Religious Education and Human Rights in Europe:
Focusing on the Cases of Belgium and the Netherlands*

Sem Vermeersch
Department of Religious Studies / Seoul National University

Although the European convention for the protection of human rights guarantees both the freedom of religion and the freedom of education, more and more people are claiming that the secular bias present in the education systems of most European countries puts constraints on the experience of religion by students in secondary education. The most notable example is the ban on the wearing of headscarves, which is seen as an infringement of religious freedom by some. While the “headscarves” issue is the most studied problem in connection with human rights and secondary education in Europe, it is in fact peripheral to the problem of “religious education” itself. This article argues that debates on human rights and religious education should take into consideration the historical development of “religious education” in Europe; Belgium and the Netherlands are taken as representative examples for the purposes of this study. Although most constitutions of European countries regard education as a secular matter to be organized by the state, in fact countries such as Belgium and the Netherlands allow religious institutions to organize education. These faith-based schools thus provide “religious education,” meaning the inculcation of a religion’s values. In Belgium, state schools also organize “religious education” classes aimed at children whose parents want their children to be educated in a particular tradition; any religious tradition, from Buddhism to Zoroastrianism, has to be catered for. Moreover, in Belgium Catholic schools can provide classes in Islam in case the schools are located in areas with many Muslim families. Thus

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there are not many problems as far as the provision of religious education is concerned, but
problems do arise when religions are perceived to cross the established boundaries. As long
as religions are taken to be a matter of personal faith, religious practice can be easily confined
to the zone of “religious education,” but if they are seen as a way of life that is carried
over into other parts of the curriculum or the school fabric, then problems do arise. While
no major changes are on the horizon to the traditional “religious education” model, two
trends are noted: one is the trend toward strengthening the religious character of faith-based
schools; and one is towards breaking out of the “religious education” model in favor of
“education about religions,” in which students do not learn only about their own faith but
also about other’s.

Key words: Religious Education, Education about Religions, State Schools, Faith-Based Schools,
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Ι. Introduction

In principle, the matter of religious education in European primary and secondary
education is straightforward: since both religious freedom and freedom of education
are guaranteed by the European Convention for the Protection of Human Rights,1) any
child resident in a EU country has the right to learn about his/her own religious
tradition at school and is protected against discrimination on the basis of his/her faith
and against indoctrination in other faiths or forced secularization.

In practice, however, the place of religious education in European schools is not
merely the product of human rights and other legislation, but has been determined
by a long historical process. Although generally based on the enlightenment principles
of secular education and a strict separation of state and church, in which religions
are seen as a matter of personal choice, in general the place of religious education

1) Article 2, protocol 1: “No Person shall be denied the right to education. In the exercise of any
function which it assumes in relation to education and to teaching, the state shall respect the right
of parents to ensure such education and teaching in conformity with their own religious and
philosophical convictions.” Cited in Luce Pépin, Teaching about Religions in European School
Groof et al, “Reflecties op de omgang met religieus en levensbeschouwelijk verschil in het
onderwijs in Vlaanderen en Nederland,” Tijdschrift voor onderwijsrecht en onderwijsbeleid jg. 2010-