

THE PLACE OF RELIGION IN EDUCATION IN SWEDEN

Lars Friedner¹

I. Religious instruction organised during the school hours (in lower and in secondary education) in state funded schools

I.1 Question: Religious instruction organised during the school hours (in lower and in secondary education) in state funded schools. Is – and if affirmative please refer to the provisions in the law (add the text separately) – the teaching of religion in your country organised during school time in public educational institutions: in primary education, in secondary education.

I.2 Question: What choices amongst the religious education possibilities are offered in public educational institutions, e.g. catholic religion, Islamic teaching,

Answer:

In Sweden, teaching of religion is organized during school time in public educational institutions, in primary education as well as secondary education². It must be noticed, however, that the teaching is supposed to be comprehensive and scientifically based. The education aims at teaching *about* religions, but no *religious instruction* or confessional elements are comprised. The education goal is to give the pupils a good knowledge of the main world religions (Christianity, Islam, Judaism, Hinduism, Buddhism)³. At the time of writing, there is an ongoing discussion concerning the importance that should be paid to the different religions. The Government has just decided on new curricula for the primary and secondary schools⁴, and the Minister for Education has publicly criticized the proposals from the *Swedish National Agency for Education* for not paying enough attention to Christianity⁵. Thus, the decision from the Government has somewhat changed the proposal. As an effect of the system where all the main religions are covered, there are no possibilities for the pupils to choose between different directions of the teaching about religions.

II. State funded denominational schools and state supervision

II.1. Question: Are there state funded denominational schools in your country? If affirmative, what is the numeric importance of state funded schools. If affirmative, what is the numeric importance of Islamic state funded schools. Please refer to statistical information on-line

II.2. Question: Are there non-state funded denominational schools in your country (private)? If affirmative, what is the numeric importance of private schools. If affirmative, what is the numeric importance of Islamic private schools. Please refer to statistical information on-line

II.3. Question: How do the authorities control the teaching in state funded denominational schools and are there any special questions about the control of the content of teaching in state-funded denominational schools? Please refer to the provisions in the law.

Answer:

The school system in Sweden is based on the obligation for the municipalities to organize primary, secondary, and upper secondary schools for all children and youth⁶. Historically, the municipalities have taken their responsibility through the running of public schools. In recent years, however, there has been a development towards more private schools. This has been made possible as the School Act states that the municipalities are obliged to give, in principle, the same economic support to the private schools as to the public schools⁷. A couple of these private schools are denominational⁸. There is no

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² This report focuses on the primary, secondary, and upper secondary schools. The Swedish school system also contains other kinds of schools: pre-school classes, pre-school activities, welfare for school children, Sami schools, special schools, schools for the people with learning disabilities, upper secondary education for adults, and Swedish for immigrants.

³ I.e. Ordinance on Curriculum for the Primary and Secondary School, the Pre-School Class, and the Leisure-Time Centre, SKOLF 2010:37 (Sw. *Förordning om läroplan för grundskolan, förskoleklassen och fritidshemmet*)

⁴ Ibid.

⁵ www.regeringen.se

⁶ 1:4 School Act, 1985:1100 (Sw. *Skollagen*); a new School Act (2010:800) will come into effect on July 1; 2011, it contains the same order in 2:2.

⁷ 9:6 School Act 1985:1100; new School Act (2010:800) i.e. 10:38

⁸ The statistics point out that 1.8 percent of the primary and secondary schools have a religious aim and that 0.9 percent of the pupils attend such schools; the statistics do not mention any upper secondary school as having a religious aim; although some

public information available on the matter, but – as the financing of schools follow the mentioned pattern – it is not likely that there are any private schools which are not publicly funded⁹.

All schools within the school system – public as well as private – are supervised by the *Swedish Schools Inspectorate* and are obliged to take part in the follow-up and evaluation arranged by the *Swedish National Agency for Education*¹⁰.

III. Refusal or limitations on the number of pupils of another conviction/belief by the governing board of a confessional (catholic) school

III.1. Question: Does the head of a state funded denominational (e.g. Catholic) school has the right to refuse pupils from other religious beliefs? Please refer to the provisions in the law.

III.2. Question: Does the head of a state funded denominational (e.g. Catholic) school the authority to limit the number of pupils from other religious beliefs (e.g. Muslim pupils) in order to support the specificity of the project?

Answer:

A denominational school – or any private school – has no right to refuse pupils of other conviction or to limit the number of them. The education in every school has to follow the state decided curricula, which means that the education should be comprehensive and scientifically based. If a denominational school, beside the activities that are stated in the curricula, as well has confessional elements, these have to be voluntary for the pupils, so that pupils of other conviction can abstain¹¹. It is obvious, on the other hand, that parents who want to have their child in a denominational school, normally prefer this school because of the conviction of the family.

IV – V. As already mentioned, the curriculum for religious teaching in private as well as public schools is based on comprehensiveness. The curriculum contains teaching regarding Islam, and such teaching shall take place in all schools. There has been no public debate on the matter.

VI. Religious symbols are not compulsory in public schools. The question whether they are allowed or not has not been raised. As the education in the public schools is intended to be religiously neutral, the answer would probably be no, if the matter was brought up.

So far, the question of a teacher in a public school wearing the Islam headscarf has not been raised. Probably some teachers in Islamic denominational schools wear headscarves, but the matter has caused no public debate.

It has been stated by the *Swedish National Agency for Education* that a pupil is allowed to wear the Islam headscarf at school, at least in primary and secondary schools, which are compulsory¹². There is as well a statement from the *Agency* concerning a pupil wearing a burqa, i.e. a totally covering dress, or a niqab, i.e. a dress where only free space for the eyes is left¹³. The *Agency* states that it is necessary that the teacher can see the face of each pupil, so that the teacher is able to recognize if the pupil has understood what the teacher has said. It is also necessary that the teacher can identify the pupil, so that the teacher continuously can judge the pupil's knowledge of the subject¹⁴.

There is no official dress-code for Swedish schools, although some private schools may have some kind of dress-codes. In the above mentioned statements by the *Swedish National Agency for Education* the *Agency* makes the question of how the pupils are dressed to a matter of order. If a pupil (or a group of pupils) dress in a way that disturbs the order of the school, the head-teacher is supposed to act

of the schools with a religious aim obviously have an Islamic direction, there are no statistics measuring this; www.skolverket.se

⁹ Different churches and other religious communities have often some kind of education for their child and youth members. But this is no part of the school system with primary, secondary, and upper secondary schools.

¹⁰ 2-3 §§ Ordinance on Instructions for the Swedish Schools Inspectorate, 2009:1215 (Sw. *Förordning med instruktion för Statens skolinspektion*); 26:3, 19, 24 new School Act (2010:800)

¹¹ 1:6-7 new School Act (2010:800); although included in an act of Parliament at first through the new School Act, this is the standpoint of the law already today.

¹² Decision May 22, 2006 by *Swedish National Agency for Education*, 52-2006:689

¹³ Writ October 23, 2003 by *Swedish National Agency for Education*, 58-2003:2567

¹⁴ Ibid; the *Equality Ombudsman* has at the time of writing just decided a case, where a lady wearing a niqab was ordered to take it off, if she would attend an upper secondary school for adults – on the other hand, the school decided that she was accepted to continue her education, when waiting for a decision from the *Ombudsman*; the *Ombudsman* concluded that she would not bring the case to court, as the lady had been able to fulfil her education at the school (decision November 30, 2010, 2009/103).

for bringing order in the school, either by prescribing general rules or by enforcing individual pupils to change their behavior¹⁵.

A pupil, who does not follow general rules of the school or rules given to him or her individually, shall be reproved by the teacher¹⁶. The teacher has also the possibility of sending the pupil out of the classroom for the rest of a lesson¹⁷. In the primary and secondary school, the teacher can contact the pupil's guardian or let the pupil stay in school extra hours after (or before) the lessons¹⁸. In the upper secondary school, which is not compulsory, the pupil can be reproved by the head-teacher. The head-teacher may also give the pupil a warning¹⁹. There the pupil can as well be excluded from school for a limited time or banished from the schools of the municipality^{20,21}.

Labour law measures can apply to a teacher who does not follow the instructions given to him or her by the head-teacher or other management of the school, just as it can apply to any employee.

VII. There is an ongoing debate in Sweden, whether a school breaking-up ceremony can be held in a church, which has been a tradition in Sweden. The position of the *Swedish School Inspectorate* is that a breaking-up ceremony of a school may be held in a church as long as it has its focus on being together and tradition and does not contain any elements of prayer, creed, or benediction. Some municipalities have been criticized by the *Inspectorate* for having accepted "confessional elements"²².

IV. Point of views of the authorities concerning the teaching of Islam in denominational (Catholic) education, Islam instruction or instruction on other convictions/beliefs in denominational (catholic) schools for (a number of pupils requesting it) and alternative ethical course

IV.1. Question. Is there a legal obligation to organise, if parents ask for, classes of Islamic religion in denominational (Catholic) education funded by public authorities? a. for any pupil for whom a request has been made? b. from a minimum number of pupils for whom a request has been made?

Answer:

IV.2. Question. Does the same obligation exist for the offer of (a) other religions and/or philosophical convictions, (b) an alternative class of conception of life, philosophy, ethics

Answer:

IV.3. Question. Can you shortly mention the pro and contra standpoints that have been expressed concerning the respect of fundamental rights (among others, freedom of education and right to education) in relation with this obligation?

Answer:

IV.4. Question. Reference to the legal basis, with Website address, and also if possible to the parliamentary preparation of texts.

Answer:

V. Teaching of Islam in denominational (e.g. Catholic) schools at their own initiative

¹⁵ 58-2003:2567, 52-2006:689

¹⁶ 6:9 Primary and Secondary School Ordinance, 1994:1194 (Sw. *grundskoleförrordningen*), 6:21 Upper Secondary School Ordinance, 1992:394 (Sw. *gymnasieförrordningen*)

¹⁷ Ibid.

¹⁸ 6:9 Primary and Secondary School Ordinance

¹⁹ 6:22 Upper Secondary School Ordinance

²⁰ 6:23 Upper Secondary School Ordinance

²¹ The new School Act, 2010:800, in effect from July 1, 2011, changes the disciplinary measures to some extent: The measures are mostly the same in the primary and secondary schools as in the upper secondary schools – reprovng, sending the pupil out for the rest of a lesson, extra hours, warning, and exclusion. There are also some new possible measures – temporary replacing to another class and temporary replacing to another school. The current disciplinary measure of banishing a pupil will not exist any longer. If a pupil in the primary or secondary school, which is compulsory, is excluded, it is necessary that the school in another way gives the pupil the education he or she has a right to (5:6-20).

²² Decisions by the *Swedish School Inspectorate*, i.e. November 23, 2010 41-2010:3865, July 29, 2010 41-2010:3833

V.1. Question: Is there in your country a general guideline for teaching of Islam in denominational (e.g. Catholic) schools at their own initiative defined by (a) the Bishops' Conference, (b) another body, namely. . .

Answer:

V.2. Question: If affirmative, does the guideline implies that (a) the teaching of other religions is organised when: one parent asks for, or a sufficient number of parents ask for (how many?), (b) only teaching of Islam is offered as alternative religion when one parent asks for or a sufficient number of parents ask for (how many?)

Answer:

V.3. Question: There is no guideline and: (a) in fact, teaching of Islam is never proposed in Catholic schools, or (b) the teaching of Islam is organised in some schools, which have taken themselves the initiative. If possible, explain the importance of this option

Answer:

VI. Religious symbols in public schools

VI.1. Question: Are religious symbols (e.g. crucifix) in public schools compulsory, allowed, or forbidden?

Answer:

VI.2. Question: Is a teacher allowed to wear the Islamic headscarf and manifest her religion? Please explain if not allowed on which grounds.

Answer:

VI.3. Question: Is a pupil allowed to wear the Islamic headscarf and manifest her religion? Please explain if not allowed on which grounds.

Answer:

VI.4. Question: Who decides on the dress code in schools. Please refer to the law.

Answer:

VI.5. Question: Can a pupil and/or a teacher be exempted from the dress code when she considers it her religious duty to wear the Islamic headscarf?

Answer:

VI.6. Question: Who is the regulatory authority in this sphere?

Answer:

VI.7. Question: What kind of disciplinary measures and proceedings are taken if the pupil or teacher fails to comply with the rules on dress codes?

Answer:

VI.8. Question: Please describe the case-law in your country.

Answer:

VII. After-school education in private religious institutions. Islamic instruction organised after the school hours (age 6-18)

VII.1. Question: Is there any form of Islamic teaching (for children and youngsters of age 6-18) in your country organised after school time in private religious institutions:

Answer:

VII.2. Question: Is there any form of Islamic teaching in your country organised in primary

education age (6-12)

Answer:

VII.3. Question: Is there any form of Islamic teaching in your country organised in secondary education age (12-18)

Answer:

VII.4. Question: How many such institutions are there in your country providing Islamic instruction organised after the school hours?

Answer:

VII.5. Question: How many children take part in the activities of Islamic instruction organised after the school hours?

Answer:

VII.6. Question: How is the pedagogical quality of Islamic instruction organised after the school hours safeguarded?

Answer:

VII.7. Question: How would you characterize the public debate about this form of Islamic instruction organised after the school hours?

Answer:

VIII. Additional comments

XI. Bibliography