

BELGIUM: Religion teachers in primary schools concerned for the future of their classes

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HRWF (15.09.2016) – Religion teachers are concerned about the future of their classes and have complained about the registration system of the choice of the pupils between religion or ethics as well as unfair advertising in favor of the Philosophy and Citizenship Classes (PCC) in the francophone primary public schools.(1)

As a reminder, the choice between 2 hours of alleged neutral ethics or of one of the state-recognized religions (2) is being replaced this year by 1h of ethics or religion + 1h of PCC or 2h of PCC.

It is expected that these actions will lead to a huge loss of participation in religion and ethics classes.

Ruling of the Constitutional Court

This reform follows upon the 12 March 2015 ruling of the Constitutional Court (Nr 34/2015) which was requested by the Council of State in answer to a question that was filed for a

preliminary ruling on the right of parents of children attending francophone public schools to opt out of religion or ethics classes.

In this regard, the Constitutional Court took into consideration the 31 March 1994 decree of the French Community (Article 5) that defined the concept of neutrality in public schools: the ethics class is not called « cours de morale non confessionnelle » (neutral/ non confessional ethics classes) but is referred to as « cours de morale inspirée par l'esprit de libre examen » (ethics classes inspired by the spirit of free thinking).

The court found that “the French Community allows ethics classes to be ideologically oriented and the teachers to adhere to a particular philosophical system. This implies that the French Community does not guarantee that the courses of religion and non-confessional ethics, which are offered with parental permission, disseminate information or knowledge that is ‘objective, critical and pluralistic’ in conformity with the case law of the European Court of Human Rights on which the Constitutional Court depends.

“In order to ensure the right of parents that their children do not experience conflict between religious or ethical education given by the school and the religious or philosophical beliefs of parents, students should be allowed to opt out from attending religion or ethics classes.

Moreover, in order to protect their right not to disclose their religious or philosophical beliefs, which are above all intimately personal for each person, the approach for obtaining this exemption must not impose upon the parents the obligation to reveal their own religious or philosophical convictions.”

In conclusion, just as in Flemish public schools, the pupils of the francophone public schools in Belgium must have the

right to opt out from attending the ethics or religion classes.

Some messages of concern from religion teachers

“The fall in the number of pupils opting for the religion classes is huge. I do not know if I will still keep 2 hours. My pupils in the 5th and 6th grades told me that their supervising teacher (2) had oriented them towards the 2 hours of PCC and that the PCC classes would be given by Ms D.L., a temporary ethics teacher, who has no prior standing.”

“The Council of the Municipal and Provincial Schools (CECP) sent to its schools the letter of the FAPEO (3) encouraging parents to opt for the 2 hours of PCC instead of 1 hour of religion or ethics + 1 hour of PCC.”

In Uccle (Brussels), a pedagogical inspector and municipal council member responsible for school education, informed parents by a circular letter of “the implementation of classes on philosophy and citizenship,” saying among other things that:

“The specific characteristic of the PCC is that it gathers together all the pupils of the class, whatever their religious or philosophical orientation and it deals with major issues related to ‘living together’, philosophical questioning as well as history of religions and the major philosophical movements.”

In the presentation of the possible choices, the 2 hours of PCC are prioritized. Concerning the option 1 hour of PCC + 1 hour of religion or ethics, it was said that “organizing this second class will depend on the number of children registering for it.”

About the FAPEO

The Federation of Public School Parent Associations (FAPEO)

defends the interests of parents of children attending francophone public schools in Wallonia and Brussels.

On the homepage of its website (<http://www.fapeo.be>), it declares that it is “apolitical and respectful of the philosophical and religious beliefs of all.” The pupils of these public schools reflect the diversity of the country’s population and usually opt for the various religion and ethics classes that are proposed to them.

However, on the first day of the school-year, many pupils received at school documents from the FAPEO encouraging them to opt out from the religion or ethics classes and to choose 2 hours of PCC. The FAPEO then oriented the parents to a website praising the PCC (<http://deuxheurescestmieux.be>). The FAPEO’s position on the PCC issue was not new and was already announced in a letter addressed to the parents and their children on 22 April 2015.

We may however question the neutrality of the FAPEO in respect to the religious diversity that is already present among the pupils and their parents that they claim to represent. Publicity in favor of the 2 hours of PCC is obviously more publicity than “information.” Its campaign was immediately relayed by the “Action Laïque” (Secularist Action) and by the principals who shared the views of this movement. The heads of state-recognized religions reacted differently, issuing a common press release entitled « Avec un cours de religion, c’est mieux » (With a religion class, it is better). However, their influence of religious leaders within the francophone public schools of Wallonia and Brussels is minimal.

For those who know Belgium, it is obvious that the historic “school war,” dating back to the 19th century, has never been fully resolved, despite the School Pact that was signed in 1959. This pact was meant to put an end to the fierce competition between Catholic and public schools, to their being instrumentalized by the major political parties and to

disputes about state funding of both school networks. However, beneath the ashes of the “school war”, the embers of this conflict have never been extinguished and the ideological/political competition has continued. (4)

Such tensions could have been avoided if the Minister for School Education of the French Community had clearly, in a neutral and impartial way, communicated on this issue with the heads of schools, the parents and the pupils.

Teaching the history of religions and philosophical movements in the Philosophy and Citizenship Classes (PCC)?

Religion classes or classes about religions? The debate is not new and is raised everywhere in Europe in particular. However, the PCC are not classes on religions, unlike the statements of some actors involved in the issue. Indeed, a closer look at the table of contents of the Curriculum of the Philosophy and Citizenship Classes says nothing about the history of religions. (5)

Opting out from the attendance of religion or ethics classes?

In the Flemish primary and secondary public schools, the pupils have been allowed to opt out from religion or ethics classes since the 1990s. Moreover, they are not required to declare the motivation for their request so that their right not to disclose their religious or philosophical beliefs can be protected, as this is advocated by the European Convention on Human Rights and the Belgian Constitutional Court. During the weekly two-hour religion or ethics classes, they do not have to attend another class, but they can study material related to their beliefs in a designated study hall if they wish.

The reform of the religion or ethics classes in the francophone primary public schools of Wallonia and Brussels endeavors to solve the opting out issue that was addressed by the ruling of the Constitutional Court by orienting pupils

towards the 2 hours of PCC. However, the children of the francophone families professing a religion that is not recognized by the state, such as Jehovah's Witnesses, Hare Krishna devotees, Sikhs and immigrants with other religious beliefs, will not have the same possibility as in the Flemish schools to do self-study at school on the fundamentals of their religion.

Obstacles to the implementation

Moreover, the practical implementation of the reform raises numerous other questions. Some pupils will attend 2 hours of PCC and others only 1 hour of PCC. How to group them together, whatever their philosophical or religious beliefs, if they only attend half of the PCC classes? Will the groups be separated? Will the second group get a lighter curriculum? How will the annual and regular evaluation tests be organized? Will this not lead to a multiplication of teachers to cover the whole range of classes: Ethics, Catholic, Anglican, Protestant, Jewish, Muslim, Buddhist, PCC 1 and PCC 2? How much more will this cost?

The teachers of "the ethics classes inspired by the spirit of free thinking" have similar cause for complaint as the teachers of religion, but this has not been the case. Why? They hope to be prioritized in the appointment to the PCC in the argument that they are neutral; however, such a claim has been dismissed by the aforementioned 12 March 2015 ruling. Who then will be entitled to give the PCC? The ethics and religion teachers with a master or a bachelor's title who will have successfully attended a training program on neutrality.

An additional complication in the implementation of this reform: the teachers teaching ethics or religion in one school will not be allowed to teach PCC in the same school. This means that these teachers will have to work in many more schools to be fully employed and receive their full salary.

It will be a puzzle for school principals to try to organize the ethics and religion classes for such “nomadic” teachers. The classes will inevitably be pushed to the most inconvenient times of the school day, such as the very end of the afternoon, when other pupils will have left the school. This is but one more incentive to discourage the choice of religion or ethics classes over the PCC.

Other obstacles will certainly emerge during the implementation of the reform in primary schools. In 2017-2018, it will be extended to francophone secondary public schools, which will be even more complicated, if not impossible, to guarantee equal treatment of parents and their children.

HRWF Footnotes

(1) The school system in Belgium is linked to the complicated political structures of the country.

In Belgium, a federal state, school education is under the authority of the governments of the linguistic communities: the French Community, the Flemish Community and the German-speaking Community.

The reform of the religion or ethics classes being implemented this month does not concern

- the Flemish schools in their entirety
- the francophone Catholic schools or the few Protestant, Jewish and Muslim schools in Wallonia and in Brussels.

We have purposely avoided in English the use of administrative terms that are only understandable in Belgium (enseignement officiel, enseignement libre, etc.) and have opted for terms that, we think, may be understood more easily in other countries. For example, by “public schools” we mean schools that are not faith-based (non confessionnelles), which are schools run by the government of the French Community of Belgium, provincial schools and communal/ municipal schools.

(2) The supervising teacher in a Belgian primary school

indicates here the teacher (instituteur) who gives all the classes (except foreign languages, gymnastics and religion or ethics)

(3) See the next section about the FAPEO.

(4) For more information, see our website
<http://hrwf.eu/wp-content/uploads/2015/01/Religious-education-at-school-in-Belgium.pdf>

(5) See <http://bit.ly/2cpDAsg>