



# 'We don't have blasphemy laws in England.' What does this mean for RE?

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## Abstract

The protection and regulation of religious expression present complex challenges. Blasphemy laws, which criminalize acts deemed disrespectful to religious beliefs, have been abolished in England, allowing for broader freedom of expression. However, concerns and discussions about blasphemy persist. The Home Secretary, Suella Braverman (2023), has emphasized that there are no blasphemy laws in Great Britain and no obligation to show reverence towards any religion. Religious Education (RE) plays a crucial role in fostering understanding and tolerance of diverse religious traditions. It provides students with opportunities to develop critical thinking skills and engage in meaningful dialogue. However, certain aspects of critical thinking within RE may be perceived as provocative or blasphemous. This paper explores the ongoing debate on blasphemy laws in England, considering the evolving religious landscape and its implications for the teaching of RE. It aims to shed light on the complex dimensions of this discourse.

**Keywords** Blasphemy · Offence · Religious education · Batley Grammar School

## 1 Introduction

The protection and regulation of religious expression within a society pose complex challenges that require careful consideration. Different countries throughout history have grappled with finding a delicate balance between the freedom to express one's religious beliefs and the need to respect and safeguard the religious sentiments of others. One area that frequently sparks scrutiny is the presence or absence of blasphemy laws, which criminalize acts deemed disrespectful or offensive to religious doctrines and beliefs.

In the context of England, it is widely acknowledged that specific legislation addressing blasphemy has been abolished, thereby providing a broader scope for freedom of expression. However, the ongoing discussion surrounding blasphemy and its boundaries continues to be a subject of concern. This concern was recently highlighted when the Home Secretary, Suella Braverman (Humanists UK, 2023), made a significant statement in January 2023, emphasizing that blasphemy laws are not present in Great Britain and

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rejecting any attempts to impose them. Braverman explicitly stated that there is no right to be free from offence and no legal obligation to show reverence towards any religion.

RE is instrumental in cultivating understanding, fostering tolerance, and delving into the myriad religious traditions and beliefs that enrich our multicultural society. It offers students an avenue to hone critical thinking, partake in profound discussions, and recognize the vast cultural and spiritual landscapes in their surroundings (Barnes, 2020; Freathy & John, 2019). However, it's imperative to note that certain critical examination within RE, like probing alternative interpretations of religious scripture or scrutinizing historical events sceptically, can be seen as contentious or even irreverent by some. Such instances remind us of the delicate balance between educational exploration and respect for deeply held beliefs, exemplified by controversies such as the Batley teacher's suspension for displaying a Charlie Hebdo image (O'Neill, 2021; Church Times, 2021). Guided by scholars like Arendt (1998) and Bernstein (2000) and building on the insights from diverse works ranging from Jackson's (2018) emphasis on human rights in RE to Cooling's (2020) discussion on worldviews, it's clear that RE plays a dynamic role in shaping our understanding of the world and our place in it. The rich tapestry of literature underpins the complex interplay of knowledge, belief, and society, emphasizing the value and challenges of RE in contemporary education.

This paper aims to delve into the ongoing debate surrounding blasphemy laws in England, considering the evolving religious landscape of the country and significant events that have contributed to this discourse. By exploring the intricate tapestry of the legal and societal context surrounding blasphemy and examining the specific implications for the teaching and learning of RE, this paper seeks to shed light on the multifaceted dimensions of this debate.

## 2 History of blasphemy in England

### 2.1 Blasphemy defined

Blasphemy, as an act that can be perceived as offensive to religious beliefs, necessitates consideration for those involved in RE teaching. A term used to describe speech, writings, or actions that are considered disrespectful, irreverent, or offensive towards religious beliefs, deities, or sacred entities. It typically involves expressing contempt, mockery, or contemptuous disregard for religious doctrines, practices, symbols, or figures. Therefore, educators must balance the need for open discussion and critical thinking about religious concepts with the sensitivity required to respect diverse religious beliefs and practices. This balance is further complicated by varying cultural, legal, and historical perspectives, requiring educators to navigate these differences while fostering an inclusive and respectful classroom environment.

Foucault (1995), in his work on power and discourse, delves into how blasphemy and the punishment of blasphemy intertwine with the exertion of power within religious and societal structures. Religious institutions have historically wielded blasphemy as an instrument to retain control over individuals and to regulate dissenting voices. In the realm of public discourse, Habermas (2008) discusses blasphemy vis-à-vis the public sphere and freedom of expression. He posits that in a diverse society, critical dialogue, even if potentially challenging to religious beliefs, ought to be encouraged. Furthermore,

Habermas accentuates the significance of upholding the right to critique religious ideologies, all while respecting individual rights and dignity.

Whilst this paper focuses on English law, the intricacies of blasphemy are evident when considering Scotland's unique historical and legal landscape. Historically, post the Reformation in the sixteenth century, Scotland saw the ascendancy of the Presbyterian Church of Scotland while also hosting significant Catholic and other denominational populations (MacCulloch, 2003). This religious tapestry led to multifaceted perceptions of "blasphemy". From a legal viewpoint, Scotland, while having blasphemy laws, seldom enforced them with the last prosecution tracing back to the early nineteenth century (Herrenberg & Cliteur, 2016.) With the onset of a modern, globalized society, the pertinence of these laws came under scrutiny, particularly with controversial publications or artworks that might challenge religious sentiments (Brown, 2018). Addressing these challenges, the Scottish Parliament expunged the common law crimes of blasphemy, heresy, and profanity through the Hate Crime and Public Order (Scotland) Act of 2021, indicating a shift towards a secularized and more inclusive society (Scottish Parliament, 2021). However, Scotland remains at the crossroads of ensuring freedom of expression and venerating religious beliefs, especially in this era dominated by instantaneous communication (John, 2019).

As the world becomes increasingly interconnected a brief consideration of the global perspective is useful. Across the globe, blasphemy's essence is bound with religious orthodoxy and the preservation of religious sanctity. Varied religious traditions, rooted in their unique teachings, interpret blasphemy differently. What one religion or society deems blasphemous might be non-controversial in another. The ever-present boundaries of blasphemy stimulate dialogues about freedom of expression, religious acceptance, and the dichotomy between safeguarding religious ideologies and championing individual liberties. As societal and cultural norms shift, so does the comprehension and application of blasphemy. For example, in a more global context, the rise of the internet and social media has also tested the boundaries of blasphemy. A notable example includes the worldwide reactions to the Danish cartoon controversy in 2005, where depictions of the Prophet Muhammad in the Danish newspaper *Jyllands-Posten* led to global protests. The incident underscored the contrasts between Western values of freedom of expression and perceptions of blasphemy in other parts of the world (Klausen, 2009). However, it's important to note that while many Western democracies have moved towards decriminalising blasphemy, in several other countries, particularly in parts of Asia and the Middle East, blasphemy laws have either been retained or even strengthened, often carrying severe penalties. These laws are reflective of the significant role religion plays in the societal and cultural fabric of these nations (Rumi, 2018).

## 2.2 English legal timeline

Grasping the evolution of blasphemy laws in England is pivotal for meaningful discussions around RE. This historical journey, charting the shifts in legal protection and challenges to religious beliefs, shapes our comprehension of societal and religious dynamics. It enriches the understanding of how religious tolerance, freedom of expression, and legal structures have interacted over time, thereby influencing teaching and learning within RE lessons. This historical context is instrumental in navigating the complexities of religious beliefs in a legal and social framework.

The origins of blasphemy laws in England can be traced back to early religious influences, the jurisdiction of ecclesiastical courts, and the interplay between statutes and common law (Hare & Rose, 2016; Lawton & Nash, 2007). During the medieval period, the Catholic Church held considerable authority over the state and society, viewing acts of blasphemy as severe transgressions against God and the Church. Religious doctrines played a central role in shaping the legal and moral landscape, leading to the establishment of laws to protect religious orthodoxy (Hare & Rose, 2016).

Statutes passed by Parliament played a significant role in shaping the legal framework surrounding blasphemy in England (Davies, 2020). For instance, the Act “De Heretico Comburendo” of 1401 criminalized heresy, which often encompassed blasphemous speech or writings. This statute reflected the strong religious influence of the time and aimed to suppress dissenting religious beliefs. However, the development of common law principles regarding blasphemy occurred alongside the rise of Protestantism in England (Davies, 2020). The transition from Catholicism to Protestantism brought about changes in religious attitudes, influencing the interpretation and enforcement of blasphemy laws.

The enactment of the Blasphemy Act 1697 marked a significant change in the legal landscape by reducing the punishment for blasphemy from death to a maximum of three years’ imprisonment. This shift reflected evolving societal attitudes towards blasphemy and a recognition of the need for more proportionate penalties. The Blasphemy Act remained in English law until its repeal with the passage of the Theatres Act 1968. This act, aimed at modernizing theatre censorship laws, resulted in the abolition of outdated blasphemy laws in England. It is important to note that during this time, the Offences against the Person Act 1861, a broader legislation dealing with crimes against individuals, contained provisions related to offences against religion and public worship. However, it is essential to recognize that this act did not specifically address blasphemy (Appleby & Levy, 1995; Davies, 2020).

Over time, the legal framework surrounding blasphemy in England underwent significant transformation. Historically, these laws were rooted in the protection of the Church of England and its doctrines from vilification and contempt (Sherwood, 2021). However, as society became more secularized and diverse, and as the importance of human rights and freedom of expression gained prominence, the relevance and utility of blasphemy laws were increasingly questioned. For instance, the famous case involving “Gay News” in 1977, where a poem describing the love of a Roman centurion for Christ was deemed blasphemous, brought forth strong debates on the balance between religious protection and freedom of expression (Brooker, 2013). The subsequent legal and societal debates set the stage for the eventual abolition of blasphemy as an offence in 2008 with the Criminal Justice and Immigration Act (Cranmer, 2008). This marked a pivotal milestone in the history of blasphemy laws in England, encapsulating the evolving societal attitudes and solidifying the nation’s commitment to upholding freedom of expression above archaic religious protections.

The Racial and Religious Hatred Act 2006 holds significance within the context of religious expression and hate speech (Goodall, 2007; Thompson, 2012). Enacted in the United Kingdom, this legislation aimed to provide legal protections against the incitement of religious hatred. Unlike blasphemy laws, which primarily address offences against religious beliefs or doctrines, the Racial and Religious Hatred Act specifically targets the incitement of religious hatred. It operates within a distinct legal framework focused on combatting hate speech and incitement rather than directly addressing offences against religious orthodoxy or sentiment (Feldman, 2006). While the Racial and Religious Hatred Act 2006 falls outside the historical context and development of traditional blasphemy laws in England, it is worth considering as a reflection of society’s recognition of the need

to strike a balance between freedom of expression and the prevention of hate speech and discrimination based on religious beliefs (Goodall, 2007; Thompson, 2012).

### 2.3 Legal proceedings

The relevance of this section on legal proceedings in the evolution of blasphemy laws in England to RE is twofold. Firstly, it provides essential historical context, illustrating how the regulation of religious expression has been legally approached and its impact on the dynamic between religious respect and freedom of expression. Secondly, this historical evolution illuminates the current challenges and sensitivities faced by RE educators, particularly in fostering an environment that encourages open dialogue while being mindful of diverse religious perspectives. This understanding is crucial for navigating the complexities of teaching RE in a society with an evolving religious landscape, shaped significantly by shifts in legal interpretations of blasphemy.

In 1921, John William Gott faced prosecution for his satirical pamphlet, "Rib Ticklers, or Questions for Parsons and God and Gott", which mocked the biblical account of Jesus entering Jerusalem. Despite multiple prior convictions, this led to a hard labour sentence, shortened by his death from illness (National Secular Society, 2022).

The 1977 *Whitehouse v Lemon* case resurrected the blasphemous libel offence due to a poem in *Gay News*. Editor Denis Lemon faced a £500 fine for the poem, which illustrated a homosexual act between Jesus and a Roman centurion (Jackson, 2020).

Post *Whitehouse v. Lemon*, Lord Scarman advocated for the blasphemous libel offence, emphasizing its role in upholding societal peace, and preventing potential social unrest from offending religious sentiments (Slater, 2023).

The 1997 *Wingrove v. UK* case questioned the compatibility of blasphemy laws with the Human Rights Act 1998, particularly Article 10. The court sided with the state's interest in public order over unrestricted expression on blasphemous matters (Global Freedom of Expression, n.d.).

Salman Rushdie's 1988 "The Satanic Verses" underscored the blasphemy law's limitation to Christianity, sparking debate on the law's scope (Nickell, 2022).

In 1992, the BBFC denied certification to "Visions of Ecstasy", marking it the first film banned in the UK for potential blasphemy due to its controversial representation of St. Teresa with Christ (Barber, 2011; BBFC Annual Report, 1992).

Jerry Springer: The Opera's 2005 broadcast stirred debate on blasphemy's legal nuances in media, with the High Court affirming exemptions for stage productions and broadcasts, paving the way for the 2008 abolition of the blasphemy law (Tryhorn, 2007).

A 2021 episode at Batley Grammar School spotlighted the challenges of religious sensitivity in educational settings after a teacher exhibited a caricature of Prophet Muhammad, resulting in significant protests (BBC, 2021a, 2021b, 2021c).

In 2023, controversy at Kettlethorpe High School in Wakefield over an autistic student's handling of the Quran after a dare initiated nationwide discussions on religious respect in schools (Ellery & Swinford, 2023).

The final incident was the catalyst for Braverman expressing deep concern about broader issues regarding the treatment of religion in schools across Britain. Stating "We do not have blasphemy laws in Great Britain, and must not be complicit in the attempts to impose them on this country" (Ellery & Swinford, 2023).

In reviewing these cases, it becomes evident that while the legal and societal perceptions of blasphemy have varied over time, the core tension between preserving religious

sentiments and championing freedom of expression has remained a consistent theme throughout the evolution of English blasphemy laws.

## 2.4 Offence versus blasphemy

In the realm of RE, the concepts of blasphemy and offence hold significant importance. While blasphemy directly targets religious beliefs, causing potential distress in faith communities, offence encompasses a wider array of expressions that may conflict with various individual or group beliefs. Braverman's 2023 assertion (Humanists UK, 2023) that "There is no right not to be offended" highlights a societal shift towards valuing freedom of expression, a principle increasingly relevant in RE classrooms. This viewpoint encourages a learning environment where students are exposed to diverse perspectives, fostering resilience and critical thinking. It asserts that freedom of expression, a cornerstone of democratic societies and education, should not be overly restrained by subjective notions of offence, thereby nurturing a classroom culture of open dialogue and respect for differing viewpoints.

In RE, understanding the nuances between blasphemy, defamation of religion, and religious offence, as explored by Knechtle (2017), is vital. Blasphemy, focusing on religious sensibilities, contrasts with the broader scopes of defamation and offence that incorporate both tangible and intangible harms. This understanding is crucial in RE, where educators balance freedom of expression with respect for diverse religious beliefs. The evolving interpretation of 'harm' in legal terms also influences RE discussions, as it affects how religious topics are approached in classrooms. Theories from thinkers like John Stuart Mill and Jeremy Waldron offer insightful perspectives in RE on regulating speech to prevent harm, especially in sensitive contexts like hate speech, thereby guiding educators in fostering a respectful and inclusive learning environment.

Within RE teaching and learning, the nuanced legal concept of 'harm' significantly shapes the discourse on freedom of expression. Historically, legal definitions of harm focused on tangible, direct consequences, particularly in the context of blasphemy, where the aim was to safeguard religious sentiments and maintain societal harmony (Law Commission, 1995; Eko, 2018). Modern perspectives, however, broaden this view to include indirect harms like emotional distress or societal discord (Bell, 2021). This expansion is critical in RE, where educators must guide students through the complexities of religious expression, balancing the need for open discussion with respect for diverse beliefs. This evolving understanding of harm requires careful consideration of both immediate and long-term impacts on religious communities and societal tolerance (Folland, 2022), presenting a dynamic challenge in teaching RE.

Following the discussion of harm, the debate on regulating free speech in England, especially after the decriminalisation of blasphemy, is highly relevant (Mazzola, 2020). This debate embodies the tension between the value of free expression in democratic societies and the limits imposed by cultural, legal, and historical contexts. John Stuart Mill's philosophy, as discussed by Bell (2021), provides a crucial perspective here. Mill's advocacy for a broad freedom of speech, balanced by the need to prevent harm that undermines individual rights and welfare, resonates deeply with the challenges faced in RE. This balance between individual liberty and community welfare offers a guiding principle for RE educators in navigating discussions around freedom of expression and its societal impacts.

Jeremy Waldron's (2012) exploration of the concept of harm, especially in the context of hate speech, is profoundly relevant. Delving into how hate speech inflicts harm by degrading the social and moral status of individuals or groups, based on their identity traits like sexuality, gender, ethnicity, or religion (Simpson, 2013). Waldron argues that such expressions not only cause direct harm to the targeted individuals but also contribute to broader societal harm by normalizing intolerance and disrespect. His argument for restricting such speech to protect social cohesion and prevent marginalisation of vulnerable groups is significant for RE, underscoring the need to balance freedom of expression with societal harmony and the well-being of all community members (Jones, 2015).

## 2.5 Changing religious landscape

Considering the evolving religious landscape of England and the diverse understandings of blasphemy across various belief systems, it's paramount to emphasise that this article will predominantly focus on blasphemy within the context of Islam, from here on. While blasphemy's complexities are present in multiple religions, the decision to focus on Islam is informed by its unique intersections with the contemporary dynamics in the UK. This specificity should be interpreted against the backdrop of shifting religious demographics and diverse interpretations.

This focus on the evolving religious landscape in England and its implications for blasphemy in different religious contexts, particularly Islam, is highly relevant to RE. It underscores the importance of understanding diverse religious perspectives and practices in an increasingly pluralistic society.

The religious landscape in England has undergone significant changes based on the 2021 census data (Office for National Statistics, 2021). The proportion of individuals identifying as "Christian" decreased from 59.3% in 2011 to 46.2% in 2021, marking the first time that less than half the population described themselves as such. Despite this decline, "Christian" remained the most common response. The category of "No religion" saw a notable increase, with 37.2% of the population (22.2 million people) identifying as such in 2021, compared to 25.2% (14.1 million) in 2011. Additionally, there was an increase in the number of individuals identifying as "Muslim" (6.5% in 2021, up from 4.9% in 2011) and "Hindu" (1.7% in 2021, up from 1.5% in 2011). These findings reflect a shift in the religious composition, with declining Christian affiliation, a rise in those identifying as having no religion, and growth in the Muslim and Hindu communities (Office for National Statistics, 2021).

The increase in the number of individuals identifying as having "no religion" in England may have implications for the perception and handling of blasphemy accusations (Office for National Statistics, 2021). With a significant portion of the population identifying as non-religious, there may be a shift in societal attitudes towards blasphemy and a decreased likelihood of individuals taking offence or making accusations based on religious beliefs (Davie, 2015; Pless et al., 2023). As the influence of religious institutions wanes and secular values become more prevalent (Bruce, 2011; Fox, 2021), the concept of blasphemy may hold less significance or relevance for those who do not adhere to any religious faith. However, this may be more problematic amongst Muslim communities (Esposito, 2018). According to Sharia law, blasphemy refers to the act of insulting or showing contempt for religious beliefs, practices, or figures, particularly within the context of Islam (Langar, 2014). Blasphemy is considered a serious offence under Sharia law and can carry severe

penalties, ranging from fines to imprisonment or even capital punishment, depending on the jurisdiction (Saeed, 2004).

In Islam, blasphemy (known as “sabb al-rasul” or “sabb al-Islam” in Arabic) refers to the act of insulting or showing disrespect towards Allah, Prophet Muhammad, and other revered figures in Islam (Esposito, 2002; Suleman, 2019). It can be committed by both believers and non-believers. Blasphemy against the Prophet is considered a serious offence and is seen as a violation of the Islamic faith (Brown, 2018). The Quran contains passages that denounce blasphemy and warn of the consequences in the Hereafter for those who engage in such acts (Ahmed, 2022). However, there is ongoing debate within the Muslim community regarding whether the Quran prescribes specific worldly punishments for blasphemy (Hussin, 2016). Some Muslims believe that no earthly punishment is prescribed, while others hold different interpretations. The interpretation of hadiths, which are additional sources of Islamic law, is also a subject of debate in relation to blasphemy. Certain interpretations of hadiths suggest punishments, including death, for blasphemy, while others argue that the death penalty applies only in cases of treasonous crimes, particularly during times of war (Hussin, 2016). Different traditional schools of jurisprudence offer varying punishments for blasphemy, which may depend on factors such as the religious affiliation or gender of the person accused of blasphemy. It is important to note that regardless of differing beliefs and interpretations, the Qur’an is universally regarded as the revealed word of God and holds utmost importance in Islam, coupled with the respecting of Allah and Prophet Muhammad (Hani, 2020).

The distinction between blasphemy in Christianity and Islam can be attributed to differences in theological beliefs, interpretations of sacred texts, and historical contexts (Badri, 2018). In Christianity, blasphemy typically encompasses speaking irreverently or contemptuously about God, Jesus Christ, the Holy Spirit, or sacred religious beliefs (Badri, 2018). It is viewed as a sin against God and is strongly condemned within Christian teachings. On the other hand, in Islam, blasphemy can encompass actions or statements that are perceived as insulting, mocking, or showing disrespect towards Prophet Muhammad or Islamic teachings (Esposito, 2002). As a result, the range of behaviours that can be considered blasphemous is broader and more subjective within the Islamic tradition (Brown, 2018).

### 3 Religious education

In the context of England, RE became a legal requirement in schools following the Education Act 1944, commonly known as the Butler Act (Sandberg, 2022). This Act played a pivotal role in transforming the educational landscape of England by establishing a national education system. According to the Butler Act’s Sect. 25, all maintained schools had to provide religious instruction for every registered pupil, barring instances where parents opted out (Fancourt, 2022). The Act emphasized RE’s role in bolstering moral and spiritual development, aiming to promote mutual understanding and tolerance (Jackson, 2004). Over time, with changing societal dynamics, the RE curriculum in England has undergone significant revisions. These modifications aim to reflect the diverse religious landscape and address new challenges, such as ensuring that RE remains inclusive and is presented in a manner devoid of bias (Barnes, 2020; Everington, 2018). Recent debates and incidents, such as the controversy surrounding a Batley teacher’s use of the Charlie Hebdo image (Adams & Wolfe-Robinson, 2021), underscore the delicate balance required



in teaching RE in contemporary times. Influential voices in education, like those from the Commission on Religious Education, have called for an inclusive approach to RE that encompasses various worldviews (Barnes, 2021; Cooling, 2020). As RE continues to be a compulsory subject in state-funded schools, it remains a matter of critical inquiry, reflecting the ongoing negotiation of educational priorities within the ever-evolving contexts of English and Welsh societies.

### 3.1 Evolution of RE

In the context of England, RE has consistently proven itself to be a dynamic and ever-evolving subject. The changes in RE over the years, from a platform for religious instruction (RI) to a more comprehensive educational experience, highlight society's shifting paradigms and broader educational philosophies (Barnes, 2020; Hirst, 1974; Jackson, 2004). This transformation has been marked by an emphasis on engaging students with a rich tapestry of both religious and non-religious narratives (Religious Education Council (REC), 2018; Cooling, 2020). Historically, the role of RE was deeply rooted in the Christian faith, primarily aiming to convey its doctrines, beliefs, and practices to students (Cox, 1966; Loukes, 1961). However, there were instances when this instruction straddled the boundary between pure education and evangelization. As Barnes (2021) and others have noted, the trajectory of RE speaks to a broader narrative, underscoring a contested educational domain brimming with diverse agendas and objectives. This contention has been fuelled by both domestic debates (Adams & Wolfe-Robinson, 2021; Church Times, 2021; O'Neill, 2021) and wider considerations of societal transformation and the role of education (Arendt, 1998; Bernstein, 1977, 2000; Biesta, 2010).

The transformation of RE from a single-faceted religious instruction paradigm was shaped by:

- **Societal Pluralism:** The emergence of a multicultural society necessitated that RE adapt to a wide range of religious traditions and worldviews. This transition from a singular approach to a pluralistic one mirrors the diverse mosaic of today's world (Jackson, 1990, 2004; Masuzawa, 2005).
- **Educational Philosophies and Pedagogical Shifts:** Evolving educational paradigms emphasized the need for students to critically engage with subjects, including religion. This move from pure memorization underscored the importance of fostering inquiry and independent thought (Bernstein, 2000; Biesta, 2010).
- **Infusion of Academic Discourses:** The stringent disciplines of religious studies and theology played a pivotal role in shaping RE's methodologies and content. These disciplines provided a robust academic framework that redirected the course of RE (Jackson, 2004, 2018).
- **Holistic Educational Objectives:** Beyond theological understanding, RE has broadened its horizons to include goals such as cultural sensitivity, empathy cultivation, and the development of skills like tolerance and critical thinking. This evolution is manifested in its modern syllabus, often integrating dialogues on societal challenges, ethics, and moral values (Freathy & Parker, 2013; Hand, 2018).
- **Legal and Social Dynamics:** In the context of a global emphasis on human rights, religious liberty, and inclusiveness, RE underwent necessary transformations. It began to reflect broader societal dialogues on diversity, ensuring its content aligned with contemporary democratic principles (Collini, 2010; Church Times, 2021).

- **Incorporation of Diverse Worldviews:** Contemporary RE has expanded beyond its conventional religious boundaries to embrace a more inclusive understanding of worldviews. This shift ensures that RE not only focuses on traditional religious beliefs but also delves into secular, philosophical, and other belief systems that mould individual and communal values and actions. Such an inclusive approach aims to offer students a holistic grasp of the myriad beliefs and values that shape modern society, preparing them to engage constructively in a diverse world (Barnes, 2021; Cooling, 2020; Valk et al., 2020).

RE, while aiming to provide an unbiased understanding of religious traditions, invariably becomes a platform where sensitive religious concepts are dissected. Though the objective is never to malign or intentionally offend, the nature of the subject—delving deep into doctrines and beliefs—can sometimes be provocative. In a world where definitions of blasphemy vary widely, RE becomes a tightrope walk, balancing education with respect. It's a testament to the contested nature of the subject, highlighting the need for nuanced, informed, and sensitive teaching approaches.

The dialogue surrounding blasphemy, particularly in multifaceted societies like England, is deeply interwoven with the evolving nature of RE (Jackson, 1990; Masuzawa, 2005). Given its contemporary mission to critically immerse students in both religious and secular narratives, there arises an inherent risk of infringing upon what some deem as sacrosanct or beyond analytical examination (Bernstein, 2000; Biesta, 2010). By definition, blasphemy resonates with the profound convictions held by individuals and groups. As RE pivots towards encouraging students to critically evaluate and challenge prevailing standards (Freathy & Parker, 2013; Hand, 2018), certain topics might be construed as blasphemous by adherents of strict faith interpretations. Moreover, as RE broadens its scope to encompass not only religious doctrines but also secular ideologies (Barnes, 2021; Cooling, 2020), it treads paths that some religious communities might regard as troubling or even disrespectful. Dialogues centred on atheistic viewpoints or critiques of religious rituals can be seen as affronts to the foundational tenets of some pupils. Yet, the intricate relationship between RE and potential blasphemy allegations accentuates the subject's significance. In a world marked by rampant inter-faith and inter-cultural exchanges, the imperative to comprehend, respect, and adeptly navigate diverse beliefs and practices becomes paramount (Jackson, 2004; Valk et al., 2020). At its core, RE seeks to cultivate such understanding and reverence. However, its holistic and analytical approach exposes it to potential blasphemy charges, especially in contexts characterized by a mosaic of religious sensibilities (Collini, 2010; Church Times, 2021). Hence, while RE plays a pivotal role in nurturing inter-religious comprehension and respect, its methodology requires consistent refinement to ensure its sensitivity to potential concerns regarding blasphemy. Striking this balance demands ongoing dialogue, introspection, and adaptability. The challenge remains to ensure that while RE champions critical thought and inquiry (Jackson, 2018), it does so, grounding itself in a profound respect for the myriad of beliefs it seeks to elucidate.

#### 4 Case study

RE in academic settings, with an intent to bridge understanding amidst diverse religious worldviews, came to prominence after an incident at Batley Grammar School in West Yorkshire in March 2021. An RE teacher's decision to employ a caricature of the Prophet

Muhammad during a lesson on blasphemy triggered a multitude of reactions. These spanned from public outcry to severe threats aimed at the educator (O'Neill, 2021; Church Times, 2021). This event not only highlighted the inherent complexities when tackling sensitive religious themes within educational frameworks (Barnes, 2020; Barnes, 2021) but also spurred wider discussions on freedom of speech, the significance of blasphemy in multicultural milieus, and the influence of religious factions on educational curricula (Barnes, 2021; Collini, 2010). The episode at Batley serves as an indispensable case study, emphasising the imperative for a nuanced approach in RE that adeptly juxtaposes academic freedoms with a profound respect for ingrained religious beliefs (Cooling, 2020; Hannam et al., 2019). This incident is emblematic of the delicate balance that RE educators need to maintain, synergising academic inquiry with a deference for deep-rooted religious emotions, while adeptly navigating the diverse spectrum of religious tenets and societal perceptions (Everington, 2018; Van der Kooij et al., 2016).

#### 4.1 The Batley Grammar School controversy

In March 2021, an RE teacher at Batley Grammar School used a caricature of the Prophet Muhammad during a Religious Studies discussion on blasphemy, prompting immediate controversy and outrage (BBC News, 2021a). Littlewood's (2023) investigation into the event revealed that caricature was shown to year nine pupils on more than one previous occasion for educational purposes, however pupils claimed the teacher did warn the class before displaying the image. The school in West Yorkshire suspended the teacher and issued an 'unequivocal' apology for his 'totally inappropriate' display of the image of Muhammad (Adams, 2021). The incident quickly escalated, leading to protests outside the school, demands for the resignation of the teacher involved, a 61,000-signature petition of support, and personal threats directed towards the teacher, forcing him into hiding. He reportedly had to leave his housing association home in Batley with his partner and four young children immediately and has since been living in a secret location outside the Yorkshire area. He has also been provided with a new identity (Wace, 2021). An ensuing inquiry determined that the teacher did not intend to cause offence and genuinely believed the image had educational value.

Mohammad Sajad Hussain, founder of the Batley-based charity Purpose of Life, expressed deep hurt over the "insulting caricatures of our beloved Prophet Mohammed" and stated that the charity would not collaborate with or support the school until the teacher is permanently removed (The New Arab, 2021). Qari Asim, a senior imam at the Makkah Mosque in Leeds, expressed sympathy towards the parents and students, highlighting that offensive images of the Prophet Mohammed have been used in the past, though no examples were cited (Hammond, 2021). Muhammad Adil Shahzad Shahzad was central to the Batley school protests, appearing outside the gates to issue recorded statements (Chaudhary, 2021), saying he and his followers are 'fighting an academic war' against the enemies of Islam, has said people should not be 'brainwashed by freedom of speech' and warned that riots could erupt if similar incidents were repeated. Additionally, several Muslim organisations in the area wrote to the school asking for an urgent meeting (Five Pillars, 2021), saying they wished to find an acceptable solution for all stakeholders—the school, children, their parents, scholars, and the wider community. The letter was signed by local organisations including The Peace Institute, Masjid Quba, Ilaahi Masjid, Dawatul Islam and Al-Hira Educational Trusts.

The Department for Education (DfE) and the then Education Secretary Gavin Williams, unequivocally denounced the protests, stating “it is never acceptable to threaten or intimidate teachers” (Middleton & Jamieson, 2021; TES, 2021.) The DfE further emphasised that schools have the freedom to address challenging or controversial topics in their curriculum while ensuring political balance and promoting respect and tolerance among individuals of different faiths and beliefs. Robert Jenrick, Communities Secretary, said that it is important to defend free speech, stating ‘schools are free to include a full range of issues, ideas, and materials in their curriculum, including where they are challenging or controversial, subject to their obligations to ensure political balance. They must balance this with the need to promote respect and tolerance between people of different faiths and beliefs, including in deciding which materials to use in the classroom’ (Merrick, 2021).

The independent investigation conducted by the Batley Multi-Academy Trust stated that the teacher ‘genuinely believed’ that the image had ‘an educational purpose and benefit’ (Humanist UK, 2021) In respect to the views of the wider school community the Trust made it clear that it was not necessary for staff to use the material in question to deliver the learning outcomes about blasphemy. However, the Trust was clear to reiterate that it ‘will not avoid addressing challenging subject matter’, but at the same time is ‘committed to ensuring that offence is not caused’ (Humanist UK, 2021).

The Teacher Misconduct Panel, following their inquiry, recommended lifting the suspension and allowing the teacher to resume his duties (Turner, 2021). Despite this, the teacher’s return to the classroom appears uncertain. While intending to resolve the situation, the recommendations seem to fall short in acknowledging the teacher’s ordeal. It advises against displaying images of Muhammad in classrooms, both in RE and other subjects, to prevent offence, stating it is ‘not necessary’ to use such images (Turner, 2021). This stance, for some, might be seen as capitulation, reinforcing intolerance and subjecting schools to the blasphemy laws associated with Islam, raising concerns about freedom of speech. It concludes by saying that ‘Batley Grammar [and presumably other schools]—should commit themselves to ensuring that offence is not caused’ (National Secular Society (NSS), 2021a).

The DfE, however, has faced criticism from The National Secular Society (NSS) for appearing to distance itself from the investigation. Stephen Evans, NSS chief executive, emphasised the significance of the case, stating that it serves as a test for how such incidents are handled (NSS, 2021b). He highlighted the alarming situation of a teacher in fear for his life, in hiding, and suspended from his job, while there is no evidence to suggest mishandling of the materials. The concern is that the DfE’s level of interest seems insufficient, despite the national implications of the outcome. These implications include potential harm to teachers’ ability to promote critical thinking on sensitive topics and schools giving in to pressure from religious groups. Evans (NSS, 2021c) further described the protests as an attempt to impose an Islamic blasphemy taboo on a school.

Littlewood in her report ‘Britain’s New Blasphemy Police? Understanding Islamist anti-blasphemy action in the UK’ (2023), provides a survey of several high-profile anti-blasphemy incidents in the UK as a basis for informing policy discussions, providing insights into the challenges faced by frontline workers, and contributing more generally to a broader academic understanding of the subject. Her insights and conclusions on the Batley Grammar School incident emphasise that the apology from the school and the support for it and for the restriction on sharing the images in the future given by local MPs Tracy Brabin (BBC, 2021c) and Kim Leadbeater (Adams & Wolfe-Robinson, 2021) sets a worrying precedent, that non-religious schools should not be beholden to religious

restrictions. The teacher, having warned the pupils beforehand and given an opportunity for them to leave the classroom, had afforded protection from offence whilst ensuring the lesson could still be delivered. Arguing that the subsequent investigation into the incident was framed to look at how the images came to be shared and its conclusions hinged on whether the teacher intended to cause offence, and whether sharing them was necessary for the lesson's aims. And that the framing of the review in this manner does not give any due attention to the threat against the school and teacher, with no attempt to investigate how a class exercise resulted in protests and death threats (Littlewood, 2023). Furthermore, she raises concerns about the DfE response, that whilst it was initially bold, it later supported the findings of the Trust's investigation, therefore supporting restrictions on potentially religiously offensive learning materials. Littlewood argues that the DfE needs to be consistent and proactive in responding to these kinds of incidents. A clear and balanced stance would be one which allowed for pupils to withdraw from a potentially personally distressing experience whilst ensuring no legal materials have a blanket restriction. Lastly, that the council's decision to take measures to ban the free speech protest on health and safety grounds, whilst allowing the school protest to go ahead, communicates preferential treatment towards one cause and community, creating potential for reciprocal radicalisation (Littlewood, 2023).

William Shawcross, the lead reviewer of the Prevent Counter-Terrorism Strategy, highlighted the Batley School incident as an illustration of how certain groups exploit blasphemy to restrict freedom of speech. In his Independent Review of Prevent report (.Gov, 2023), he specifically emphasised the 'violence associated with accusations of blasphemy and apostasy' as a crucial aspect in combating extremism. The review recognised and recommended the need for a better understanding of blasphemy and its role in the broader threat landscape, such recommendations have been accepted by the government. Addressing the ideological threat of blasphemy was deemed 'vital' to safeguard both the cherished culture of free speech in our nation and public safety. Shawcross (Gov, 2023) expressed deep concern over the events in Batley, condemning the threats and intimidation faced by a teacher in a 'liberal democratic society' due to allegations of blasphemy as 'thoroughly shameful'.

The Batley Grammar School incident serves as a pertinent case study on the challenges and complexities of addressing religious sensitivities in modern education. Bringing to the fore the intricate challenges faced by RE teachers in today's diverse and multifaceted classrooms (Barnes, 2020; Jackson, 2018). RE teachers, tasked with educating students about a plethora of religious beliefs and practices, often grapple with balancing academic objectivity with religious sensitivities (Cooling, 2020). The Batley event highlights the precariousness of this task. While the aim is often to foster critical thinking and promote understanding of various religious worldviews (Van der Kooij et al., 2016), teachers must tread carefully to avoid inadvertently causing offence or misunderstanding (Collini, 2010). Furthermore, the diverse student body, comprising different faiths and beliefs, means that what is educative and enlightening for one student might be deeply offensive to another (Everington, 2018). This complexity is further compounded by the broader societal dynamics, where global events can quickly influence local sentiments (Gearon, 2016). The wide-ranging responses to the Batley incident—from protests and threats (O'Neill, 2021) to official positions by educational and religious bodies (Church Times, 2021)—underscores the pressing need for clear guidelines, support, and training for RE teachers. It serves as a poignant reminder of the delicate role they play in shaping young minds while navigating the intricate web of religious, cultural, and societal values (Barnes, 2020; Freathy et al., 2013).

## 5 So, what for RE?

This event sheds light on the fragile equilibrium that RE teachers must constantly navigate. They walk a tightrope, striving to harmonize educational mandates with the sensitivities of diverse religious sentiments (Barnes, 2020; Jackson, 2018). Drawing from my personal involvement with RE educators, including beginner and early career teachers, a nuanced panorama emerges. There looms an omnipresent trepidation: one misstep, one misjudged lesson, or one controversial teaching aid could trigger significant backlash (Cooling, 2020). This landscape, replete with apprehensions and potential pitfalls, underscores the multifaceted challenges that educators face. For these professionals, the classroom becomes a crucible where they must adeptly juggle academic rigor with religious sensitivities (Collini, 2010), critical inquiry with cultural respect (Van der Kooij et al., 2016), and student engagement with potential community repercussions (Gearon, 2016). The path forward remains unclear. The RE profession, laudable in its quest to impart knowledge about the world's myriad religions, ideologies, and belief systems, stands at a pivotal juncture. The foundational ethos of RE—fostering understanding, promoting dialogue, and encouraging critical analysis—is now under intense scrutiny (Freathy et al., 2013). Teachers, particularly those at the inception of their careers, seek guidance, reassurance, and clarity (Everington, 2018), even as they dedicate themselves to delivering an unbiased, holistic, and enlightening RE experience to their pupils. Such concerns include:

- **Self-censorship and RE Teachers:** The apprehension of potential backlash can lead to self-censorship among RE teachers. Their concerns about potential controversies make them hesitant to explore religious themes in-depth, which could compromise academic freedom (Barnes, 2020; Bernstein, 2000) and limit students' comprehensive understanding of religious nuances (Everington, 2018; Freathy & John, 2019).
- **Narrowed Curriculum:** To avoid contention, RE curricula might lean towards homogeneity, leading to a restricted scope (Barnes, 2020; Jackson, 2004). This not only undermines the rich complexities of religious histories but could also deprive students of real-world religious contexts (Biesta, 2010; Cooling, 2020).
- **Lack of Critical Analysis in Religion:** RE, like other academic disciplines, requires critical engagement (Hirst, 1974). By shying away from potentially contentious topics, an academic rigor might be lost, preventing students from a holistic understanding and engagement with religious contexts (Freathy & Parker, 2013; Jackson, 2018).
- **Avoidance of Controversial Issues:** While avoiding sensitive religious controversies might seem safe, it promotes ignorance (Hand, 2018; O'Neill, 2021). Addressing historical religious conflicts and current social issues tied to religious beliefs is essential to equip students for real-world challenges (Church Times, 2021; Religious Education Council (REC), 2018).
- **Reduced Freedom of Expression:** An RE classroom should encourage open exploration of religious ideologies (Jackson, 1990, 2018). When blasphemy concerns limit discussions, students' freedom to express, inquire, or present differing opinions gets stifled (Gearon, 2016; Woodhead, & Clark, 2015). A restricted environment not only hampers intellectual growth but also impedes the development of empathy and understanding for diverse beliefs (Flanagan, 2020; Larkin et al., 2019).

The complexities surrounding RE are heightened by a general public's limited grasp of the subject and the dilemmas encountered by RE educators. Concerns of potential

blasphemy accusations might discourage RE instructors from delving into touchy subjects or critically examining religious tenets. Consequently, pupils might only attain a surface-level or fragmented comprehension of religious matters. If students sense a restriction in expressing their uncertainties or divergent views in RE sessions, it can hinder their intellectual evolution and obstruct their ability to empathize with and understand beliefs different from theirs. To alleviate these issues, it's pivotal to foster an environment where RE educators feel empowered and backed to proficiently impart their subject. This entails equipping them with requisite tools and training and fostering a classroom culture marked by respect and open discussion. Moreover, enlightening the wider community about RE's significance and the obstacles RE instructor's grapple with is crucial. Such measures can diminish concerns of blasphemy and pave the way for a more conducive RE teaching milieu (Barnes, 2020; Cooling, 2020; Church Times, 2021; TES, 2021).

### 5.1 Possible solutions

There is a need to re-evaluate RE considering the discussions here, suggesting that it should not be limited to a one-sided and overly optimistic representation of religion as purely benevolent. There is a call to adopt a more analytical and discourse-driven understanding of religious doctrines and rituals. This transformation means moving beyond mere defence of religious beliefs and towards an approach that fosters questioning and introspection. A significant hurdle in reshaping RE is the often-invoked notion of "respect" linked to the topic. Yet, as Barnes (2020) and others have highlighted, "respect" is a multifaceted term, and it's vital to be wary of its potential misuse to wield authority or suppress alternative perspectives. Such concerns are especially pertinent when considering issues like blasphemy, which might be leveraged to stifle dissenting opinions; a perspective shared by Clarke and Woodhead (2015) in their reasoning for a reformation of RE.

By embracing a rigorous and open perspective on the study of religion, RE can cultivate a setting that supports thorough investigation and courteous discourse. This not only disputes pre-existing beliefs but also stimulates intellectual advancement. Delving into contentious material, like the cartoon portraying Muhammad with a bomb in his turban, is one method to attain this. A critical analysis of this cartoon allows students to comprehend its significance while also acknowledging its boundaries. Students can discern that a single portrayal does not define the entirety of Muslim beliefs and practices. They can further understand the reasons behind its release as a resistance to extremist censorship and aggression. This nuanced approach to RE provides a comprehensive understanding of complex topics, going beyond surface-level interpretations and promoting informed dialogue (Barnes, 2021; Jackson, 2018).

The academic study of religion, when coupled with the study of history and literature, offers valuable insights into the interpretive nature of both sacred texts and profane cartoons (Jackson, 2004). It underscores the significance of considering context, intention, audience, and the reader's perspective in understanding their meaning (Smith et al., 2018). In this regard, it is essential for all students to cultivate critical thinking skills that allow them to engage with differing interpretations, rather than relying solely on the authority of religious leaders (Freathy & John, 2019). By developing these faculties, students can better navigate the complexities of adult life and become resilient to the manipulations often encountered in the realm of social media (Durodie, 2016). For instance, the controversy outlined in this article, highlights the importance of understanding religious sensitivities in an educational context. Notable figures, such as Archbishop Welby, have weighed in

on such incidents, defending the right to free speech and emphasizing the importance of context (Church Times, 2021). This resonates with Arendt's (1998) assertion in "The Human Condition" that public discourse plays a crucial role in shaping societal norms. Furthermore, Barnes (2021) emphasized the evolving nature of RE, suggesting that contemporary curricula should account for a diversity of worldviews, rather than presenting a monolithic perspective. This aligns with the recommendations of the Religious Education Council (REC, 2018) that emphasizes the inclusion of multiple religious and non-religious perspectives.

Yet, this approach is not without its critics. Hand (2018) argues that the incorporation of 'religion and worldviews' might dilute the core tenets of religious studies. However, scholars like Jackson (2018) argue for a more inclusive RE, emphasizing human rights and the importance of understanding various worldviews. It's also pertinent to consider the pedagogical strategies employed in RE. The works of Bernstein (2000) and Singh (2002) provide comprehensive insights into the pedagogical underpinnings that inform instructional practices. As Larkin et al. (2019) suggest, the interplay of metacognition, worldviews, and RE is critical in fostering holistic understanding among students.

Introducing students to the concept of blasphemy provides an invaluable window into the rich fabric of religious history and cultural nuances. Engaging with this topic helps students understand the deep respect many hold for their religious convictions, fostering mutual respect and intercultural competence (Barnes, 2021). A neutral examination of historical blasphemy instances reveals how societal values have evolved and how religious dialogues have often shaped civilizations (Howard, 2011). Encouraging students to reflect on the balance between free speech, religious sensitivities, and societal norms enhances their critical thinking abilities (Jackson, 2004; Mill, 2005). This exploration paves the way for fruitful debates, promoting an environment that values diverse viewpoints (O'Neill, 2021; Church Times, 2021). Therefore, addressing blasphemy doesn't just deepen students' understanding of global religions but also provides them the means to appreciate the complexity of global cultural exchanges.

Over to Immanuel Kant (Grayling, 2019) for last words:

“Religion through its sanctity, and lawgiving through its majesty, might seek to exempt themselves from criticism, but they then awaken rightful suspicion, and cannot claim the sincere respect which reason accords only to that which has been able to sustain the test of free and open examination.”

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