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Country report: Belgium – Flemish Community

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## RE in Belgium: Constitutional Requirements

In the federal state of Belgium, education is, since the constitutional amendment of 1988, organised in an autonomous way by the Flemish, French and German Communities. Within each Community, there are different kinds of schools: 'private' (but state funded) schools, which are mainly, but not exclusively, Catholic, and 'official' or state schools, which can be divided into community schools, municipal schools, urban schools and provincial schools. This 'pillarized' education model is the result of a long school battle between Catholics on one hand, and liberals, socialists and free-thinking humanists on the other: the former defending a private, but state-funded, Catholic education system; the latter defending 'neutral' education, both established and funded by the state. In 1958, a historical compromise was reached with the *schoolpact* and in 1959, this compromise was sealed in the 'schoolpact law', which guarantees financial support for private (mainly Catholic) schools on one hand, and a choice of education in recognised religions and in non-confessional ethics in official (state) schools on the other. In 1988, these principles were implemented in the then revised Constitution (art. 24):

Belg. Const., art. 24

§ 1. Education is free; any preventative measure is forbidden; law or decree only governs the repression of offences.

The Community offers free choice to parents.

The Community organises neutral education. Neutrality implies notably respect for the philosophical, ideological or religious conceptions of parents and students.

The schools organised by the public authorities offer, until the end of compulsory education, the choice between the teaching of one of the recognised religions and non-confessional moral teaching.

§ 2 [...]

§ 3. Everyone has the right to education with respect for fundamental rights and freedoms. Access to education is free until the end of compulsory education.

All students of school age have the right to a moral or religious upbringing at the Community's expense.

In the first paragraph, the freedom of education (i.e. the freedom for parents *to choose* a school, but also *to establish* schools) is guaranteed. In addition, this paragraph ensures the neutrality of state schools and requires these schools to offer education in the recognised worldviews. RE in state schools is thus organised as segregated education into religion.

This segregated RE is, however, only offered in 40% of all Belgian schools, and only in 30% of all Flemish schools. As a result of pillarization<sup>1</sup> in the Belgian education system, state schools are still a minority in Belgium and most schools are subsidised, private Catholic schools, where Roman Catholic RE is a compulsory school subject. In order to guarantee “the right to a moral or religious upbringing at the Community’s expense”, RE in these private schools is also financed by the state.

### RE in Catholic Schools

Up until today, the subsidized Catholic school network, in which more than 60% of all students are enrolled, is still the largest provider of education in Belgium and particularly in the Flemish Community, where 62% of all primary and 75% of all secondary schools are private – mainly Catholic – schools, with a similar percentage of students. Since almost all these schools are principally accessible for all students and meet educational standards, framed by the Ministry of Education, they are officially recognised and extensively subsidized by the state.<sup>2</sup> At present, more than 95 percent of the private schools in the Flemish Community are state funded Catholic schools, attended by an equivalent number of students. In theory, other religious communities can also establish state-funded private schools, but in practice this seems to be not so evident and the number of recognized – and thus subsidized – Protestant, Jewish, Islamic<sup>3</sup> and non-confessional<sup>4</sup> schools is very low.

In the past, Catholic schools were schools *from* and *for* Catholics: the majority of the Belgian population belonged to the Catholic Church and it was considered obvious that education would be in the Catholic tradition. In recent decades, however, we can observe a change as a result of secularization and increasing religious diversity. Even though most students in Catholic schools are still baptized<sup>5</sup>, the number of practicing students is very low and most students in Catholic schools do not identify (any longer) with Catholicism.<sup>6</sup> According to Derroitte et al (2014, 47–48), “[e]ven within Catholic schools

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<sup>1</sup> “Pillarization” refers to denominational/political segregation in social organizations, media, trade unions, schools, political parties, etcetera. This kind of segregation in social life was typical for the Low Countries, but several nations and/or regions (e.g. Ireland and Québec) have (had) a pillarized education system as well. The process of depillarization in Belgium started in the 1970s but is not yet finished.

<sup>2</sup> From 2002 onwards, subsidies for working costs (100%) and staff (100%) in Flemish private and state schools are equal, taking into account ‘objective differences’ such as transport cost for pupils and the organization of religious subjects, which is more expensive in state schools. For infrastructure (buildings), Community schools receive a 100% subsidy, while private schools, but also communal, municipal and provincial schools get a 60-70% subsidy.

<sup>3</sup> In 2015, only four Islamic schools (three primary schools and one secondary school – all in the region of Brussels-Capital and under legislation of the French Community) were subsidized and in 2016, the first subsidized Islamic school in the Flemish Community opened its doors.

<sup>4</sup> Non-confessional schools can be based on a non-confessional, humanist worldview, but they can also be based on a particular pedagogical view (e.g. Steiner and Freinet schools).

<sup>5</sup> In the last two years of secondary education (16-18 year old) in Catholic schools, 86 percent of the students are still baptized, but this number decreases among younger students: in primary Catholic schools, only 68.5 percent of the students are baptized.

<sup>6</sup> See <https://www.kuleuven.be/thomas/page/onderzoek-katholieke-identiteit-scholen/> (accessed 2017-02-22) for a detailed study of the students’ religious identity in Flemish Catholic schools.

many of the students do not consider themselves Catholic anymore, even if they are baptized Catholics. Practicing students belong to the absolute minority even within their own schools.”

As a result of the large number of Catholic schools, most students are enrolled in these schools, which are often chosen for practical reasons such as (perceived) quality of education, school climate, neighbourhood, studies offered and the overall image of the school.<sup>7</sup> The Catholic identity, which was a few decades ago a decisive factor in the school choice and was one of the markers of the pillarized society, is for most parents no longer important.

In response to this evolution, there have been some debates about the ‘Catholic’ identity of the Catholic schools. In order to avoid further eroding of this identity, without “reconfessionalizing” (Catholic schools as schools from and for Catholics), Catholic schools in the Flemish Community are presently called “*Catholic schools of dialogue*” (‘katholieke dialoogscholen’): schools wherein students are challenged *to think about their own identity and to dialogue about this identity with fellow students*, whatever their religious affiliation may be. The Catholic school of dialogue welcomes students of different religions and worldviews, although the Bible, and in particular the person of Jesus Christ, is still the basis of its pedagogical project. Accordingly, a Catholic school is identified as “a community of work and life, where people together experience the Christian faith day by day [...]” (*Mission statement of Catholic Education in Flanders*)<sup>8</sup>

In order to experience this Christian faith, Catholic schools organize times of prayer and worship services. In some schools, these religious activities are compulsory, but this is not the case in all schools. Moreover, in order to meet the religious diversity in a positive way, there is also attention to the accommodation of non-Christian students. This can, for instance, mean that chapels are transformed into multi-confessional prayer rooms; that Muslims can take optional Islamic RE classes (in addition to the compulsory Roman-Catholic RE classes); and that the wearing of non-Christian religious symbols such as the veil is allowed.<sup>9</sup>

In addition to these religious activities, all Catholic schools have Roman Catholic RE on their curriculum – a subject that is scheduled three hours (primary schools) or two hours (secondary schools) on a weekly basis. In 2000, the curricula for Roman Catholic RE were reformed and since then, they are no longer catechetical, but ‘dialogical’, ‘pluralistic’ and ‘inter-religious’, taking into account the diversity in the classroom. However, notwithstanding this evolution, the interreligious dialogue always starts from the Catholic tradition, which is presented as the “vocational and inspiring path” (Boeve 2000, 34) and Christianity still has a “priority position” as a point of reference (Roebben 2000, 60).

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<sup>7</sup> [http://www.onderwijsvaniedereen.be/bijlagen/PaginasPisa2012\\_SchoolkeuzeOuders.pdf](http://www.onderwijsvaniedereen.be/bijlagen/PaginasPisa2012_SchoolkeuzeOuders.pdf) (accessed 2017-02-22)

<sup>8</sup> <http://www.katholiekonderwijs.vlaanderen/over-ons/opdrachtsverklaring-van-het-katholiek-onderwijs-vlaanderen> (accessed 2017-02-22)

<sup>9</sup> In Belgium, wearing religious symbols in schools is a contested issue, particularly in Flanders, where this is, since 2014, not allowed in schools of the Flemish Community (‘Gemeenschapsonderwijs’). Quite soon after this decision, however, the Council of State judged that this decision was illegitimate (Council of State, arrest nr. 228.748; Council of State, arrest nr. 228.752). In theory, private schools are free to decide whether they allow the veil or not, but in practice, many Catholic schools have a general ban on head gear. As a result, wearing the veil is in practice often not allowed there.

Accordingly, philosophical and ethical themes are always approached “more or less from within a confessional point of view” (Derroitte, H., Meyer, G., Pollefeyt, D. and Roebben, B. 2014, 50). Finally, we should also mention that a few primary Catholic schools with a high number of Muslim students, organize Islamic RE classes. This is, however rather exceptional and these classes are only scheduled one hour a week. In addition to Islamic RE, the pupils have two hours of Roman Catholic RE. Currently, the discussion about Islamic classes in Catholic schools is still going on and it is not sure what the future policy will be.

### RE in State schools

As required by the constitution (art.24, §1), state schools offer RE in the different recognized religions and in non-confessional ethics. At present, students can choose between Roman Catholicism, Protestantism, Orthodox Christianity, Anglicanism<sup>10</sup>, Islam, Judaism, and non-confessional ethics. Most likely, Buddhism will also be organized as a subject in state schools in the near future because its official recognition is in an advanced stage now. Hence, RE in state schools still organized as segregated confessional education 'into' religion, which is autonomously organized and controlled by the recognized worldviews and financed by the state.

Until 1993, non-confessional ethics was organized by the state and could thus be seen as a ‘neutral’ alternative (Verstegen 2015). In 1993 however, the Union of Humanist Freethinkers Associations (UVV) became officially recognized in Belgium and since then, this Union is responsible for non-confessional ethics in the Flemish Community. As a result of the evolving non-neutral character of this subject and the lack of a neutral alternative, students in official Flemish schools can get exemption from RE. Up until today, there is no alternative subject for exempted students in the Flemish Community. During RE classes, these students are set apart and are supposed to study their own worldview in an independent way.

At present, 0.18 percent of the students in secondary schools<sup>11</sup> are exempted and in primary schools, this is 0.26 percent. Non-confessional ethics is the main subject in state schools, taken by almost 50% of the secondary school students. With 26 percent of the students, Roman Catholic RE is the second RE subject in state schools, followed by Islamic RE, which is taken by approximately 20% of the students. The other recognized religions (Protestantism, Orthodox Christianity, Judaism and Anglicanism) are taken by respectively 1.81, 0.66, 0.05 and 0.003 percent of the students in state schools.

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<sup>10</sup> Anglicanism is only offered in the Flemish Community; not in the French and German speaking Communities.

<sup>11</sup> For primary schools, the numbers of students choosing particular RE courses are quite similar.

	Roman Catholic RE	NC ethics	Islam	Protest. RE	Orthod. Chrstianity	Judaïsm	Anglicanism	Cult. views	Exempt.
<b>State schools</b>	26.13	49.68	19.88	1.81	0.66	0.05	0.003	-	0.7
<b>Private schools</b>	98.86	0.16	0.35	-	-	0.22	-	0.39	0.004
<b>All schools</b>	79.3	13.14	5.46	0.47	0.17	0.18	-	0.29	0.18

*RE classes in state and private secondary schools of the Flemish Community, 2015-16 (percentage of students)<sup>12</sup>*

When we look at the total number of schools (state and private), we can see that Roman Catholic RE is the main subject, taken by almost 80% of all the students, mainly in private (Catholic) schools. In addition, there are a few non-confessional and Jewish private schools, where respectively non-confessional ethics and Judaism are organized. The 0.35% Islamic RE in private schools comes mainly from students of the Turkish Lucerna colleges, which are organized by the Gülen movement and have the official status of non-confessional private (and thus not of Islamic) schools. In practice, however, all the students in these schools take Islamic RE. Finally, some schools with a particular, ‘alternative’ pedagogy (e.g., Steiner and Freinet schools) are organized as private schools as well. They organize ‘cultural views’ (‘cultuurbeschouwing’) as an alternative for RE. The content of this subject is not clear and appears to be a mixture of anthroposophy, philosophy, religion, and culture.

#### Current Debates

Since the official launch of the ‘Catholic school of dialogue’ in the media (June 2016), there is a heated debate about these ‘new’ Catholic schools. On the one hand, they are criticised from a more traditional, right-wing point of view and particularly their openness and the (perceived) loss of tradition are criticized. On the other hand, more progressive, liberal and/or left-wing people and political parties criticize this school policy, which is seen as a strategical manoeuvre to attract more Muslims and thus keep the monopoly position of Catholic schools intact. According to these critics, it would be more realistic, less expensive and more efficient to have *one* centralized, non-confessional and depillarized education system.<sup>13</sup>

A related controversial issue is the confessional character of Roman Catholic RE: in order to teach this subject, the teacher needs a mandate from the Catholic Church, and the Recognized Authority of Roman Catholicism, which is chaired by bishop Johan Bonny, is still responsible for teacher training, appointment and inspection, and for the curricula and textbooks. This way of organizing RE is disputed because it is no longer in accordance with the religious convictions of many students: even though 80% of the students take Roman Catholic RE, most of them no longer identify with Roman Catholicism. In Catholic schools for instance, only 48.9% of the students identify with Roman Catholicism, 10.1 percent

<sup>12</sup> Statistisch jaarboek onderwijs [Statistic Yearbook of Education] 2015-16, <http://www.ond.vlaanderen.be/onderwijsstatistieken/2015-2016/statistischjaarboek2015-2016/publicatiestatistischjaarboek2015-2016.htm> (accessed 2017-03-20).

<sup>13</sup> ‘Katholiek onderwijsnet is achterhaald’ [‘Catholic Education is outdated’], *De Standaard* 23-05-2016.

identify with another Christian denomination, 9.4 with Islam and 0.7 with another non-Christian worldview. In addition, 22.4 percent identify with a secular worldview and 8.5 percent are indifferent.<sup>14</sup>

It is also claimed that there is a lack of ‘religious literacy’ among students – even with regard to their ‘own’ Catholic tradition. In 2010, the former Archbishop, André Léonard, put this aptly in a newspaper interview: “Most students have [Roman Catholic] RE at school, but after all these years of so-called religious education, they know far too little.”<sup>15</sup> Six years later, bishop Bonny suited the action to the word and established a group of experts that is presently working on an actualization of the syllabi, wherein the core elements of the Catholic tradition will be reemphasized.<sup>16</sup> In state schools too, students are often religiously illiterate, partially (but not exclusively) because there are, for RE, no curricula or standards designed by the state.

Additionally, the RE system in state schools raises several practical issues: apart from the fact that it is expensive and difficult to organize, there is the problem that it is sometimes hard to find required teachers and inspectors, not the least because not all the recognized religions have an adequate teacher-training programme.<sup>17</sup> Particularly for Islamic RE this is problematic because its present organization is not adapted to the increasing number of students: many teachers do not have a required degree and/or do not speak French/Dutch fluently; the curricula have some important deficits; textbooks are imported from abroad (mainly from Turkey); and the number of inspectors is insufficient. In order to improve the situation, several initiatives have been taken, such as the organization of new teacher training programmes, a transformation of the curricula, and the appointment of a new inspector. It is, however, not taken for granted that these initiatives will be sufficient (cf. Franken 2017).

Finally, there is the problem of segregation in state schools: during RE classes, Catholics gather with Catholics; Muslims with Muslims; Protestants with Protestants; and so on. Is this segregation, in a context of religious pluralism, still desirable in the 21st century? And is this the best way to prepare young citizens for a life in the present multicultural and multi-religious society?

For these and other reasons, there is since 2009 the proposal to introduce a new, independent, and compulsory subject about religions, ethics, philosophy, and citizenship, called ‘LEF’ (‘Levensbeschouwing, Ethiek, Filosofie’), in *all* schools in the Flemish Community (Loobuyck & Franken 2011; Franken & Loobuyck 2013; Loobuyck 2014). Even though there are many pedagogical,

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<sup>14</sup> *Persoonlijke religie of levensbeschouwing van leerlingen (percentage) in het katholiek onderwijs 2008-2015 (lager + secundair)*, <https://www.kuleuven.be/thomas/page/onderzoek-katholieke-identiteit-scholen/> (accessed 2017-02-22).

<sup>15</sup> ‘Naar ‘zuiverdere’ godsdienstlessen’ [Towards ‘purer’ religious education classes], *De Standaard* 10-05-2010.

<sup>16</sup> ‘Godsdienstlessen wordt opnieuw religieuzer’ [‘Religious education classes will become more religious again’], *De Morgen* 30-08-2016.

<sup>17</sup> At University level (which is the required degree for teachers of higher secondary education), there is, for teachers of Roman Catholic RE, the possibility to study Theology or religious sciences at the Catholic University of Leuven. In the same city and in Brussels, there are two small Faculties of Protestant Theology, and for teachers of Non-confessional ethics, there are university studies (moral philosophy) at the Universities of Gent and Brussels. For the other recognized religions, there are no studies organized at university level in Belgium, neither is there a faculty of religious studies. In response to the religious diversity in society and in the classroom, an increasing number of colleges organize different RE subjects in their teacher training programmes, such as Roman Catholic RE, Protestant RE, non-confessional ethics, Islam, and Buddhism. Finally, most recognized religions also organize their own teacher training courses, but in addition to these courses, teachers also need an official pedagogical degree.

societal, legal and practical reasons for the introduction of a non-confessional RE subject in all regular schools, this proposal is very controversial and particularly the recognized religions and the Catholic school network in Flanders are opposed to it. This is one of the reasons why there is, almost ten years after the LEF-proposal, still a *status quo* as regards RE in the Flemish Community.

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