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Coping with Diversity in Religious Education: an Overview

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ABSTRACT

As a result of secularization and increasing religious diversity, several European nation states adapted their policy with regard to the organization of religious education (or its equivalent) in state schools (schools funded *and* established by the state). In this article, different strategies will be outlined and evaluated: (1) the shift from confessional/catechetical to semi-confessional RE; (2) the possibility of exemption; (3) the organization of an alternative, non-confessional subject; (4) the expansion of RE subjects (multi-religious RE); (5) the shift from confessional to non-confessional RE; (6) the integration of information about religions in other school subjects. Based on a human rights perspective, the author argues why some of these strategies are preferable to others.

KEYWORDS

Religious plurality – human rights – confessional RE – non-confessional RE – exemption – Europe

1. Introduction

Until the 1960s, Christianity was the major religion in most European nation-states and society was largely influenced by this religion. As a result of globalisation, political, economic and religious conflicts, and far-going international mobility, this Christian dominance belongs to the past and most European nation-states are characterized today by ethnic and religious diversity. In addition, the role of religion in Europe has changed significantly. Despite the manifestation of a kind of ‘cultural Christianity’, most European states can nowadays be labelled as ‘post-Christian’: the Christian impact on culture and daily life has decreased and most people consider Christianity to be unimportant in their daily lives.ⁱ

These societal changes have led to national and international discussions about religious education (RE) and to several initiatives in order to cope with religious diversity in education (e.g. Council of Europe 2004, 2008; Keast 2007; OSCE 2007; Jackson 2014a). In this contribution, the focus will be on different strategies to cope with religious plurality in *RE classes in state schools or public schools*, i.e. schools which are funded *and* established by the state. Based on a human rights perspective, I will argue why some of these strategies are preferable to others.ⁱⁱ

In what follows, attention will mainly (but not exclusively) be given to the following nations: Austria, Belgium, Finland, France, Germany, Italy, Norway and Spain. The choice for these nations is threefold: first, there is the *varied geographical location* of the different nations, with Norway and Finland situated in the Northern Part of Europe; Austria and Germany in Central Europe; France and Belgium in Western Europe; and Italy and Spain in

Southern Europe. As a result of this geographical location, the *religious context* is also different: even though all nations are increasingly characterized by secularism and religious diversity, some of them – Austria, Belgium, Italy and Spain to be concrete – are traditional Catholic nations; Norway is a Lutheran nation; and Finland and Germany are religiously ‘mixed’ nations where respectively Lutheran/Orthodox and Lutheran/Catholic traditions are the main religions. Different from the aforementioned nations, France is – at least from an institutional and educational point of view – a secular (*laïque*) state, with a strong separation between church and state. As a result of this diversified religious landscape, these different nations often have *different RE models*, which makes a comparison between them worthwhile.ⁱⁱⁱ

2. Religious Education and Human Rights law

Human rights law protects basic rights and freedoms to which all human beings are entitled. These rights have been defined by international conventions, treaties and organizations and can be seen as a ‘framework’ or a ‘code of law’ for democracy. In order to serve as such a ‘framework’ for different conflicts in different contexts, human rights documents and legal rules are formulated “in such general terms that room is left for a number of different interpretations” (Slotte 2008, 45). Accordingly, legal rules are “indefinitely inclusive”, “contingent”, “negotiable” and “open-ended” (Slotte 2008, 45): within certain limits, states can decide how they fill in particular rights and freedoms, such as the freedom of religion and the right to education.

In this paper, I will, from a human-rights perspective, focus on RE. This focus is twofold. First, there is the *legal* dimension of RE. As stated in national and international legislation, the right to education, ‘*in conformity with [the parents] own religious and philosophical convictions*’ (ECHR, 1st protocol, 2nd article) should be guaranteed. But what does this mean in practice? Does it mean that the state should subsidize faith-based schools? Does it imply confessional RE classes in state schools? And can the organization of non-confessional RE classes be in line with this universal right to education?

Given the open-endedness of human rights law, there are no a priori answers to these questions and whether a given policy is in line with human rights law is partly dependent on the context. This contextual approach is, however, only one part of the coin. In addition, it is also true that that some policies are *in general* (and thus apart from particular contexts) more in line with human rights law than other policies: even though there are several possibilities in order to guarantee the right to education ‘in conformity with [the parents] own religious and

philosophical convictions’, some of them are *principally* more consistent with the freedom of religion and education than others.

In addition to this *legal* aspect of RE, there is also a connection between human rights and the *pedagogical aims* of RE. In 2008, the Council of Europe published its *Recommendation on the dimension of religions and non-religious convictions within intercultural education*. Its aim was “to ensure taking into account the dimension of religions and non-religious convictions within intercultural education *as a condition to strengthen human rights, democratic citizenship and participation, and the development of competences for intercultural dialogue.*” (Council of Europe 2008, 3; emphasis mine) As stated in the Recommendation, “intercultural dialogue and its religious and non-religious convictions dimension are an essential precondition for the development of tolerance and a culture of ‘living together’, as well as for the recognition of our different identities on the basis of human rights.” Education should develop intercultural competences through “promoting communication and dialogue between people from different cultural, religious and non-religious backgrounds” (Council of Europe 2008, 4). Accordingly, there is “a strong case for including religions and beliefs as an intrinsic element of liberal education, and for regarding education about religions and beliefs as also highly relevant to students’ personal development.” (Jackson 2014a, 25; also Jackson 2016, 36).

Also from a *pedagogical* point of view, some ways of organizing RE are thus more in line with human rights and the related idea of democratic education than others.

3. Religious Education in a Context of Plurality: Six Possible Solutions

In order to assure the right to education, ‘in conformity with [the parents] own religious and philosophical convictions’ in a positive way, state schools can organize (and subsidize) denominational or confessional RE.^{iv} For many years, such a policy was almost evident and Christian (Catholic, Lutheran, Calvinist, Anglican, Orthodox) education classes were organized in state schools all over Europe, except for the former communist states (which had no RE on their curriculum during the communist regime) and France (which has no RE in state schools since the 1905 law, with the exemption of the Region of Alsace-Moselle and the transoceanic territories).

For a long time, this model of *mono-confessional RE* was not much disputed: even though non-Christian religions (for instance Judaism, Islam and several eastern traditions) and atheism had some presence in Europe before the 1960s, the majority of citizens belonged to a Christian denomination and it was the norm to have Christian RE classes in state schools. Last

decades, however, things changed significantly as a result of globalization, secularization and increasing religious diversity.

From a *legal* point of view, the mono-confessional model could no longer sustain because it favours one particular worldview and does, therefore, not treat all students equally. But also from a human rights based *pedagogical* point of view, a single model of mono-confessional RE has its deficits. In order to understand present society, and in order to function in that society as a future citizen, it is not sufficient (any longer) to “nurture children and young people in a particular faith tradition” (Jackson 2014a, 16). What we need is not merely education *into* one particular religion (even though this kind of RE can have its merits), but education *about* religion: if we want to understand the society at large, make independent value judgments, take social responsibility and participate in a pluralistic, democratic society, we need to understand the nature and character of religion in general and of diverse religions in particular. In order to cultivate this ‘religious literacy’ (cf. Wright 2001, Prothero 2008), education about different religious and non-religious worldviews is a desired school activity. Therefore, it is not a surprise that many states have modified their policy with regard to RE.

3.1 From mono-confessional and catechetical to semi-confessional RE

For a long time, mono-confessional RE was the norm in many European state schools, particularly in nations with a Roman-Catholic or an orthodox Christian tradition. From the 1970s onwards however, this mono-confessional (and/or catechetical) approach evolved in several nations to a more pluralistic or ‘semi-confessional’ approach.

In Italy^v for instance, Roman Catholic education has been organized in state schools since 1859 (law *Casati*), but in 1984, the catechetical teaching model evolved to a more open, ‘cultural’ approach. Five years earlier (in 1979), the Pastoral Guidelines for Religious Education at School in Spain^{vi} pointed at the difference between catechesis by the Roman Catholic Church on one hand, and Religious Education at School (‘a confessional synthesis between faith and culture’) on the other, defending the latter. Also in Belgium^{vii}, the syllabi of Roman Catholic Education were substantially transformed in 1999 (cf. Boeve 2012) and since then, they are no longer catechetical, but open and ‘pluralistic’, taking into account the fact of religious diversity in the classroom.^{viii}

In Germany^{ix}, where both Catholic and Lutheran education are, in the most *Länder*^x, main RE subjects in state schools, the self-understanding and purposes of these Christian RE subjects changed as well. Since the 1974 Würzburg Synod, Catholic RE is no longer seen as a

catechetical subject, but as a theologically and pedagogically-based subject that aims at personal development in a church-related way. At the same time (1971), the Education Synod of the Protestant Church proposed a shift away from primarily Church-based RE into a more pluralist model that takes into account the religious freedom of all students – believers as well as non-believers. During the 1990s and the 2000s, this shift to a more dialogical and open approach in both Catholic and Lutheran RE classes has, once more, been emphasized and discussed in several official church documents.

As a result of these changes, present Lutheran and Catholic RE in Germany consists of “both confessional and non-confessional traits” (Willems 2015, 27): on the one hand, teachers require a certification issued by their religious organization (*missio canonica*) and RE is thus still organized along confessional lines; on the other hand, RE is state-funded, and state and church cooperate in the training and selection of teachers and in the approval of the curricula and teaching materials. Besides, the *content* of RE is largely deconfessionalized: the aim of RE is no longer ‘to nurture faith’, but rather “to promote knowledge of and understanding of different religious traditions for all pupils in the common school, together with some reflection by pupils on what they have learned.” (Willems 2015, 27)

Notwithstanding the inclusiveness and openness in these RE classes, this denominational and/or ‘semi-confessional’ approach is not evident for all students/parents. Particularly in secularized and/or religiously pluralized regions, the organization of denominational and/or (semi-)confessional RE as a regular subject is challenging. The main problem is that RE classes are mainly organized by the Catholic and Lutheran churches and that Christianity is still given a priority position as a point of reference. Needless to say, this is a far from impartial, and for some parents/students also an undesirable approach. Accordingly, additional strategies to cope with RE in state schools were required.

3.2 Exemption Schemes

In order to guarantee the freedom of religion for all students and parents, exemption from (semi-) confessional or denominational RE classes is required when they are on the official state school curriculum. This right to exemption (the right ‘to opt out’) has been confirmed by the European Court of Human Rights (ECtHR) in several court cases (e.g. *Hassan and Eylem Engin v. Turkey*, Appl. no. 1448/04; *Mansur Yalçın & Ors v. Turkey*, Appl. no. 21163/11), even though it is, in most European nation states, a quite recent phenomenon.

In Spain for instance, all students were, until 1977, required to take Roman-Catholic education in state schools, without the possibility of opting out. In Belgium, exemption in the

Flemish Community was only possible after several court cases in the late 1980s and the early 1990s (*Sluijs* 1989; *Davison* 1989 & 1990; *Vermeersch* 1990), while exemption was, in the French Community, not allowed before a 2015 court case (*De Pascale* 2015).

Notwithstanding these quite recent dates of exemption schemes, the right to exemption is widely accepted today as a *minimal requirement* in order to guarantee the freedom of religion and education when confessional or denominational RE classes are on the regular curriculum in state schools. There are, however, at least three problems with exemption schemes, which makes that other solutions are preferable.

First, there may be some *practical* problems. In the Flemish Community in Belgium for instance, there is no alternative subject for exempted students. During RE classes, these students stay in another class or in the school's office, but this is far from ideal because exempted students are, with such a regulation, often seen as outsiders: "Though opt out classes may remedy the compulsion element, such safeguards cannot prevent possible ostracization of those children that avail of these exemption schemes." (Temperman 2010, 279) In addition, it is possible that exempted students do not receive *any kind of RE* at all, which is, from a pedagogical perspective, not satisfactory in the present society.

Another problem is the problem of *segregation*. If students can be exempted for RE, it is not possible to foster mutual dialogue in RE. This dialogue is, however, a prerequisite for RE in the present multi-religious society: only if students of *different* beliefs – including non-religious beliefs – are in the *same* RE class, can they thoroughly learn from each other and come to a respectful understanding of religious difference (cf. Alberts 2007; Council of Europe 2007; Jackson 2014a; Jackson 2016, 35-36).

Finally, there is the *theoretical* basis of exemption schemes. Even though the right to exemption is required in order to guarantee religious and educational freedom, this right should not be overestimated. Actually, there is an important difference between (a) a state that considers education into religion to be a *regular subject* and considers exemption an anomaly (*opting out*); and (b) a state that allows (and subsidizes) education into religion in state schools, but only *if students or parents request this kind of RE (opting in)*.

In the first case, the state is not neutral: it considers confessional RE to be a primary good or a good that is *to everyone's advantage* (for this terminology see Rawls 1971, 90-95) and accordingly, RE is scheduled on the regular curriculum. It is, however, not taken for granted that confessional RE is *to everyone's advantage* in a society that is characterized by religious plurality and secularization. Therefore, it would be better to organize confessional/denominational RE in state schools *at request*. In this case, the state only

assumes that religion (and thus also confessional RE) *can* be important for *some* parents/students, but not for all. Because such a policy of *opting in* is more neutral than a policy of *opting out*, and because the state treats all students (believers and non-believers) as equals within this system, such a policy, which is for instance common in the Netherlands^{xi} and in Poland^{xii}, is to be preferred over a policy of *opting out*.

3.3 A non-confessional, alternative Subject

Even though exemption schemes can be sufficient in order to guarantee the freedom of religion and education, they “work best when [...] a meaningful class is available to substitute for the one that is being missed” (Evans 2008, 469). Hence the organization of an alternative, non-religious subject for exempted students in several European nations or regions.

In Spain for instance, an official alternative for RE in secondary schools was introduced in 1980, in response to criticism by secular parents. Fourteen years later (in 1994), a new decree stated that RE be still organized in state schools, while at the same time ‘alternative activities’ should be offered. Different from Roman-Catholicism however, these ‘alternative activities’ do not imply assessment. For that reason, they are not taken seriously and they are both by teachers and students often interpreted as “guided leisure time” or “homework support” (Dietz 2007, 119).

In Germany, students who are exempted from confessional RE (mainly Roman-Catholicism and Lutheranism) can, in most *Länder*, take a non-confessional subject called ‘Ethics’, ‘Philosophy’ or ‘Values and Norms’ and in Austria, there are several pilot projects with a subject ‘ethics’ for exempted students.^{xiii} In the southern part of Belgium (French Community), a non-confessional subject (*EPA – Encadrement Pédagogique Alternatif*) has been introduced in 2016/17 and also in Italy, some schools organize an alternative, albeit non-compulsory subject.

If well organized and taken seriously, the organization of a non-confessional subject for exempted students has several advantages. First of all, it can prevent the exclusion and stigmatization of exempted students. In addition, it leaves it open to parents whether they choose for a confessional or for a non-confessional course (e.g. ethics, citizenship, philosophy...). Finally, the organization of a subject for exempted students can contribute to the *religious literacy* of these students, provided that attention is not only given to ethics, philosophy and/or citizenship, but also to different religious and non-religious traditions.

There are, however, also some important deficits. First, the state is *not required* to integrate religious facts in the subject for exempted students: it can also choose to organize a

subject in citizenship, philosophy and/or ethics, without any attention for religion. This is for instance the case in Spain, where the alternative activities for religious education may not consist of any kind of religious knowledge – even non-confessional knowledge.

Another problem is – once again – the *segregation* of students during RE classes. Even though the state takes into account the freedom of religion and the freedom of education in a positive way when it organizes an alternative subject for exempted students, such a segregated model is not the most desirable model in a context of religious plurality. If the state wants to prepare its citizens for a future life in society, *all* students should, to a certain extent, be informed about different religious traditions. In addition, there is also a ‘need for dialogue’ and this dialogue is more promising when students of *different* religious and philosophical traditions are in the same classroom.

3.4 Multi-religious, separative RE

One step further than a system of RE in the major (Christian) tradition(s), with the possibility of exemption and/or the organisation of a non-confessional alternative, is a system of *multi-religious* RE. Within such a system, there is no monopoly for a particular religion, but different (recognized) religions can organize their own RE classes. In these classes, students of different religions are separated according to their religion and RE is thus organized in a *separative* way. In most cases, multi-religious RE is confessional, although a non-confessional approach is also possible.

3.4.1 Separative, confessional RE

In Austria and Belgium, RE is organised in a separative and confessional way. In Austria, sixteen churches and religious societies are currently recognized by the state: the Catholic Church, the Protestant Church Augsburg Confession (Lutheran) and Helvetic Confession (Reformed), the Greek Orthodox Church, the Jewish Religious Association, Islamic Religious Community, the Coptic Orthodox Church, the Old Catholic Church, the Evangelical Methodist Church, the Church of Latter Day Saints (Mormons), the Armenian Apostolic Church, the New Apostolic Church, the Austrian Buddhist Religious Society, the Syrian Orthodox Church, the Jehovah’s Witnesses, Islamic Alevite Religious Community, and Free Churches. In accordance with basic law, all these religions can organize state-funded denominational RE in state schools. In addition, non-recognized churches or societies can organize optional RE classes, but these are not funded by the state.

In a similar way, state schools in Belgium are constitutionally required to organize RE classes in the recognized religions and worldviews, which are at present Roman-Catholicism, Protestantism, Anglicanism [only organized as RE class in the Flemish Community], Orthodox Christianity, Judaism, Islam, and non-confessional humanism.

Also in Germany, RE in state schools is, despite the majority of Lutheran and Catholic RE, to a certain extent also multi-religious: in several *Länder*, students cannot only choose Roman-Catholic RE, Lutheran RE or an alternative subject (ethics), but also one or more other RE subjects, among them New Apostolic RE, Mennonite RE, Old Catholic RE, Orthodox Christian RE, Buddhist RE, Jewish RE and Islamic RE. In a comparable way, Catholic RE is the norm in Spain, but at parental request, Jewish, Islamic and Evangelical RE can also be organized.

3.4.2 Separative, non-confessional RE

In Finland^{xiv}, RE classes are also organized separatively, but the different RE classes are organized in a non-confessional way. Most Finnish students (91,9%) take Lutheran RE^{xv}, but if several conditions are fulfilled, students who are officially not a member of the Lutheran or Orthodox Church (which are both national churches in Finland) have the right to take another RE class. At present, National Framework Curricula are written for thirteen religions: Evangelical Lutheran Christianity, Orthodox Christianity, Catholicism, Islam, Judaism, Buddhism, Kristiyyhteisö [Christian Community], Latter Day Saint religion [Mormons], Free Church, Adventist religion, Baha'i, Hare Krishna [ISKCON] and Herran kansa ry [the Lord's people]. In addition, a non-confessional subject 'Life Questions and Ethics' is organized for students who do not belong to any (recognized) religious community.

RE classes in Finland are considered to be *non-confessional*: the main purpose of Finnish RE is not to convert students or teach into their own religion, but "[...] to offer the pupils knowledge, skills, and experiences, from which they obtain materials for building an identity and worldview." (National Core Curriculum for Basic Education 2004, 202) This "non-confessional approach" becomes also visible in the requirements for teachers: since the *Freedom of Religion Act (2003)*, RE teachers should no longer be a member of the religious community whose religion they teach. In principle, a person can teach any religion as well as ethics, provided that he/she has the relevant qualifications to do so.^{xvi} Also important is that the *state* (the National Board of Education) – and not the churches – has final authority over the curricula. Accordingly, school RE in Finland does not belong to the sphere of interest of the Church, but rather to that of the State.

However, in spite of this non-confessional character, Finnish RE also contains confessional aspects and practices. As a result of the denomination-based separative aspect on one hand, and the non-confessional approach on the other, the Finnish RE system is “ridden with contradictions” (Sakaranaho 2013, 247) and is therefore often labelled as ‘weak confessional’ (Kotiranta 2013, 107; Ubani & Tirri 2014, 110).

With a multi-religious model, the state positively takes into account the fact of religious plurality: RE is not only organized in the major tradition, but different religious groups can organize their own RE classes in state schools. Accordingly, the parental freedom of religion and education is, at least for parents who belong to one of the religions which have their own RE subject, guaranteed in a positive way (freedom *to* religion).

This benefit has, however, also its deficit: in Belgium, Austria and Finland, RE is only organized in the *recognized* or *registered* religions and/or worldviews, and not in non-recognized or non-registered religions or worldviews.^{xvii} This leads to a form of *inequality*: even though more students in Belgium adhere, e.g., to Buddhism (not recognized [yet]) than to orthodox Christianity (recognized), only education classes in this last religion are (currently) organized in state schools and subsidized by the state. For similar reasons, Wicca in Finland is “the most established faith tradition without RE” (Ubani & Tirri 2014, 108).

Another problem is the *segregation* of students^{xviii}: during RE classes, Catholics gather with Catholics; Muslims with Muslims; Protestants with Protestants; and so on. From a pedagogical point of view, such a segregated model is not the most preferred model in a religiously diversified society, where *particularly religious differences* and a lack of religious knowledge of the ‘other’ are important factors of intolerance and conflict and where, accordingly, an integrative approach in which discussion with co-students adhering to another religion is recommended (cf. Alberts 2007).

3.5 Education about Religion as a separate, integrative School Subject

In order to cope with religious diversity in an open and dialogical way, several nations or sub-nations (for instance Sweden, the UK, Denmark, Norway and some cantons in Switzerland) organize *non-confessional, integrative RE*: based on a religious-studies based approach (and not on a theological approach), students get information about diverse religious and philosophical traditions and dialogue between these traditions is stimulated. Different from the previous models, RE is not organized by the religious communities, but by the state. Accordingly, RE is no longer seen as *education into one’s own religion*, but as a regular, non-

confessional subject that contributes to citizens' *general education* or *Allgemeine Bildung* (Jensen 2008; 2011).

With the organization of non-confessional and integrative RE, students with different religious backgrounds have *the same* RE subject, which gives them the opportunity to learn from and interact with each other and to question their own and other worldviews. In addition, this model gives *all* students the opportunity to enlarge their religious knowledge and to stimulate an open attitude of tolerance.

Notwithstanding these noble aims, the organization of non-confessional RE is not uncontested, particularly when the subject is mandatory for all students. In Norway for instance, the organization of non-confessional, integrative RE has led to a well-known court case in which the (parental) freedom of religion and conscience was one of the disputed issues. But also beyond the European borders, the mandatory character of non-confessional RE has been disputed: in Québec for instance, the subject *Ethics and Religious Culture (ERC)* was, since its implementation in 2008 (and even before), twice brought to the Canadian Supreme Court.

In *Folgerø v. Norway* (2002, Appl. no. 15472/02; 2002)^{xix} and in *SL v. Commission scolaire des Chênes* (SCC 7, 1 S.C.R. 235, 2012)^{xx}, parents complained about the mandatory character of RE: according to the Norwegian parents, the non-confessional subject KRL (*Kristendoms- religions- og livssynskunnskap* [Christianity, Religion, Life Stances]) was *too religious*, while the Québec parents considered ERC *not religious enough*. Even though both parents opposed the subjects for different reasons, they were both convinced that the mandatory character of the RE subject was not in line with their freedom of religion. As said by both Courts, however, this mandatory character is in line with human rights law, as long as the subject is taught in a 'critical, objective and pluralistic manner' and as long as it does not lead to indoctrination.^{xxi}

Also important with regard to non-confessional RE is the common critique that it is impossible to teach about religion in a neutral or impartial way. Even though I cannot go into detail here^{xxii}, it is important to make a distinction between *a-religiosity and methodological agnosticism* on one hand, and *anti-religiosity* on the other: in non-confessional RE classes, methodological agnosticism or methodological a-religiosity is required from the teacher with regard to metaphysical and religious truth-claims, but this does not entail a negative stance toward religion (*anti-religiosity*). Rather the contrary: it is exactly *because religion is so important*, that different beliefs should be taken seriously and that all students should, in a critical and impartial way, be well-informed about it.

Finally, there is the critique that non-confessional RE is *opposed to religious pluralism*: rather than being in line with religious plurality, non-confessional RE presents all religious and non-religious worldviews in the same, ‘neutral’ and ‘relativistic’ way and there is no place for real diversity and identity formation *within* a specific religious tradition. Particularly when non-confessional RE classes have replaced the confessional RE classes, and when they are on the mandatory school curriculum (which is for instance the case in Norway and Quebec), these and other criticisms are frequently picked up.

3.6 Education about Religion as an integrated School Subject

The aforementioned problems with regard to neutrality, religious identity, and the parental right to educate their children in conformity with their own religious tradition, make that the organization of a separate subject about religion is not always evident. One possible way out here is the integration of education about religion in other subjects such as history, geography and language education. This is for instance the case in France, where education about ‘*le fait religieux*’ is integrated in state schools.^{xxiii} Also in the United States, several state schools integrate knowledge of religions in the regular school subjects (e.g. history, literature), in order to increase the students’ *religious literacy*.

One of the advantages of this ‘inclusive approach’ is that there is no separate subject about religion which has the ambition of being neutral. Accordingly, there is no need for exemption schemes: given the fact that teachers do not claim any moral or religious truths, but only inform students about *facts concerning religion* within their regular, non-religious classes, there is no need for exemption.^{xxiv} Finally, the inclusive approach enables *all* students to learn together about religion and to discuss with each other in an open and critical way.

This inclusive organization of non-confessional RE is, however, not uncontested. Particularly in France, where state schools are considered to be secular or *laïc* institutions, the inclusion of religious facts in the regular school curriculum raises many issues and opponents are afraid that it would bring God back into school. But also in the United States, the integration of RE in state schools is not uncontested. In the *Mozert v. Hawkins* (6th Cir. 1987) court case for instance, parents complained about the use of texts during reading classes, which were not in line with their religious convictions. Even though the US Circuit Court argued in favour of the school (and not of the parents), this case shows that even the use of religious texts within non-religious subjects can be perceived as problematic.

4. Conclusion

There are different strategies to cope with religious diversity in RE classes in state schools. Given the existing plurality of religious and non-religious views in Europe, a mono-confessional approach, in which one particular RE subject is organized, without the possibility of exemption, is, from a *legal human rights perspective*, not in accordance with the freedom of religion and the freedom of education – even if the subject content is less catechetical and more dialogical and interreligious than a few decades ago. Therefore, *a minimum requirement is the possibility to get exemption*.

However, in order to guarantee that all citizens are, as far as possible, treated *as equals*, exemption schemes are not sufficient. From a normative stance, a system in which students can take confessional or denominational RE *at request*, and in which *different* RE classes and a non-confessional alternative can be organized, is more in line with human rights such as the freedom of religion and the freedom of education, and with the principles of equality and neutrality, than a system in which (mono-)confessional RE is the norm.

From a *pedagogical* point of view, however, such a system raises important issues. The main problem is that students are *segregated* according to their religion or worldview, which is not the most desirable situation in a context of increasing religious diversity. Besides, the possibility of exemption and/or the organization of non-confessional alternatives enable that some students will have no RE at all. If we agree that some core aims of 21st century RE are “to cultivate reciprocity, sensitivity and empathy and to combat prejudice, intolerance, bigotry and racism” (Jackson 2014b, 137), this is problematic. As argued by Jackson (2014b, 137), “[t]he ideal learning context [for RE] is provided through a safe forum or learning space in which students can engage in dialogue and discussion managed by teachers with appropriate specialist knowledge and facilitation skills” and hereto, a single model of separative, confessional/denominational, and therefore also optional RE, is insufficient.

Presently, there is a need for “knowledge and understanding of the main religions and non-religious convictions in the world and of their role in society” (Jackson 2014b, 137) and in order to realize this, a model of integrative and mandatory education about religion – as an integrated part of other subjects, or as a separate subject – is, from a *pedagogical human rights perspective*, more promising than a model in which one or more separate, optional RE subjects are organized. Because attention is given to different religious and non-religious traditions and because there is no preference for one particular religion or worldview, this model is – at least in theory – also from a *legal perspective* “most compliant with the states’ ‘human rights obligations’” (Evans 2008, 471). We should, however, be aware that organizing

RE in an 'objective and pluralistic manner' is not that evident in practice, particularly when it is organized as a separate and mandatory subject. But even if we take into account these challenging complications, I see this kind of RE, for reasons mentioned above, as the most promising RE model in European state schools today.

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ⁱ Notwithstanding this general tendency of ‘secularization’, belief in God is still common in several EU member states: in Malta, 94% of the population declares to believe in a God, in Romania 92%, and in Cyprus 88%. Also in Poland, Slovakia, Portugal, Italy, Spain, Greece and Ireland, the majority of the population believes in God. However, in spite of this high rate of ‘believers’, in most of these countries church attendance has decreased and religion is no longer an all-encompassing factor of daily life. In other EU member states, less than 50% of the population declares to believe in God and also there, church attendance has decreased significantly. (for statistics: see *European Commission* 2010, 204).

ⁱⁱ As a result of the international scope of this paper, the concept ‘RE’ will be used here in a very broad way, i.e. as education wherein ‘the religious dimension’ (cf. Council of Europe 2004) plays a central role. RE so broadly understood covers among others confessional and non-confessional RE; denominational and non-denominational RE; integrative and separative RE; education about, into and from religion; and religious-studies as well as theology based RE. In addition, also the concept of ‘religion’ will be used in a broad way, covering not only religious traditions, but also non-religious and/or philosophical worldviews such as secular humanism, atheistic existentialism, scientific materialism, hedonism, stoicism and nihilism. (For discussion of the concept ‘worldview’ and for its inclusion in RE, see for instance van der Kooij et al 2013; Jackson 2014a, Ch.7; Aldridge 2015; Barnes 2015)

ⁱⁱⁱ In some cases, references to non-European nations or regions (e.g. Québec and the US) will be made, in order to clarify the situation in a more profound way.

^{iv} For the difference between denominational and confessional RE, see e.g. Bråten 2013, 22-24 and 2014, 25-27.

^v For RE in Italy, see Ferrari 2013; Mazzola 2014.

^{vi} For RE in Spain, see Dietz 2007; Garcimartin Montero 2013.

^{vii} For RE in Belgium, see Loobuyck & Franken 2011; Derroitte, Meyer, Pollefeyt & Roebben 2014.

^{viii} Remarkably, the bishops in Belgium declared in September 2016 that Catholic RE should become ‘more Catholic’ again, because many students are presently uninformed about the fundamentals of the Catholic and Christian tradition. At the same time, however, Roman Catholic RE should be accessible for all students and organized in an open and dialogical way.

^{ix} For RE in Germany, see Knauth 2007; Willems 2015; Rothgangel & Ziebertz 2016.

^x In Germany, RE is in most *Länder* organized in a confessional and separative way. Exemptions to this ‘general rule’ are Brandenburg, Hamburg and Bremen. In Brandenburg, an ‘integrative’ and non-confessional subject ‘LER’ is organized as an alternative for confessional RE (see e.g. Alberts 2007, 337-342; Kennigott 2016); in Hamburg, RE is organized in an integrative, dialogical way (see e.g. Alberts 2007, 332-355; Weisse 2013, 2014); and also in Bremen, RE is organized in an integrative and (at least officially) non-confessional way (cf. Alberts 2007, 335-337).

^{xi} For RE in the Netherlands, see Ter Avest, Bertram-Troost & Miedema 2011; Geurts, ter Avest & Bakker 2014.

^{xii} For RE in Poland, see Rogowski 2016.

^{xiii} For RE in Austria, see Jäggle & Klutz 2016.

^{xiv} For RE in Finland, see Kotiranta 2013; Sakaranaho 2013; Kuusisto & Kallioniemi 2014; Ubani & Tirri 2014.

^{xv} Numbers are from 2012. Based on <http://www.suol.fi/index.php/uskonnonopetus-suomessa/religious-education-in-finland> (accessed 2016-09-20)

^{xvi} This way of qualifying RE teachers has been criticized by teachers of minority religions and particularly by some Muslim parents. In some cases, they have transferred their children from Islamic education to ethics education or to religious instruction provided by their Islamic community. (cf. Sakaranaho 2013, 246.)

^{xvii} In Austria and Finland, only *religious* communities are recognized by the state and have, accordingly, a right to organize their RE subject in state schools. In Belgium, the non-confessional humanists are also recognized and accordingly, they organize their own, secular humanist ‘RE’ subject in the Flemish Community. In the French Community, the state (and not the recognized humanist organization) is responsible for this subject, but its content is also influenced by secular humanism.

^{xviii} In addition to these principal problems, there are some practical problems with multi-religious, separative RE. To name but a few: it is expensive; it creates difficulties in scheduling RE classes and finding classrooms; and there are not always qualified teachers for the different classes.

^{xix} For discussion of this case and the preceding HRC case (*Leirvag and others v. Norway*, CCPR/C/82/D/1155/2003), see e.g. Hagesæter & Sandsmark 2006; Slotte 2008, 2011; Lied 2009; Alberts 2011; Skeie 2016.

^{xx} For discussion of this case, see e.g. Bosset 2012; Pettigrew 2014.

^{xxi} Notwithstanding this decision, the Canadian Supreme Court limited the mandatory character of ERC in another case (*Loyola High School v. Quebec*, SCC 12, 1 S.C.R. 613, 2015), arguing that the state cannot require *faith-based* schools to organize a strict non-confessional subject about religion since that would lead to an infringement of the (collective) freedom of religion and education.

^{xxii} For a profound discussion, see Franken & Loobuyck 2017.

^{xxiii} For RE in France, see Willaime 2014; Gaudin 2014 & 2016; Griera 2014.

^{xxiv} Even though this is (or should be) also the case in a separate subject about religion, it has been claimed frequently that non-confessional RE classes cannot be ‘neutral’ or ‘impartial’. Currently, there seems to be a consensus among parents, academics and policy makers, about the possibility of being neutral for, for instance, teachers of history, language or geography. For RE teachers, however, things seem to be different: given the sensitive, contested and normative issue, some people are convinced that such a neutral stance is impossible, even within a non-confessional course.