

# The 1944 Education Act was a landmark law – but let's reconsider the privileges it granted to religion

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*Three-quarters of a century ago an enduring piece of legislation secured free education for all – but gave churches substantial control over schools in return. Keith Sharpe says this settlement needs updating.*

As the end of 2019 approaches, a little noticed anniversary ought to be acknowledged. It is 75 years since the 1944 Education Act cleared its second reading in the House of Commons. In its time it was an extraordinary political achievement, creating a new post-war consensual framework for a more equitable system of schooling. For the first time ever primary and secondary education would be provided to all free of charge in England and Wales.

In 1938 most children, approximately 80%, left school at 14 having only attended an all age elementary school. During the Second World War there emerged a widespread feeling that once it was over Britain should be a better place – a New Jerusalem, as a popular contemporary phrase had it. It was hoped that there would be a more closely knit society reflecting the social solidarity of wartime. The campaign for secondary education for all was a major part of this.

The key player in the development of the legislation was an ambitious young Conservative MP, Richard Austen Butler – who the prime minister, Winston Churchill, had made president of the Board of Education in 1941. During 1943 he famously spent a fateful weekend at Chequers where, after a lot of difficult debate and argument, he succeeded in persuading Churchill to support his radical proposals for a fundamental reform of schooling. In time the 1944 act came to be known as the Butler Act.

The act led to the establishment of the tripartite system of grammar schools, technical schools and secondary modern schools, although in practice very few technical schools were created. In fact therefore the system was really bipartite. At the end of primary schooling children were to be 'classified' according to school records and parental aspirations, with testing being used to 'supplement' the information about each pupil. Eventually of course the testing became more important and the phrase 'the eleven plus' entered common currency. The school leaving age was raised to 15 with a clause to raise it subsequently to 16, although this did not happen until 1973.

A major problem facing Butler at the time was persuading the churches to support his plans. They controlled a large number of schools. If they objected Butler knew that Churchill would not want any confrontation with them, and this might then put the whole project at risk. In the end Butler effectively bought them off by agreeing that the state would pay for their schools, including the cost of repairing many inadequate buildings. He also allowed them to determine the nature of their schools' daily acts of worship and their syllabuses for religious instruction, but with an opt out for any parents who might want it.

The act said nothing about the curriculum to be taught – except with regard to religious education, which was the only compulsory subject prescribed. The legislation specified that "the school day in

every county school and in every voluntary school shall begin with collective worship on the part of all pupils". And then every local education authority was to be responsible for drawing up "an agreed syllabus of religious instruction", which schools in its area would be required to follow. To help it in this process legal power was given to constitute a Standing Advisory Council on Religious Education (SACRE). The SACREs later became permanent bodies with legal powers as part of the 1988 Education Reform Act.

The importance of the Butler Act is not just as a great historical landmark. Many of its provisions still shape the system of schooling in England and Wales today.

The daily collective act of worship is still a legal requirement but more than three quarters of secondary schools fail to meet it and are in effect breaking the law. The 1988 act added the proviso that such worship should be "wholly or mainly of a broadly Christian character", which does not reflect the diversity of beliefs in contemporary society.

In recent years governments have become more concerned about strengthening children's sense of national identity and feeling of 'Britishness' in the face of this multiplicity of worldviews. Butler's concern with spiritual development, then synonymous with Christianity, now should become more focused on a form of civic education such as has long been in the case in other countries like France.

The SACREs are still able to exert an important influence on religious education curricula. The Church of England has an automatic right to be represented on all of these committees despite church attendance being in freefall. Other representatives are supposed to reflect the principal religious traditions of an area. But it would be better for all children across the nation to be taught the same thing about religions and worldviews irrespective of 'local circumstances', as the NSS's ['21st century RE for All'](#) campaign advocates. Religion should be taught in an equitable way which enables children to make their own minds up about it.

The daily act of collective worship should be ended. The postcode lottery of local control of RE and the system of SACREs should be abolished. There should be a national entitlement for all pupils to high quality, non-partisan education about the diversity of religious and non-religious worldviews. Any form of confessionalism or religious instruction should be separated from the subject and only ever take place in a voluntary non-state environment.

The 1944 act was a remarkable achievement for its time. But 75 years on, its legacy continues to leave our education system mired in religious privilege. It's time for some constructive criticism.

See also: [NSS to address legacy of 1944 Education Act in lecture.](#)

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## **Keith Sharpe**

Keith Sharpe is a former professor of education and the coordinator of the Secular Education Forum. The views in this article are those of the author and do not necessarily represent those of the National Secular Society.

# 1944 Education Act event

Dr Keith Sharpe will deliver a lecture on the legacy of the 1944 Education Act on Monday 10 February 2020 at Conway Hall in central London. Admission is free and all are welcome. Advance booking is available.

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