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Teaching of Religion in Lithuania

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

I.1 Question: Religious instruction organized 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 organized during school time in public educational institutions: in primary education, in secondary education.

Answer:

Teaching of religion is organized during school time in public educational institutions both in primary and in secondary levels.

Constitutional provisions:

Article 26 of the Constitution of Lithuania provides for freedom of thought, conscience and religion; each human being has the right to freely choose any religion or belief and, either alone or with others, in private or in public, to profess his religion, to perform religious practices, to practice and teach his belief; no one may compel another person or be compelled to choose or profess any religion or belief; freedom of a human being to profess and spread his religion or belief may not be limited otherwise than by law and only when this is necessary to guarantee the security of society, the public order, the health and morals of the people as well as other basic rights and freedoms of the person; parents and guardians shall, without restrictions, take care of the religious and moral education of their children and wards according to their own convictions.

Article 29.2 of the Constitution states that the rights of the human being may not be restricted, nor may he be granted any privileges on the ground of gender, race, nationality, language, origin, social status, belief, convictions, or views.

Article 40.1 of the Constitution also provides that state and municipal educational institutions are secular, and on request of parents provide religious education. Article 40.2 of the Constitution provides that non-state establishments of teaching and education may be founded according to the procedure established by law.

Article 41.1 of the Constitution also states that education is compulsory for persons under the age of 16. According to Article 43.1 of the Constitution the state recognizes traditional churches and religious organizations, and other churches and religious organizations (if they have support within community, and their teachings and practice does not confer with law and moral).

Article 43.3 states that churches and religious organizations shall be free to proclaim their teaching, perform their practices, and have houses of prayer, charity establishments, and schools for the training of the clergy. Article 43.6 provides that teachings proclaimed by

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churches and religious organizations, other religious activities and houses of prayer may not be used for purposes which are in conflict with the Constitution and laws. Article 43.7 of the Constitution of Lithuania provides that there is no state religion in Lithuania.³ The Law on Religious Associations and Communities⁴ further provides for a more detailed regulation of religious studies. Article 5 of the above mentioned law states that there are nine traditional religious associations and communities (based on historical, spiritual and social heritage): roman catholic, Greek orthodox, evangelic Lutheran, evangelic reformat, orthodox, old believers, Jewish, Muslim Sunnite, and Karait. According to Article 5.1 of the same law religious education is chosen as part of moral education. Moral education is part of primary, main and secondary education. On request of parents (guardians) the subject of religious education can be included in the pre-school education on the child. Non-formal religious education and self education can be carried out as well. Article 5.2 of the same Law further provides that a student of primary, main and secondary educational institution that has reached the age of 14 year has a right to choose one of the compulsory subjects of moral education: religion of traditional religious association or community, or ethics. Article 5.3 states that parents (guardians); or state institutions that provide foster care (if the child is an orphan), based on religious views practiced by the relatives of the child, choose between the subject of religious education or ethics for the students younger than 14 year of age.

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

Answer:

Article 9 of the Law on Religious Associations and Communities provides more detailed regulation related to the course of religious education as such. The article states that religious education can be taught in prayer houses, public and non-public educational institutions, as well as other premises and places. Article 9.2 of the same law provides that religions of traditional and other state recognized religious associations and communities in public educational institutions can be taught on request on parents (guardians). According to Article 9.3 the State also recognizes teaching of religion of traditional and other state recognized religious associations and communities in confessional educational institutions (Sunday schools or other educational groups) provided that the religious education program is registered in the ministry of Education and Science of Republic of Lithuania and proof of teachers religious qualification is also provided along with the request from the senior member of the religious association or community. The order of teaching of religious education is regulated by other laws of education, as provided by article 9.5 of the same Law.

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.

³ <http://www3.lrs.lt/home/Konstitucija/Constitution.htm>

⁴ http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=363706

Answer:

II.1. There is few denominational schools that are partially funded by the state. Such schools are supported from tuition paid by the students and also receive a state subsidy for each student from the state. State funded denominational schools comprise a rather small number of all state funded schools. Statistical on-line information regarding this matter is currently unavailable, because the State does not gather such information. Statistical information related to religious matter is systematically collected only about numeric outcome of traditional and other recognized religious associations and communities, prayer houses clergy members. There are currently no Islamic state funded schools. There are 5 prayer Islamic prayer houses, 7 Islamic communities and 7 clergy men⁵.

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.

Answer:

II.2. In general there are 7 so-called Sunday schools that teach Islamic religion. However, these Sunday school are not state funded, therefore do not fall within the framework of state funded educational system. These are private denominational schools. Their numeric importance is not significant. Arabic language and history of Islam are taught in these Sunday schools⁶.

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:

According to Article 9.3 of the Law on Religious Associations and Communities the State also recognizes teaching of religion of traditional and other state recognized religious associations and communities in confessional educational institutions (Sunday schools or other educational groups) provided that the religious education program is registered in the ministry of Education and Science of Republic of Lithuania and proof of teachers religious qualification is also provided along with the request from the senior member of the religious association or community. Article 5 of the same Law contains provisions for the educational programs related to religion. Article 5.4 of the Law states that the religious education program in a formal educational institution (excluding higher education institutions) is prepared by a corresponding traditional or other recognized

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<http://db1.stat.gov.lt/statbank/selectvarval/saveselections.asp?MainTable=M3190101&PLanguage=0&TableStyle=&Buttons=&PXSIId=13429&IQY=&TC=&ST=ST&rvar0=&rvar1=&rvar2=&rvar3=&rvar4=&rvar5=&rvar6=&rvar7=&rvar8=&rvar9=&rvar10=&rvar11=&rvar12=&rvar13=&rvar14=>

⁶ http://www.islamas.8m.com/islamas_lietuvoje.html

religious association or community, which is later evaluated by the senior member of that association or community as well as the Ministry of Education and Science and Minister of Education and Science. According to Article 5.5 a person is eligible to teach any formal education program (excluding higher education) if he or she has higher or vocational education degree and qualification of an educator, or has an adequate special training required. Such person is required to have a permit to teach religion issued by and according to order provided by the traditional religious association of community.

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 have the right to refuse pupils from other religious beliefs? Please refer to the provisions in the law.

Answer:

The head of a state funded denominational school does not have a right to refuse pupils from other religious beliefs. However, Article 29 of the Law on Education provides that priority to get accepted to a state funded state or municipal school remains with the students who live within the territory that is serviced by that particular school.⁷

III.2. Question: Does the head of a state funded denominational (e.g. Catholic) school have 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:

No, he does not have such a right.

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 organize, 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:

Article 40.1 of the Constitution also provides that state and municipal educational institutions are secular, and on request of parents provide religious education. That means that it is compulsory for a state funded educational institution to organize classes of Islamic religion in this case. However, there is a requirement for a minimum quota of the students for the class, which are at least 5 students.

According to Article 5.6 of the Law on Religious Associations and Communities, a school which is unable to provide a class of religious teaching of the traditional religion

⁷ http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=395640

of association or community requested by the parents (guardians) of the students, is required to accept as credit the religious teaching provided at the Sunday school or other religious education group according to requirements set forth in provisions 5 and 4 of the same Article.

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, and ethics?

Answer:

(a) Yes, if it is one of the religions of traditional or other recognized religious associations or communities.

(b) Yes.

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:

Organizing a class is strictly tied with the certain minimum requirements that have to be met in order to register a new subject to be taught, like for example, minimum amount a students, qualitative requirements for the subject teacher etc. There are very few students with Islamic religion and generally these students would acquire their knowledge in Sunday schools or cultural centers or the like. Therefore there have been no opinions expressed regarding the above mentioned obligation.

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

Answer:

<http://www3.lrs.lt/home/Konstitucija/Constitution.htm>

http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=363706

http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=395640

http://www.islamas.8m.com/islamas_lietuvoje.html

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

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.1. There is no precise guideline for teaching of Islam, but the Law on Religious Associations and Communities provides for general guidelines for religious teachings. Islam is among nine religions that are recognized by the state of Lithuania, therefore the

guidelines of the Law on Religious Associations and Communities regarding the teaching of religious studies apply to the teaching of Islam.

V.2. Question: If affirmative, does the guideline implies that (a) the teaching of other religions is organized 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.2. As stated above, any school, on request of the parents has to provide for a religious study course, however, there is a minimum quota required for a teaching course. Therefore, a separate class for any religion would not be established upon request of solely one parent.

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 organized in some schools, which have taken themselves the initiative. If possible, explain the importance of this option

Answer:

V.3. Both cases of a) and b) are possible. In general, there is no large population of Islamic religion; therefore, the issue as such is not a frequent one if at all possible. Depending on the need, any school individually would be responsible for organizing classes of Islamic religion. More generally religious education of such small religious communities is exercised in cultural centers or similar.

VI. Religious symbols in public schools

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

Answer:

VI.1. Religious symbols are allowed.

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.2. Teachers would be allowed to wear Islamic headscarf and manifest her religion, because there are no rules at all regarding this matter.

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.3. It depends whether the board of the school has confirmed rules of wearing a uniform. If there are no confirmed rules regarding a mandatory uniform, then the

headscarf would be allowed. However, if there are confirmed rules – the pupils would be required to wear a uniform. Manifestation of her religion in other ways unrelated to headscarf would be allowed.

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

Answer:

VI.4. The dress code of the school is usually chosen by the community of the school and confirmed by the council of the school.

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.5. Such described cases would be decided individually and it would largely depend on the internal code of each school individually.

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

Answer:

VI.6. The regulatory authority in this sphere is the council and or administration of each school individually.

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.7. That depends on the rules of each school individually.

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

Answer:

[specification of the case law needed – headscarves, uniforms – No, case law regarding the latter.]

VII. After-school education in private religious institutions. Islamic instruction organized 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 organized after school time in private religious institutions:

Answer:

YES.

VII.2. Question: Is there any form of Islamic teaching in your country organized in primary education age (6-12):

Answer:
YES.

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

Answer:
YES.

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

Answer:
7 private institutions.⁸

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

Answer:
133 children take part in religious teachings of such institutions.⁹

The instructors are students from Turkey with certain degree of religious background, and each institution individually is responsible for the quality of teaching by their selected instructors.

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

Answer:
There is currently no public debate regarding the teaching of Islam.

XI. Bibliography

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Islam in Lithuania, http://www.islamas.8m.com/islamas_lietuvoje.html

⁸ http://www.islamas.8m.com/islamas_lietuvoje.html

⁹ http://www.islamas.8m.com/islamas_lietuvoje.html