

## THE PLACE OF RELIGION IN EDUCATION: Denmark

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### **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.**

Yes, non-confessional teaching in religion takes place in both lower and secondary education ('basic school', grades 1 to 10 in the form of 'Christianity Studies'; In high school or Gymnasium as 'Religion' grade 10 to 12, non-mandatory education).

Law on the People's School, articles 5 and 6; Laws on Gymnasium (General High School) and Higher Preparatory Exams (High School courses for adults) respectively.

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

**Answer:**

No confessional teaching is offered. The Christianity Studies emphasises the Evangelic- Lutheran strand within Christianity (the fundamental teaching of the Danish People's Church, see below). Other religions are introduced, again on a non-confessional basis, from grade 8 and up. The exception is that in grade 7, Christianity Studies are usually suspended to the benefit of students attending confessional religious teaching by the local Evangelic-Lutheran priest in order to prepare them for the so-called 'Confirmation'. Attendance is, however, voluntary, since 'Confirmation' relies on the active choice of each student and his/her parents. Moreover, the latter presupposes that you are a member of the Danish People's Church (state church). You become a member through baptism and you can relinquish your membership at any point of time (and save the state collected church tax). About 80 percent (and declining) of the Danish population are members of the People's Church which is formally headed by the Danish Queen (or King) and has a special status in the Danish constitution.

### **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**

About 14 percent of Danish students (grade 0 to 9) attend state subsidized private schools. 14 percent of 14 ethnic Danish students attend such schools, while the number is 15 percent among students with immigrant background. Many of the students of immigrant background attend specific immigrant schools many of which are categorised as Muslim private schools according to a recent news paper article (*Politiken*, 30 January 2012). Whether and how many of these Muslim private schools are Islamic schools, i.e. schools actively teaching Islam in a non-confessional or a confessional manner, is uncertain. Statistics on the latter is not ready available. In the school year 2006/7 it was estimated that there were 22 active Muslim schools, most of which taught Islam in a confessional or non-confessional manner (Ihle 2007: 74, 53). This number is likely to have increased in the mean-time.

According to some observers, many immigrant schools have ethnic Danes as teachers. Students and parents choose them because of academic results and out of concern with educational environment and the reinforcement of students' cultural and religious identity (*Politiken*, 30 January 2012).

It is important to note that in order to receive state subsidy in Denmark private schools have to be independent units. They cannot be run by larger organisations, for example churches or religious

organisations. In the 1990s one school was closed because it was run by the Lebanese organisation A.I.C.P.

**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**  
Non-state funded denominational schools are second to none in Denmark.

**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:**

In general the parents have the responsibility for the monitoring and evaluation of individual private schools. According to a recent legislative change, they can either decide to apply a state approved a self-evaluation model or they can select a state certified inspector to carry out the evaluation. Should the parents or the inspector find shortcomings and not get any appropriate response from the school in due time (three months), they can bring the case to the Ministry of Education who can then choose to subject the school to its own monitoring. The Ministry may also initiate monitoring on the basis of random selection, low academic results and information from students, parents or third parties (e.g. through the press). Should the Ministry find reason for special concern about a particular school's ability to meet academic standards or the civic education requirement stipulated in the law on private schools (called 'free primary schools'), it can subject the school to an especially thorough monitoring exercise involving interviews with staff and many hours of observing classes at the school.

Cf. Law on Free primary Schools (private schools), chapter 3.

**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.**

Yes. Discrimination on the basis of sex or ethnic origin is illegal, but selection on the basis of religion is not.

The laws on free primary schools state 'private schools decide freely which students they admit to the school as long as they do not discriminate contrary to existing rules about discrimination' (art 1.1.2)

**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:**

Yes. cf above.

**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?**

No.

**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**

No.

**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?**

This has not been a widely debated topic, if debated at all, most likely because denominational schools are not so dominating in the Danish educational system and because it is relatively easy to establish your own school with state subsidy, if you should want to. The Danish school system does not compare to for example the Irish school system in which Catholic schools are very dominant and many students do not have any real alternatives. And, as mentioned, the Danish public schools only offer non-confessional religious teaching. So the basis or premise for raising claims of ‘unequal treatment’ with regard to this ‘right to religious education’ in terms of political debate is ‘absent’ as it were in Denmark. It is hard to put on the agenda. In addition in Denmark claims about rights for immigrants generally have been difficult to voice (Lindekilde 2009).

**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***

**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. . .**

This will have to be the topic of further research, but it is unlikely since private schools have to be independent units. They cannot be run by larger organisations such as churches or other religious organisations. So the basis for issuing such guidelines seems to be somewhat missing.

**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?)**

**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:**

This will have to be the topic of further research, however, see above.

#### ***VI. Religious symbols in public schools***

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

This is unregulated in the law. It depends on a decision by the local school board (each school has one consisting of representatives of staff, parents and pupils). Hence as a starting point it is 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.**

Yes. However, religious clothing can be forbidden by decisions of the local school board, but only on objective grounds such as the likely obstruction of communication between student and teacher. The latter is more likely to be relevant with regard to for example burqas or niqabs.

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

Yes. However, religious clothing can be forbidden by decisions of the local school board, but only on objective grounds such as the likely obstruction of communication between student and teacher. The latter is more likely to be relevant with regard to for example burqas or niqabs.

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

Local school boards decide on dress codes. Cf. Law on the People's School, article 44.4.

**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?**

Since it is unlikely that any school board would be able to get away with a ban on headscarves, exemptions are unlikely as well.

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

The municipalities are responsible for running and monitoring the public schools in Denmark. Ultimately the Ministry of Education. However, *prima facie*, this would be an issue for the Danish Equality Board dealing with discrimination on all grounds, labour courts (as regards teachers) and the court system in general.

**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?**

These are set by the local school boards (if set at all) and possibly vary. There are about 1530 public schools in Denmark.

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

**Answer:**

This will have to be the topic of further research. According to somewhat dated information from the 1990s there are a number of Islamic organizations which run Quran schools in Denmark (Mikkelsen 2002). Among them are the Diyanet (Turkisk state organization), Milli Görüs (Turkish Non-state), Minhaj ul-Quran (founded in Pakistan) (ibid). Some of the state subsidized private Islamic schools have Quran schools after regular schools hours at the school premises and they sometime function as after school clubs taking care of students while parents are at work (Ihle 2007: 50). In some cases there are overlaps between both teachers and the teaching material used in the private school and the Quran school respectively (ibid.). Also, students do not always distinguish between the two types organizations (ibid.).

There is no ready available statistics of how many students of which age attend Quran schools.

How the quality of the religious teaching is ensured will have to be the topic of further research. Since these are private activities there is no supervision from the Danish state, although according to the legislation on private schools dating from 2005 it is grounds for losing state subsidy if 'fundamentalist or extremist actions... which contradict human rights and fundamental freedoms, including gender equality[...]take place *at or from*' a private school (quote from the legislative bill 2004/2 LF 105, emphasis added).

I am disinclined to characterize the debate without a thorough analysis of it. However, the issue feeds into a general apprehension in the recent 10 to 15 years in Denmark towards the development of 'parallel societies' and religious Islamic fundamentalism and concerns that Islam generally contradicts the fundamental values of liberal democratic societies. The 2005 legislative change in the law on private schools, cited just above, and the schools' obligation to prepare students to live in a society with 'freedom and democracy' (i.e. to give them civic education) introduced in 2002 testify to this concern.

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