

### A Delicate Balance: Religious Schools and Tolerance in Europe

Policy orientation from ACCEPT Pluralism, an EU funded research project investigating whether European societies have become more or less tolerant during the past 20 years. This policy brief is based on that part of the research comparing faith-based education in six EU Member States: Denmark, Ireland, Italy, the Netherlands, Spain and Sweden.



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## INTRODUCTION

The European Convention on Human Rights guarantees freedom of education, meaning that it also protects opportunities to create and operate faith-based schools. But as European societies become religiously more diverse, the role of faith-based schools is being increasingly contested. Serious tensions have emerged between those who ardently support religious schools in various forms and those who oppose them. Addressing these tensions constitutes a major challenge for European policymakers.

Accepting that faith-based schools are entitled to operate in Europe, the controversy surrounding them boils down to three main questions:

- How should they be financed?
- What degree of organizational and pedagogical autonomy should they have?
- And what limits should be placed on their practices and management?

Different European countries have answered these questions in different ways. Hoping to glean lessons from their experiences, the ACCEPT Pluralism research team compared examples from six EU Member States - Denmark, Ireland, Italy, the Netherlands, Spain and Sweden - all of which provide public funding for faith-based schools. (Observations from France supplement the findings.)

Broadly speaking, the evidence from our study suggests that governments designing policies on religious schools should be concerned primarily about respect for minimal moral and legal requirements and avoid efforts to engage in 'social engineering'. Rather than idealizing national models and looking for optimal arrangements or best practices, policymakers are advised to seek satisfying solutions that are morally permissible versus those that are not.

## KEY OBSERVATIONS

Religious schools are contested for different reasons. Generally, tensions arise when the values and practices of the schools in question conflict with the dominant sensibilities of the host country.

### Three sources of tension have been observed:

#### Why are faith-based schools controversial?

First of all, the existence of religious schools is seen as conflicting with the overriding principle of **secularism**. This perceived conflict (prominent in France and the Netherlands) is regarded as particularly egregious if the schools are financed and recognized by the state. With several contributing factors - an assumed decline in levels of religiosity, weak support for a public role in organized religion and the political demand that state institutions be strictly neutral - the very existence of religious schools is often presented as anachronistic.

Secondly, new forms of religious pluralism related to migration have resulted in the founding of non-Christian religious schools (mainly Muslim and Hindu) that are seen as posing a potential risk to **social cohesion**. These immigrant-majority religious schools figure prominently in political rhetoric about a danger of the development of 'parallel societies' and 'balkanization' of national communities in Europe. In the wake of these debates, the position of schools of more established religions (Christian and Jewish) is also being questioned.

Thirdly, the degrees of autonomy granted to religious schools are contested in view of **liberal norms** of non-discrimination and equal educational opportunities for all. This relates also to a growing quest for state control in education.

#### From tolerance (or not) to recognition

The way different European nations are struggling with the position of religious schools within their education systems is of crucial relevance in redefining the values and practices of **tolerance in relation to diversity**.

Basically, arguments supporting or opposing religious schools reflect one of three basic positions in terms of tolerance discourse:

- i. Publicly financed religious schools are **intolerable** in liberal-democratic states.
- ii. They may be **tolerated but not positively recognised**.
- iii. Religious schools are a valuable aspect of pluralistic and free societies and **deserve full recognition**.

Increased migration and religious pluralisation in Europe has sparked intense public debate between these positions.

### Religious freedom and freedom of education

The European Convention on Human Rights and liberal-democratic

### What is Europe's rationale for hosting faith-based schools?

constitutions oblige states to guarantee freedom of education in all its consequences for religious schools. Moreover, the European Union has publically committed itself to supporting 'unity in diversity'. Together these declarations provide the basis for a variety of denominational and pedagogical approaches to education, recognizing the value of pluralism of cultures, values, life-convictions and religions.

### How do countries that fund faith-based education compare?

#### Governmental and non-governmental schools

In the majority of European countries the legal status of schools is neither fully public nor private but something in between. Examples include 'special (*bijzondere*) schools' in the Netherlands, 'schools with contract' (*concertadas*) in Spain and 'national' schools in Ireland. Hence, for the sake of terminological clarity, it is useful to distinguish between:

- **governmental schools** that are owned, run and financed by governmental authorities, and
- **non-governmental** schools that are owned and run by associations, whether partly of fully publicly financed or not.

The countries examined in this study not only constitutionally allow for faith-based education at primary and secondary level; they also provide funding for it. However, opportunities for religious education in these countries vary, as do the constraints placed on it. Illustrating the heterogeneity of contexts, the ways religious schools have been challenged in these countries during the past decade have also been different.

### What 'market share' do religious schools have?

#### Religious schools and their pupils

Faith-based schools are usually non-governmental schools with a religious identity (Catholic, Protestant, Jewish, Muslim, Hindu, Oecumenical), which can be (more strongly or more weakly) expressed in their naming, curriculum, pedagogy, admission criteria for staff and pupils, internal regulations, and activities. Religious schools are an important subset of non-governmental schools that have a legal status that varies per country, depending on country specific regimes of governance. They have the status of 'special schools' in the Netherlands, 'national schools' in Ireland, or 'schools under contract' in France and Spain. Also the creation of religious schools and the position they hold in a country's educational system, is the outcome of different national histories, which included political struggles between different religious groups, churches and the state, especially in the 19<sup>th</sup> and 20<sup>th</sup> century.

The relative importance of the roles played by religious schools in the various countries is reflected in the overall number of schools and the share of pupils attending them. Table 1 provides a rough estimate of the market share of faith-based schools:

Table 1

	Number of religious schools as % of total number of schools		Number of pupils attending religious schools as % of total number of pupils attending school	
	Primary	Secondary	Primary	Secondary
Ireland	95 %	n/a	n/a	n/a
Netherland	61.5 %	56.1 %	63.1 %	62 %
Italy	24.2 %	14.5 %	16.2 %	4.7 %
Denmark	22 %	n/a	27 %	n/a
Spain	15.2 %	25 %	20.6 %	21.6 %
Sweden	8.9 %	0.6 %	0.9 %	0.4 %

Source: ACCEPT Pluralism (based on national statistics)

The table shows that nearly all children in Ireland and over half those in the Netherlands attend religious schools, while in Sweden the share is below one per cent. In the other three countries, religious schools are responsible for educating between five and 25 per cent of all pupils.

### How are they funded?

#### Public financing

Each country studied publicly finances non-governmental religious schools in one form or another. Some do so **directly** by providing subsidies for facilities and staff corresponding to the number of enrolled students. Others finance **indirectly** by granting schools tax-exemptions or by paying vouchers for students. Some do both.

In the Netherlands governmental and non-governmental schools are funded equally, and in Denmark about three quarters of the costs of 'free schools' are subsidized by state funds. Ireland and Spain have complex systems of government funding, but in the end a substantial share of the costs of operating religious schools is covered by the state. In Italy 'private schools' have been eligible to receive roughly equal funding compared to governmental schools since 2000. Also in France (often perceived as a country where religions and faith-based education are rigorously excluded from state financing) there are substantial government subsidies for salaries and other costs of religious schools that are 'under contract'.

### How are religious schools regulated?

#### State regulation, associational freedoms and public scrutiny

Religious schools are subject to a variety of government restrictions that vary from country to country. Common forms of regulation include:

- selection of staff and students
- internal organization
- content of curriculum and lessons
- selection of teaching materials
- didactics
- examination
- inspection
- recognition of diplomas

Systems of governance range from strongly centralized and nearly full regulation in all regards (e.g. in France, and in Italy before 2000 ) to minimal regulation and control. High degrees of autonomy in one domain may be coupled with nearly no autonomy in another. In the Netherlands, for example, religious schools are relatively free to select students and recruit teachers, but they have very little leeway in shaping the curriculum and selecting assessment methods.

In Ireland the Department of Education sets down a broad regular framework and leaves considerable autonomy to schools in deciding on teaching and assessment methods. Sweden and Spain have relatively decentralized schooling systems and in Spain regional governments can impose constraints and priorities for admission.

**Of the six countries examined, faith-based schools in Denmark enjoy the highest overall degree of associational freedom.**

### Control and accountability

Like their secular counterparts, religious schools in the countries examined are subject to some forms of control and accountability. They are obliged to adhere to certain standards of efficiency and effectiveness and respect non-discrimination legislation in employment and student selection. While some argue for mission-based and circumscribed exemptions, they may not discriminate on the basis of ethnicity and race.

### Growing tension

**In all the countries studied the balancing of governmental control and associational freedoms is increasingly contested. Outspoken critics of religious schools are pressuring policymakers to reduce the scope of educational freedoms of parents and of religious schools.**

For the most part, those who argue against faith-based schools are concerned with:

- the priority of de-segregation and mixing of pupils of different ethnic and class backgrounds;
- the priority of non-discrimination legislation with regard to recruitment of staff and selection of pupils; and/or
- the will to oblige schools to teach a similar 'modern' and 'secular' worldview and to contribute to government-initiated forms of teaching citizenship and national integration.

### Old and new minorities

### How are Islamic schools perceived and what impact are they having on broader school policy?

In all countries examined, religious newcomers can make use of their constitutional rights in order to create and operate faith-based schools. Providing newcomers with the judicial and institutional space to create religious schools in itself is illustrative of recognition. However, **without exception, Muslim communities encounter political and societal resistance** if they do so. In Sweden, the Netherlands and Denmark Islamic schools are 'tolerated' but not liked; and they are subject to administrative impediments and monitoring, both in relation to their educational performance and in relation to the possible presence of anti-liberal or radical religious messages in teaching.

**More established, ‘native’ religious minorities usually have distinctive privileges that are based on history and tradition. However, in the contentious debates on pluralism in education, these rights and privileges may be challenged.**

This is notably the case with Protestant schools in Ireland and Dutch Reformed schools in the Netherlands.

### **Public perceptions**

Predominant perceptions of Islamic and more orthodox religious schools are highly critical. Students, teachers, parents and management of Islamic schools in the Netherlands, Sweden and Denmark feel they do not receive genuine recognition. Islamic schools in Denmark, Sweden and the Netherlands seek to demonstrate their ability to provide good education in order for their schools to become more accepted as ‘normal schools’ and not be seen as essentially ‘foreign’. In Italy the possibility of immigrant communities to create their own schools is still highly contested, which is illustrated by the case of an Egyptian school in Milan that was labelled a ‘Madrassa’ by opponents. In Ireland, by contrast, the founding of two Muslim primary schools was relatively uncontroversial.

### **The broader picture**

Despite frequently polemic public debates on religious schools, the countries that were studied all continue to provide opportunities for faith-based education, to treat different religious and non-religious denominations equally and to provide public subsidies.

**However, questions are being raised on a broader level about the continued viability of hosting separate, denominational schools - about whether this is a defensible model for coping with pluralism in European societies of the 21<sup>st</sup> century.**

**Is Europe’s faith-based school model sustainable?**

From the perspective of freedom and equality, two main challenges present themselves: a) how to overcome the structural and political obstacles that impede the granting of equal opportunities to religious ‘newcomers’, notably Islam; and b) how to assure associational freedoms of religion in the field of education in the face of a reactionary tendency to relegate religion to the ‘private realm’.

## RECOMMENDATIONS FOR POLICY-MAKERS

### Seek satisfying rather than perfect solutions

As education systems are embedded in predominant cultures and institutional legacies, they cannot be simply exported or imported. Therefore, instead of idealizing models and looking for the ‘optimal arrangements’ and ‘best practices’, policymakers should:

- Recognize that in dealing with diversity and education there are conflicting moral principles at stake and no context-independent hierarchy with respect to non-discrimination, associational freedom, desegregation and educational freedom.
- Strive for a reasonable balancing of priorities in specific contexts and a sensible weighing of liberal principles.
- Seek ‘satisfying solutions’ - within the given contextual constraints - that are morally permissible versus those that are not .

### Ensure that all schools are treated equally and some minority schools are not seen as ‘suspect’

- Bear in mind that equality before the law requires an even-handed treatment of all religious schools, including those of religious ‘newcomers’ and minorities.
- Provide religious schools with public funding equal to that of governmental schools if the schools in question meaningfully contribute to provision of mandatory public services.

### Equality should go hand in hand with pluralism

- Assure that policies designed to assure equality and desegregation do not undermine institutional guarantees of religious and ideological pluralism.
- Prevent public monitoring of (religious) non-governmental schools from reducing the freedom of these schools to effectively pursue alternative approaches in pedagogy.

### Regulation and control should be efficient albeit not discriminatory

- Consider regimes of regulation and control that are mainly output-oriented and as objective as possible (mainly verifying performance of schools in light of cognitive achievements and criteria of effectiveness).
- Keep standards and procedures of regulation minimal.
- Try to guarantee that divergent perspectives and worldviews are taken into account when defining general curriculum frameworks, final achievement targets and exams.
- Include parents and students organizations, umbrella-groups of different types of (denominational) schools and economic and social experts when selecting inspectors of education and developing performance criteria for schools.

## RESEARCH PARAMETERS

### Methodology

The ACCEPT Pluralism project explores the ways tolerance is important in responding to diversity challenges across European states. One of the two focal points for empirical inquiry is the domain of education. The aim of the focus on ‘tolerance in education’ is: (1) to investigate the meaning and practices of tolerance with respect to cultural diversity in school life and education-related issues; (2) to investigate what kind of cultural diversity is tolerated in schools; and (3) to investigate how the embodiment of tolerance in school life relates to concepts such as multiculturalism, liberalism, respect, understanding, national heritage and national traditions.

The research carried out in the field of education was aimed at analysing the meaning and practices of toleration in different countries by conducting qualitative case studies illustrative of diversity challenges for individual countries. One set of issues concerned the structure of educational systems, especially with regard to the position and functioning of religious schools. Public and political debates focus on whether and how religious schools merit toleration and whether some of their educational practices are perhaps intolerable in liberal democratic states. The studies in Denmark and Sweden dealt with the debate on ‘free’ and ‘independent’ schools, especially in the light of debates on Islamic schools. The Dutch study compared the debates on Christian Orthodox (Reformed) schools and Islamic schools. The Irish case study analysed the debate on the ending of ancillary grants for Protestant schools, and the Italian study is about a contentious debate around the closing down of an Egyptian school in Milan. Finally, the Spanish case study investigated public policies around the logics of segregation in education in Barcelona, especially in the context of schools that are “under contract” with the state.

The data material consists of media debate, parliamentary debates, policy papers, court verdicts, legislation and other relevant documents as well as qualitative interviews with people located at different levels in relation to the school system ranging from national politicians, experts, civil servants to school principals, teachers and students.

#### **Further readings:**

Bader, V. and Maussen, M. (2012) “Religious schools and tolerance” in Maussen, M. and Bader, V. (eds) *Tolerance and cultural diversity in schools. Comparative report. ACCEPT Pluralism Working paper 02/2012.* Florence: European University Institute Robert Schuman Centre for Advanced Studies.

Hunter-Henin, M. (ed.) (2012) *Law, religious freedoms and education in Europe.* Oxon: Asghate.

Wolf, P. and Macedo, S. (eds) (2004) *Educating Citizens.* Washington D.C. : Brookings Institute Press.



## PROJECT IDENTITY

<b>Acronym</b>	<b>ACCEPT PLURALISM</b>
<b>Title</b>	<b>Tolerance, Pluralism and Social Cohesion: Responding to the Challenges of the 21st Century in Europe</b>
<b>Short Description</b>	<p>ACCEPT PLURALISM questions how much cultural diversity can be accommodated within liberal and secular democracies in Europe. The notions of tolerance, acceptance, respect and recognition are central to the project. ACCEPT PLURALISM looks at both native and immigrant minority groups.</p> <p>Through comparative, theoretical and empirical analysis the project studies individuals, groups or practices for whom tolerance is sought but which we should not tolerate; of which we disapprove but which should be tolerated; and for which we ask to go beyond toleration and achieve respect and recognition.</p> <p>In particular, we investigate when, what and who is being not tolerated / tolerated / respected in 15 European countries; why this is happening in each case; the reasons that different social actors put forward for not tolerating / tolerating / respecting specific minority groups/individuals and specific practices.</p> <p>The project analyses practices, policies and institutions, and produces key messages for policy makers with a view to making European societies more respectful towards diversity.</p>
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<b>Website</b>	<a href="http://www.accept-pluralism.eu">www.accept-pluralism.eu</a>
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<b>Coordinator</b>	European University Institute (Robert Schuman Centre for Advanced Studies)
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