great deal of choice when it comes to sexual *activity*. As she says, 'If … sex education is partly concerned with helping people make wise choices in this area of their lives, both for their own sakes and others' sakes, there is no good reason to restrict it exclusively to a consideration of heterosexual behaviour. To do so, disadvantages us all, whatever our sexual orientation' (1991, pp. 401–402). There are, of course, countless other reasons for teaching about homosexuality, many of which have been usefully rehearsed by Michael Reiss, and include the fact that its absence is hurtful to homosexuals, many teenagers have homosexual tendencies, as citizens we need to know whether homosexuals should be allowed to marry, adopt, teach, join the military, etc., not to mention the fact that such teaching may contribute to the prevention of homophobia (1997, pp. 344–345).

violation of Islamic teaching, which sees homosexuality as anathema. The conflict between the demands of a liberal education, with its emphasis on the need to provide children with the access to viewpoints not necessarily in conformity with those of their parents or culture of origin, and that between those religious parents who see the principal aim of education as having more to do with being good Moslems, Christians or whatever, is obvious. We are thus confronted with the question of what should be the appropriate response of those responsible for a publicly funded education system.

In a sensitive discussion of the complex issues involved, Halstead falls over backwards in order to accommodate religious parents' views. Not only should there be a 'willingness to compromise and sometimes accept what on a liberal view is second best in order to preserve harmony and toleration', there is also a very strong case for 'making a number of changes to sex education programmes in order to demonstrate respect for the beliefs of Moslems and other minority groups'—such as single sex classes for sex education, ensuring that Moslem perspectives on marriage, sexual relations, homosexuality and 'other issues in sex education, are given equal respect and prominence alongside other perspectives' (1997, pp. 327–328), emphasis added). But this is to fudge the issue. Apart from the fact that it appears to attach undue importance to the rights of groups, as opposed to their individual members, it is far from clear what a teacher would have to *do* in order to give equal respect. More fundamentally, why *should* the views of those who would discriminate against people wishing to make perfectly acceptable choices be respected at all—anymore than the view of racists or sexists should be respected? An education which denies a child's right to information about anything (sex included) that is likely to assist her in the making of rational choices between significant competing options in life, conspires to prevent her from living a life in accordance with her own, autonomously-chosen, values. As such, there is no reason whatsoever why the education system should pander to parents who wish to deny children *their* right to such a life.

Conclusion

The potential threats to the well-being of individual children and to the welfare of the wider society resulting from the existence of fee-paying schools, faith schools and withdrawing children from mainstream education are such as to provide serious reservations concerning their acceptability in a liberal democracy. While there are extreme circumstances which make it incumbent upon a parent to withdraw her child from school, there is no general parental right to do so; there is certainly no such right to prevent a child from learning something which is in her long-term interests and to which she herself has a right. If the consequence of banning private education results in the closure of perfectly decent *privately funded* 'progressive' schools, it is a price worth paying. There is no overwhelming objection to the state ensuring a variety of educational provision, which may well include schools committed to freedom and democracy for example, and parental choice of school is not something that should be overridden without good reason, but it has not been the burden of this paper to provide the grounds for such choice. Instead, it is hoped that it has gone some way towards explicating the nature and justification of the limitations to the choices that parents, as custodians with duties of trusteeship, are entitled to make on behalf of their children. That parents should be entitled to a measure of choice in terms of their children's education is indisputable; what matters is the basis upon which the choice is made. Choice of school should be made by reference to the needs and interests of children, with any appeal to so-called parental rights in this regard being inadmissible.

References

Archard, D. (1993). *Children, right and childhood*. London: Routledge.

Archard, D. (2003). *Children family and the state*. Aldershot: Ashgate.

Archbishop's Council. (2001). *The way ahead: Church of England schools in the new millennium*. London: Church House Publishing.

Benson, J. (1975). Who is the autonomous man? *Philosophy, 58*, 5–17.

Bigelow, J., Campbell, J., Dodds, S. M., Pargetter, R., Prior, E. W.& Young, R. (Eds.) (1988), 'Parental Autonomy'. *Journal of Applied Philosophy*, *5*(2): 183–196.

Brennan, S., & Noggle, R. (1997). The moral status of children: Children's rights, parents' rights, and family justice'. *Social Theory and Practice, 23*(1), 1–26.

Bridges, D. (1984). Non-paternalistic arguments in support of parents rights. *Journal of Philosophy of Education, 18*(1), 55–61.

Brighouse, H., & Swift, A. (2006). Parents' rights and the value of the family'. *Ethics, 117*(1), 80–108.

Burtonwood, N. (2003). Social cohesion, autonomy and the liberal defence of faith schools. *Journal of Philosophy of Education, 37*(3), 415–425.

Callan, E. (1997). *Creating citizens: Political education and liberal democracy*. Oxford: Oxford University Press.

Clayton, M., & Stevens, D. (2004). School choice and the burdens of justice. *Theory and Research in Education, 2*(2), 111–126.

Dearden, R. (1984). *Theory and practice in education*. London: Routledge & Kegan Paul.

Department for Education (DfE). (1994). *Circular 5/94, sex education in schools*. London: Department for Education.

Department for Education and Employment (DfEE). (2001). *Schools: Building on success*. Norwich: The Stationery Office, DfEE Publications.

Feinberg, J. (1980). The child's right to an open future. In W. Aiken & H. Lafollette (Eds.), *Whose child? Parental rights, parental authority and state power*. Totowa, NJ: Rowman and Littlefield.

Fried, C. (1978). *Right and wrong*. Cambridge, MA: Harvard University Press.

Gutmann, A. (1995). Civic education and social diversity. *Ethics, 105*, 557–579.

Halstead, J. M. (1995). Voluntary apartheid? Problems of schooling for religious and other minorities in democratic societies. *Journal of Philosophy of Education, 29*(2), 257–272.

Halstead, J. M. (1997). Muslims and sex education. *Journal of Moral Education, 26*(3), 317–330.

Hand, M. (2007). Should we teach homosexuality as a controversial issue? *Theory and Research in Education, 5*(1), 69–86.

Hollis, M. (1971). 'The Pen and the Purse'. *Proceedings of the Philosophy of Education Society of Great Britain*, 15(1).

Humanist Philosophers' Group. (2001). *Religious schools: The case against*. London: British Humanist Association.

Jonathan, R. (1989). 'Choice and control in education: Parental rights, individual liberties and social justice'. *British Journal of Educational Studies, XXXVII*(4), 321–338.

Lomasky, L. (1987). *Persons, rights and the moral community*. Oxford: Oxford University Press.

Macedo, S. (1995). liberal civic education and religious fundamentalism: The case of Godv. John Rawls? *Ethics, 105*, 468–496.

MacLeod, S. (1995). Conceptions of parental authority. *Politics and Society, 25*(1), 117–140.

Marples, R. (1978). Is religious education possible? *Journal of Philosophy of Education, 12*, 81–91.

McLaughlin, T. (1994). The scope of parents' educational rights. In J. M. Halstead (Ed.), *Parental choice in education*. London: Kogan Page.

Mill, J. S. (1975). *On Liberty (1859)*. New York, NY: Norton.

Montague, P. (2000). The myth of parental rights. *Social Theory and Practice, 26*(1), 47–68.

Noggle, R. (2002). Special agents: Children's autonomy and parental authority. In D. Archard & C. M. McLeod (Eds.), *The moral and political status of children*. Oxford: Oxford University Press.

Nozick, R. (1989). *The examined life: Philosophical meditations*. New York: Simon & Schuster.

Okin, S. M. (2002). "Mistresses of their own destiny": Group rights, gender, and realistic rights of exit. *Ethics, 112*, 205–230.

Petrovic, J. E. (1999). Moral democratic education and homosexuality; Censoring morality. *Journal of Moral Education, 28*(2), 201–209.

Petrovic, J. E. (2002). Promoting democracy and overcoming heterosexism: And never the twain shall meet? *Sex Education, 2*(2), 147–156.

Reich, R. (2002). *Bridging liberalism and multiculturalism in American education*. Chicago: Chicago University Press.
Reiss, M. J. (1997). Teaching about homosexuality and heterosexuality. *Journal of Moral Education, 26*(2), 343–352.
Schoeman, F. (1980). Rights of families: Rights of parents and the Moral basis of the family. *Ethics, 91*, 6–19.
Swift, A. (2003). *How not to be a hypocrite: School choice for the morally perplexed parent*. London: Routledge.
Van der Ploeg, P. (1998). Minority rights and educational authority. *Journal of Philosophy of Education, 32*(2), 177–193.
White, P. (1983). *Beyond domination*. London: Routledge & Kegan Paul.
White, P. (1991). Parents, rights, homosexuality and education'. *British Journal of Educational Studies, 39*(4), 398–408.