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At the time of writing, same-sex marriage is not recognised under UK law. According to the 1973 Matrimonial Causes Act, a marriage is void if 'the parties are not respectively male and female'.[1] Same-sex couples have, since 2004, been able to enter into civil partnerships, giving them access to the various legal rights and benefits enjoyed by married couples.[2] But they continue to be denied access to the institution of marriage, and thus to what Ralph Wedgwood calls its 'social meaning', to 'the web of common knowledge and assumptions about marriage that are shared throughout society'.[3]

In 2012, the UK Government held a national consultation on equal civil marriage.[4] In their Ministerial Foreword, Theresa May and Lynne Featherstone stated that the purpose of the consultation was 'to seek your views on how we can remove the ban on same-sex couples having a civil marriage'.[5] That the nation was being consulted on _how_ to lift the same-sex marriage ban, 'not on whether this should or should not happen', was reiterated in the main body of the text.[6] It is nevertheless striking that the first consultation question was:

> Do you agree or disagree with enabling all couples, regardless of their gender, to have a civil marriage ceremony?[7]

Unsurprisingly, perhaps, it was the substantive question of whether, rather than the technical question of how, same-sex marriage should be introduced that dominated the ensuing headlines and public debate. A number of conservative and religious groups raised objections to the Government's proposals, with the stiffest opposition coming from the Roman Catholic Church. A 'Letter on Marriage' from the Catholic Bishops' Conference of England and Wales, read out in 2,500 parish churches across the country, defended

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[1] Matrimonial Causes Act 1973, London: HMSO, Section 11.

[2] Civil Partnerships Act 2004, London: HMSO.

[3] Wedgewood, R. (1999) 'The fundamental argument for same-sex marriage', in _The Journal of Political Philosophy_ 7 (3), 229.

[4] Government Equalities Office (2012) _Equal Civil Marriage: A Consultation_, London: Government Equalities Office.

[5] Ibid., 1.

[6] Ibid., 8.

[7] Ibid., 8.

traditional marriage 'understood as a lifelong commitment between a man and a woman'.[8] And, in a provocative article in *The Telegraph*, Cardinal Keith O'Brien argued that same-sex relationships 'are harmful to the physical, mental and spiritual wellbeing of those involved', and that the Government no more has the 'moral authority' to recognise same-sex marriage than it does to 'legalise slavery'.[9]

British schools have a statutory obligation to facilitate discussion of topical issues in the classroom. The Citizenship Programme of Study in the National Curriculum for England requires that schools 'provide opportunities for students to debate, in groups and whole-class discussions, topical and controversial issues, including those of concern to young people and their communities'.[10] In what follows I take it as read that same-sex marriage qualifies as a topical issue, that it is of real concern to at least some young people and their communities, and that it is therefore precisely the sort of issue pupils should have opportunities to discuss in school.

The question I'd like to consider is how classroom discussion of same-sex marriage should be framed. What kind of task are we setting pupils when we ask them to discuss whether same-sex couples should be able to marry? Are we asking them to undertake an inquiry into the value of same-sex relationships, or to bracket questions of value and use only principles of liberty and justice to assess marriage legislation proposals? Are we encouraging them to look for the public policy on marriage that enjoys the strongest argumentative support, or the policy that best accommodates the diverse ethical and political views represented in the class? By 'framing', then, I mean equipping participants in a discussion with a shared understanding of the problem in hand and the range of considerations relevant to solving it.

I shall identify and examine three possible frames for classroom discussion of same-sex marriage: the *perfectionist frame*, the *anti-perfectionist frame* and the *practical accommodation frame*. First, though, it will be helpful to distinguish the question of how we should frame classroom discussion of same-sex marriage from the question of whether or not we should steer it, and to consider the relationship between them.

Framing and steering

By 'steering' discussion I mean guiding participants, by means of strategic prompts, questions and interjections, towards a predetermined conclusion. Should classroom discussions of same-sex marriage be genuinely open-ended, or can we legitimately see them, at least in part, as pedagogical devices for helping pupils understand why a particular position is the right one?

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[8] Catholic Bishops' Conference (2012) 'A letter on marriage', http://www.catholic-ew.org.uk/Home/News-Releases/January-March/Archbishops-Letter-on-Marriage, retrieved 24/7/12.

[9] O'Brien, K. (2012) 'We cannot afford to indulge this madness', in *The Telegraph*, 3 March 2012.

[10] QCA (2007) *The National Curriculum: Citizenship Programme of Study for Key Stage 4*, London: Qualifications and Curriculum Authority, 48.

It might be thought that the steering question can be answered independently of the framing question. A principle sometimes invoked here is that teachers in public schools have no business endorsing or promoting particular views on matters of public controversy. Since same-sex marriage is certainly a matter of public controversy, steering is ruled out from the start. Diana Hess takes this view on teaching about same-sex marriage:

> Why treat the same-sex marriage issue as open? First, in the world outside of school, this issue is functionally open and, as a general rule, I think it is more authentic to position issues similarly to the way they are treated outside of school. The second reason is more pragmatic: I think it is more likely that administrators, parents, and other community members will support the inclusion of this topic in schools if it is treated as a matter for deliberation.[11]

For Hess, then, what settles the steering question is the fact that the same-sex marriage issue is 'functionally open' in 'the world outside of school', and that teaching it as open is more likely to induce stakeholders to 'support the inclusion of this topic in schools'. The framing question still needs an answer, of course, but the answer to it has no bearing on the reasons to refrain from steering.

Another objection to steering that preempts framing considerations is that steered discussions are not actually *discussions* at all. Discussion, on this view, necessarily involves the pursuit of truth in a spirit of receptivity to others' ideas and opinions. When teachers use discussion-like interaction as a means of conveying knowledge or correcting misconceptions, they give pupils a debased and distorted impression of collaborative inquiry. David Bridges makes this point in his illuminating analysis of the concept of discussion:

> to ask a question as if it were a genuine enquiry when it is not, or to engage people in what purports to be a genuine enquiry, while actually manipulating the whole process to your own ends is to be at best covert and at worst downright dishonest. It is difficult to see how to defend such practice when there are perfectly practicable alternative patterns of behaviour open to one.[12]

Neither of these answers to the steering question is adequate. That an issue is a matter of public controversy is not a sufficient reason for teaching it in an open-ended way. Young Earth creationists, climate change sceptics and those who advocate the repatriation of immigrants all have clearly audible voices in the public square, but it hardly follows that teachers must studiously avoid passing judgment on their views in the classroom. And while the conception of discussion defended by Bridges is an important communicative ideal, it is not the only form of communication appropriately described as discussion. There is an unwarranted purism in the suggestion that teachers are doing something 'downright

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[11] Hess, D.E. (2009) 'Teaching about same-sex marriage as a policy and constitutional issue', in *Social Education* 73 (7), 345-6.

[12] Bridges, D. (1979) *Education, Democracy and Discussion*, Sough: NFER, 114.

dishonest' when they guide classroom discussion so as to assist pupils in finding their way to the right answer.

My own view is that decisions about whether or not to steer classroom discussion should be governed by what I have elsewhere called the *epistemic criterion*.[13] Where the relevant epistemic considerations weigh decisively in favour of a particular view on a matter, discussion of the matter should be steered towards the view in question; where the relevant epistemic considerations are inconclusive, discussion should be open-ended. If this is right, there is a close relationship between the steering and framing questions. Judgments about the epistemic weight of relevant considerations presuppose judgments about which considerations qualify as relevant. Delimiting the range of factors that properly bear on the formation of public policy on marriage is a prerequisite of deciding whether those factors, on balance, count decisively for or against a proposed policy change.

Answering the framing question, then, is a necessary condition of answering the steering question. It is not, however, a sufficient condition. I want to emphasise that none of the three frames I shall consider entails the existence or non-existence of compelling arguments for or against the introduction of same-sex marriage. The considerations that each frame classifies as relevant to the problem still need to be examined and weighed against each other to see whether they yield a solution. Even among teachers who accept that the steering decision should be governed by the epistemic criterion, agreement on the right way to frame classroom discussion of same-sex marriage is no guarantee of agreement on whether it should be steered.

My aim in what follows, then, is not to provide a definitive answer to the steering question (though I shall indicate at the end the answer I favour). It is rather to tackle the prior question of how the issue of same-sex marriage should be framed for the purposes of classroom discussion.

The perfectionist frame

Perfectionism in political theory is the view that the state may properly aim not only to uphold justice and guarantee basic liberties, but also to promote the good for its citizens. Anti-perfectionism, by contrast, is the view that the state should refrain from promoting the good. The anti-perfectionist worry is that, because citizens disagree about the good, for the state to assume a conception of the good and form public policy on the basis of that conception would be to treat unjustly, or to infringe the liberty of, citizens who favour different conceptions.

In his defence of perfectionism in *The Morality of Freedom*[14], Joseph Raz argues persuasively that the goods promoted by perfectionist public policies need not be matters

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[13] Hand, M. (2008) 'What should we teach as controversial? A defense of the epistemic criterion', *Educational Theory* 58 (2), 213-228.

[14] Raz, J. (1986) *The Morality of Freedom*, Oxford: Clarendon Press.

on which citizens disagree: there may be significant areas of overlap among the diverse conceptions of the good favoured by citizens. And where the goods in question *are* matters of disagreement among citizens, the policies promoting them need not be coercive: they can be designed merely to *recommend* certain goods to citizens, and to ensure that they remain available for those who wish to pursue them. Raz identifies marriage laws as paradigmatic of perfectionist policies of this unobjectionable kind:

> Perfectionist political action may be taken in support of social institutions which enjoy unanimous support in the community, in order to give them formal recognition, bring legal and administrative arrangements into line with them, facilitate their use by members of the community who wish to do so, and encourage the transmission of belief in their value to future generations. In many countries this is the significance of the legal recognition of monogamous marriage and prohibition of polygamy.[15]

On this view, marriage laws are public policies designed to perpetuate and encourage participation in certain kinds of intimate relationship. They represent an ethical judgment on the part of the state to the effect that stable monogamous relationships are good or valuable, and therefore worth supporting and promoting. Citizens who form this type of relationship gain access, through the institution of marriage, to a range of legal rights and benefits and to a form of public recognition not available to those who form relationships of other kinds. Marriage laws do not infringe the liberty of citizens to be single, or promiscuous, or to form plural relationships, or to make whatever domestic arrangements they please; but they do give special status to a type of intimate relationship judged by the state to be particularly worthwhile.

The perfectionist frame for classroom discussion of same-sex marriage assumes that the purpose of marriage laws is to promote valuable forms of intimate relationship. The question of whether or not same-sex couples should be able to marry therefore turns on the goodness or value of same-sex stable monogamous relationships. If the sex of the partners in a stable monogamous relationship is irrelevant to its value, it is hard to see what grounds there could be for treating same-sex and opposite-sex couples differently; but if the value of stable monogamous relationships somehow depends on the partners being male and female, the case for introducing same-sex marriage will be weak. In syllogistic form, the arguments for and against same-sex marriage implied by the perfectionist frame are as follows:

Argument for:
- Marriage is available to opposite-sex couples because opposite-sex stable monogamous relationships are valuable.
- Same-sex stable monogamous relationships are similarly valuable.
- Therefore, marriage should be available to same-sex couples too.

Argument against:

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[15] Ibid., 161.

- Marriage is available to opposite-sex couples because opposite-sex stable monogamous relationships are valuable.
- There is reason to doubt that same-sex stable monogamous relationships are similarly valuable.
- Therefore, marriage should not be available to same-sex couples.

This way of framing discussion of same-sex marriage has the advantage of congruence with the terms of the public debate. Certainly those opposed to the introduction of same-sex marriage tend to base their arguments explicitly on ethical judgments: recall Cardinal O'Brien's objection that same-sex relationships 'are harmful to the physical, mental and spiritual wellbeing of those involved'. And if advocates of same-sex marriage are less inclined to invoke considerations of value, that is perhaps because they largely take as read the ethical equivalence of opposite-sex and same-sex relationships. The UK Government's stated reason for seeking to 'remove the ban' on same-sex marriage is that 'the commitment made between a man and a man, or a woman and a woman, in a civil partnership is as significant as the commitment between a man and a woman in a civil marriage'.[16]

It is, I think, very plausible to hold that the purpose of state involvement in marriage is to support and promote valuable forms of intimate relationship, and that proposals to reform marriage laws must be assessed with reference to this purpose. Carlos Ball summarises nicely the case for framing the issue in these terms:

> My principal argument is that when the state makes distinctions among intimate relationships in order to recognize and support some (but not all) of them, it must make assessments regarding the value and goodness of those relationships. A state, in other words, that is in the business of recognizing and protecting some intimate relationships and not others cannot remain neutral on the moral questions raised by those relationships.[17]

Resistance to the suggestion that classroom discussion of same-sex marriage should take the form of ethical inquiry into the value of same-sex relationships is likely to come from two quarters. First, there will be those who hold that the state has no business making ethical judgments about the value of intimate relationships, so this cannot be the right way to frame the same-sex marriage debate. Second, there will be those to whom critical scrutiny of ethical arguments seems peculiarly removed from real-world public policy-making. Political decisions, they will insist, are made by negotiation and compromise, not by a careful weighing of arguments, and classroom discussion of policy issues ought to reflect this. These two thoughts undergird the anti-perfectionist frame and the practical accommodation frame respectively.

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[16] Government Equalities Office, *Equal Civil Marriage: A Consultation*, 4.

[17] Ball, C. (2009) 'Against neutrality in the legal recognition of intimate relationships', in G.A. Babst, E.R. Gill and J. Pierceson (eds) *Moral Argument, Religion and Same-Sex Marriage: advancing the public good*, Lanham, Maryland: Lexington Books, 76.

The anti-perfectionist frame

Anti-perfectionists hold that 'implementation and promotion of ideals of the good life, though worthy in themselves, are not a legitimate matter for governmental action'.[18] The state may intervene in the lives of citizens to uphold justice and guarantee basic liberties, but not to promote activities or ways of life deemed to be constitutive of or conducive to the good. To advocate framing the same-sex marriage issue in anti-perfectionist terms, then, is to propose tackling the problem with reference only to principles of justice and liberty.

Defenders of this proposal have two options. One is to argue that there are reasons of justice or liberty for state involvement in marriage and that these reasons supply the criteria against which same-sex marriage proposals must be judged. The other is to argue that, while there are only bad, perfectionist reasons for state involvement in marriage, for as long as the state nevertheless remains involved there are independent considerations of justice bearing on the question of which citizens should have access to the institution.

Those inclined towards the first strategy may be encouraged by Article 16 of the Universal Declaration of Human Rights (UDHR), which declares that 'Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family'. While it is difficult to construe Article 16 as giving explicit support to same-sex marriage[19], its inclusion in the UDHR is suggestive of an anti-perfectionist justification for state involvment in marriage: the purpose of marriage laws is not to promote valuable forms of intimate relationship, but to guarantee a basic human right.

Linda McClain's Rawlsian argument in support of same-sex marriage assumes an anti-perfectionist frame of this kind.[20] McClain tries to show that citizens constrained by the 'proviso' that they must 'give public reasons and appeal to political values to support public policies' are bound to endorse same-sex marriage.[21] She writes:

> If, as in our constitutional system, the right to marry is a basic liberty, then it is hard to imagine 'what reasons can both satisfy the criterion of reciprocity and justify denying' to gays and lesbians that basic liberty… Unless there are political values that same-sex marriage offends (for example, if same-sex marriages are 'destructive to the raising and educating of children'), then government has no legitimate interest in denying the basic liberties of gays and lesbians to marry.[22]

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[18] Raz, *The Morality of Freedom*, 110.

[19] Lagoutte, S. and Arnason, A.T. (1999) 'Article 16', in G. Alfredsson and A. Eide (eds) *The Universal Declaration of Human Rights: a common standard of achievement*, The Hague: Martinus Nijhoff Publishers, 328.

[20] McClain, L. (1998) 'Deliberative democracy, overlapping consensus and same-sex marriage', in *Fordham Law Review* 66 (4), 1241-1252.

[21] Ibid., 1248.

[22] Ibid., 1249-50.

But McClain offers no argument for the claim that 'the right to marry is a basic liberty', and the Rawlsian scheme she favours ill-supports it. The basic liberties Rawls enunciates are: 'freedom of thought and liberty of conscience; the political liberties and freedom of association, as well as the freedoms specified by the liberty and integrity of the person; and finally, the rights and liberties covered by the rule of law'.[23] The justification for these liberties is that each of them is either intrinsically or instrumentally necessary for 'the full and informed and effective exercise of the moral powers'.[24] Nothing on Rawls's list entails a basic 'right to marry', and it is very hard to see how such a right could be construed as a requirement for the exercise of either the capacity for a sense of justice or the capacity for a conception of the good. As Andrew Koppelman asks, 'How could marriage be shown to be a basic liberty in Rawls's terms? Whose moral powers are damaged by its denial?'.[25]

McClain relies heavily on Rawls's 1997 essay 'The idea of public reason revisited', in which he touches on the topic of same-sex marriage in the course of a series of illustrations of the 'specific content of public reason'.[26] What he says is this:

> … the government would appear to have no interest in the particular form of family life, or of relations among the sexes, except insofar as that form or those relations in some way affect the orderly reproduction of society over time. Thus, appeals to monogamy as such, or against same-sex marriages, as within the government's legitimate interest in the family, would reflect religious or comprehensive moral doctrines. Accordingly, that interest would appear improperly specified. Of course, there may be other political values in the light of which such a specification would pass muster: for example, if monogamy were necessary for the equality of women, or same-sex marriages destructive to the raising and educating of children.[27]

This is a rather ambiguous passage. On one hand, Rawls is simply making the familiar anti-perfectionist point that arguments against same-sex marriage which invoke considerations of ethical or religious value are impermissible. On the other, it is difficult to avoid the impression that Rawls wants to put the justificatory burden on opponents of same-sex marriage to supply public reasons for their view, as if he thinks support for same-sex marriage is the default position for anti-perfectionists. But, if he does think this, he owes us an argument for it. The natural implication of his stricture that the state's only legitimate interest in intimate relationships is a responsibility to ensure 'the orderly reproduction of society over time' is, surely, that the state has no basis for any position at all on same-sex marriage.

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[23] Rawls, J. (1993) *Political Liberalism*, in J. Rawls (2005) *Political Liberalism: Expanded Edition*, New York, Columbia University Press, 291.

[24] Ibid., 335.

[25] Koppelman, A. (2009) 'The limits of constructivism: Can Rawls condemn female genital mutilation?' in *The Review of Politics* 71, 465.

[26] Rawls, J. (1997) 'The idea of public reason revisited', in J. Rawls (2005) *Political Liberalism: Expanded Edition*, New York, Columbia University Press, 455.

[27] Ibid., 457.

Perhaps the thought in the background here is that liberal states will want to ensure citizens have 'the most extensive total system of equal basic liberties compatible with a similar system of liberty for all'[28], and that a system which includes the liberty to marry is more extensive than a system which excludes it. The problem with this thought is that it misconstrues marriage as a type of activity or relationship in which citizens may or may not be free to engage. There is, to be sure, a powerful liberal argument for maximising the freedom of citizens to engage in the types of activity and relationship they prefer. But disagreements about same-sex marriage are not disagreements about what citizens should be free to do; they are disagreements about which intimate relationships should be accorded the status of marriage. A decision by the state to withhold marital status from a particular kind of intimate relationship does not qualify as a constraint on the liberty of citizens involved in relationships of that kind.

The prospects of finding reasons of justice or liberty for state involvement in marriage are bleak. The anti-perfectionist liberal state has an obligation to guarantee personal liberty and freedom of association, and this requires that it neither obstructs citizens, nor allows them to be obstructed by others, in the formation of their preferred kinds of intimate relationship. But it has no obligation to endorse or promote intimate relationships of any kind by granting them marital status. Principles of justice and liberty alone appear to afford no basis for a public institution of marriage.

This brings us to the second of the strategies available to those wishing to frame the same-sex marriage issue in anti-perfectionist terms. Here it is accepted that the only credible reasons for state involvement in marriage are perfectionist ones, but argued that the existence of a public institution of marriage imposes on the state certain obligations of justice which stand independently of the institution's perfectionist rationale. Although it would be better if the state withdrew from the business of marriage legislation, for as long as it remains involved it is required to ensure that all citizens are equal before the law.

It is easy to see how an argument of this stripe in support of same-sex marriage might go. Public institutions in a democratic society ought to be accessible to all citizens; the public institution of marriage is currently not accessible to gay and lesbian citizens; so the public institution ought to be reformed in such a way as to make it accessible to them. This argument does not depend on any view about the relative worth of different kinds of intimate relationship, nor any view about whether or why the state should be involved in marriage. It attempts to circumvent these contentious issues with reference to a general principle of justice to the effect that, where a public institution exists, the state must make it accessible to everyone.

Unfortunately, the postulated principle of justice is much less plausible than it first appears. Whether or not a public institution should be accessible to everyone is not a question that can be answered independently of its purpose. When a liberal state establishes a public healthcare system to improve the health of citizens, it plainly has an obligation to ensure

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[28] Rawls, J. (1971) *A Theory of Justice*, Cambridge, MA: Harvard University Press, 302.

that *all* citizens have access to the service. From its inception, for example, the UK National Health Service was intended 'to ensure that in future every man and woman and child can rely on getting all the advice and treatment and care which they may need in matters of personal health'.[29] But when a liberal state establishes a public higher education system to promote higher learning, scholarship and the development of advanced skills, it is not at all clear that there is a requirement to ensure universal access. To the contrary, it is very widely accepted that public higher education should be accessible to all and only those citizens who reach a certain standard of academic achievement. In the UK this is sometimes known as the Robbins Principle, after its concise formulation in the 1963 Robbins Report on higher education: 'we have assumed as an axiom that courses of higher education should be available for all those who are qualified by ability and attainment to pursue them and who wish to do so'.[30] Considerations of justice remain to the fore in discussions about access to higher education, but the worry is usually that citizens 'qualified by ability' are nevertheless being prevented from going to university, not that there is an inherent injustice in excluding the unqualified.

Before we can decide who should and who should not have access to the public institution of marriage, we need to know what the institution is for. If its purpose is to support valuable forms of intimate relationship, we have no choice but to ask which forms of initimate relationship are valuable. To insist that the state support *all* forms of intimate relationship, regardless of worth, by granting them marital status would simply be to undermine the point of the institution. There is no general principle of justice requiring states to ensure universal access to public institutions regardless of their purpose.

There are, then, serious problems with both of the options available to defenders of the anti-perfectionist frame. Neither the view that there are reasons of justice or liberty for state involvement in marriage, nor the view that the question of access to marriage can be divorced from the question of its purpose, is credible. The anti-perfectionist hope that progress can be made on the issue of same-sex marriage without inquiry into the value of same-sex relationships is in vain.

Let me be clear: I am not suggesting that the inappropriateness of the anti-perfectionist frame for discussion of same-sex marriage counts against anti-perfectionism per se. Perhaps anti-perfectionists are right to favour the restrictions on legitimate state action they do, and perhaps for this reason it would be better for the state to abolish the public institution of marriage. My point is just that the policy dilemma with which the UK is currently wrestling – whether or not to redefine the public institution of marriage in such a way as to enable same-sex couples to marry – is necessarily intractable when framed in anti-perfectionist terms. If public marriage policies are by nature perfectionist, even committed anti-perfectionists must be prepared to deploy perfectionist criteria in choosing sensibly between them.

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[29] Ministry of Health (1944) *A National Health Service*, London: HMSO.

[30] Committee on Higher Education (1963) *Higher Education* (The Robbins Report), London: HMSO, 8.

The practical accommodation frame

Both the perfectionist and the anti-perfectionist frames assume that the aim of classroom discussion of same-sex marriage is to determine which public marriage policy enjoys the strongest argumentative support. The frames differ in the range of considerations they bring to bear on the question, but agree that the task in hand is to assess impartially the probative force of those considerations. The practical accommodation frame gives centre stage to an altogether different aim: that of negotiating a compromise position acceptable to discussants with conflicting views on same-sex marriage. Rather than trying to find the *right* public policy on same-sex marriage, participants in discussion seek the policy that best accommodates their diverse moral views and conceptions of the good. The focus is not on assessing the probative force of considerations advanced by discussants, but on working out how to accommodate those considerations in the negotiated settlement.

In his book *Teaching About Values*[31], Graham Haydon advocates the practical accommodation frame for classroom discussion of values. He distinguishes two possible aims of discussion:

> [A] possible aim which can be shared by all participants in a discussion is to establish the truth about some matter… Another possibility is that participants in a discussion seek a practical accommodation about what is to be done, while not necessarily trying to persuade each other of the truth of their respective positions.[32]

At first sight Haydon's distinction is a puzzling one. If people disagree on a normative matter, their disagreement is already about 'what is to be done': seeking the truth and figuring out what is to be done are not obviously different in the normative sphere. What Haydon is driving at, I think, is the distinction between assessing and accommodating putative reasons for action. It is one thing to try to determine the validity or invalidity of putative reasons, quite another to accept at face value the putative reasons of all parties and seek the course of action that best accommodates them. It is perhaps plausible to suggest that real-world public policy-making operates more frequently on the latter model than the former. And the goal of preparing pupils for real-world political participation is certainly high on Haydon's agenda: 'To be able and willing to engage in discussion towards a practical accommodation is, I suggest, an important skill and disposition for citizens of a plural society, and is one that can be practised in schools'.[33]

Earlier in the book Haydon provides a simplified model of what the process of political compromise might look like:

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[31] Haydon, G. (1997) *Teaching About Values: a new approach*, London: Cassell.
[32] Ibid., 143-4.
[33] Ibid., 144.

> Suppose that the members [of a community] have to make a decision which they see as raising moral issues. And suppose (as a simplification of the greater complexity in real life) that each member puts forward just one moral consideration which he or she sees as the one on which the decision should be based. Moreover, each member puts forward a different consideration, and the considerations pull in different directions. Since they are able to meet face to face, they can attempt to reach a consensus; but it is clear that a consensus will not be reached by fastening on just one consideration and ignoring the rest. What they can do is attempt to arrive at a decision which gives some weight to all of the considerations and tries to find a balance between them all.[34]

The practical accommodation frame for classroom discussion of same-sex marriage counts as relevant to the issue any reasons pupils may offer for supporting or opposing same-sex marriage. In this sense it is the most permissive of the three frames, and it is certainly closer to the perfectionist frame than to the anti-perfectionist frame in giving airspace to considerations of ethical value. But it admits these considerations with a view not to subjecting them to critical scrutiny, but to feeding them into the calculus of political compromise. The aim of discussion is to reach consensus on a same-sex marriage policy that is maximally responsive to the concerns of all discussants.

There are, I think, two serious objections to the practical accommodation frame. First, accepting at face value and trying to accommodate all views held by discussants is problematic when some of those views are likely to be both indefensible and offensive. It may well be appropriate to allow pupils to articulate indefensible and offensive views in classroom contexts where they will be subjected to scrutiny and their weaknesses exposed: there may be little prospect of dislodging them unless their expression is permitted in these contexts. But it is hard to see how it could be appropriate to frame classroom discussion in such a way that discussants are required not only to let views of this kind go unchallenged, but to devise policies that accommodate them. Unfortunately, same-sex marriage is one of a number of topical issues on which it cannot safely be assumed that all views held or expressed by pupils will be reasonable ones with an appropriate bearing on the matter in hand.

Haydon's advocacy of the practical accommodation frame for classroom discussion of values appears to make just this assumption. He offers this gloss on his simplified model of political compromise:

> It seems that what is happening here is in principle just the same as what happens when one person, having to resolve a moral dilemma, weighs up a number of values which come into play and arrives at some compromise between them. In the case of the group, the compromise is between values which happen to be held by different persons; but that does not seem to make compromise any less reasonable.[35]

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[34] Ibid., 53-4.

[35] Ibid., 54.

Haydon's suggestion is that group discussion using the practical accommodation frame is analogous to deliberation undertaken by an individual facing a moral dilemma. He gives the example of a research chemist wrestling with her conscience about whether to accept a job in a chemical weapons research facility, where the terms and conditions of employment will better enable her to support and care for her two children than those of any other job available to her. She is pulled in opposite directions by her objections to chemical weapons and her commitment to supporting her children; she must give due weight to both in reaching a decision about what to do.

The problem here is that Haydon fails to distinguish between two kinds of deliberative situation: those in which all of the competing practical considerations are well-grounded and those in which some of them are groundless. Finding the optimum compromise between competing considerations is a plausible goal of practical deliberation, whether individual or collective, in situations of the first kind. But it is much less appealing in situations of the second kind. Where some participants in a discussion hold false views for bad reasons, the case for compromise is significantly weakened. If there is even a suspicion that some of the practical considerations advanced by discussants are groundless, the discussion must focus in the first instance on assessing the probative force of considerations, moving to the search for a practical accommodation only when groundless considerations have been winnowed out. And, of course, if it turns out that *all* the considerations on one side of an issue are groundless, the practical accommodation phase may be otiose.

The second objection to the practical accommodation frame is that it wrongly takes the principal pedagogical purpose of classroom discussion of topical issues to be the development of the 'skill and disposition' of being 'able and willing to engage in discussion towards a practical accommodation'. That may be *one* pedagogical purpose of *some* classroom discussions, but there are other, stronger reasons for involving pupils in discussion of topical issues in general and same-sex marriage in particular. One is that many topical issues are worthy of study and discussion in their own right, because of their intrinsic interest or importance, not just as vehicles for the development of discussion skills. Another is that topical issues can open up, in accessible and practically relevant ways, areas of ethical and political theory and forms of normative inquiry for which it might otherwise be difficult to generate much enthusiasm among pupils. Even where a concern with developing discussion skills is to the fore, it is at least as important that pupils learn how to participate effectively in discussions which seek 'to establish the truth about some matter' as in those which seek 'a practical accommodation about what is to be done'.

Pupils should have opportunities to discuss same-sex marriage because it matters that they form considered, reasoned opinions on this issue, and because the issue opens up some large and important questions about the good for human beings, the value of intimate relationships and the role of the state. The practical accommodation frame frustrates these purposes: by eschewing the search for truth and focusing on the accommodation of conflicting views, it fails to promote either the formation of reasoned opinions or the exploration of larger normative questions.

Conclusion

Neither the anti-perfectionist thought that the state should refrain from 'implementation and promotion of ideals of the good life', nor the pragmatic thought that compromise is a more promising aim for discussion than truth, defeats the argument for framing classroom discussion of same-sex marriage in perfectionist terms. The public institution of marriage represents special support by the state for certain types of intimate relationship on grounds of their goodness or value; so any serious assessment of same-sex marriage proposals must inquire into the goodness or value of same-sex intimate relationships. This requires a perfectionist frame for classroom discussion.

I have said very little about the ethical arguments for and against the value of same-sex intimate relationships, or about whether the weight of argument falls decisively on one side. As indicated at the outset, my concern has been with the framing question, not the steering question, and the case I have made for the perfectionist frame stands independently of any judgment on the ethical arguments in this area. I think, in fact, that the weight of argument *does* fall decisively on one side: it supports the view that same-sex stable monogamous relationships have similar value to opposite-sex stable monogamous relationships, and that the public institution of marriage should therefore be available to same-sex as well as opposite-sex couples. To justify this claim it would be necessary to show, first, that the intrinsic and instrumental benefits of stable monogamous relationships to the partners themselves, to any children they may raise together, and to society at large, do not depend on the partners being male and female; and, second, that moral objections to homosexuality are unfounded. I have made an attempt on the latter task elsewhere[36]; the former must await another occasion.

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