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Ethics and Religious Culture: an inspiring example for Religious Education in Flanders?

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ABSTRACT

This year, the Québec Ethics and Religious Culture program will celebrate its 10th anniversary. The launching of this program in schools in 2008 can be seen as the final step in a profound reorganization and a related deconfessionalization of the Québec educational system, a shift considered necessary to adapt school curricula to the present Québec society, which is characterized by secularism and increasing religious diversity. At present, Flanders (Belgium) is also undergoing a similar ‘paradigm shift’, with all the debates that accompany it. Because there are several important similarities between the present education and RE system in Flanders on the one hand, and the previous education and RE system in Québec on the other, a comparison between both regions can benefit the discussions involving the RE system and improve the future education policy in Flanders, but also in other regions or nations with comparable educational contexts. In this paper, I will therefore address the main similarities and differences between the two education systems and explain why the Québec education system in general, and the ERC subject in particular, could be seen as an inspiring example for future Flemish education policy. In addition, I will argue why some aspects of the present Québec system, and particularly of ERC, are rather controversial and/or problematic.

Keywords

Ethics and Religious Culture – Québec – Belgium (Flanders) – non-confessional RE – faith-based schools

1. Introduction

In 2018, the Québec school subject ‘Ethics and Religious Culture’ (ERC) celebrated the 10th anniversary of its launching. Its implementation in 2008 can be seen as the final step in a profound reorganization and a related deconfessionalization of the Québec educational system. In a context of increasing religious diversity and secularization, this reorganization was considered necessary in order to guarantee the freedom of religion and education for all Québécois, without losing sight of the fact that religion is still an important and omnipresent phenomenon in Québec culture and society.

In Belgium, and particularly in the Flemish Community, similar societal changes currently challenge the organization of RE and of the general education system. Different from Québec, however, the situation in the Flemish Community has not changed (yet): most schools (68%) are still confessional Catholic schools, and accordingly, most students have Catholic RE on their compulsory curriculum. In state schools, RE is organized in six recognized religions and in non-confessional ethics, but this system of separate RE raises many pedagogical and practical problems and is often discussed on both sides of the language border by academics (e.g., Loobuyck 2014, 2018; Schreiber 2014, Chap. 5; Sägers 2015; Modood 2017; Loobuyck and Franken 2011; Franken and Loobuyck 2013), by politicians, and in the media. Triggered by a legal court case about exemption¹, the discussions were intensified in the French Community, where the RE system in state schools has partly been adapted: since 2016-17, the number of RE classes there was reduced from two hours to one hour,

¹ Cour Constitutionnelle, arrêt du 12 mars 2015 (n° 34/2015).

scheduling a new subject ‘Philosophy and Citizenship’ during the hour that was thereby freed up. In Catholic schools, however, things remain the same: all students have Roman Catholic RE and there is no separate subject ‘Philosophy and Citizenship’.²

A proposal exists in the Flemish Community since 2008 to introduce a non-confessional, mandatory RE subject called LEF (Life-views, Ethics and Philosophy) in all state-funded schools (faith-based schools included),³ and ever since, this school subject, the aims of which are comparable with the aims of ERC, is often discussed in the media⁴ and is also taken up by several political parties. Notwithstanding this attention for LEF, there are, up until today, no substantial changes in the Flemish RE system.

Because there are several similarities between the current education and RE system in Flanders on the one hand, and the previous education and RE system in Québec on the other, a comparison between the two regions can contribute to the discussions in Flanders around religious education, but also in other regions or nations where a ‘shift’ in RE could be a future possibility. In this paper, I will therefore address the main similarities and differences between the two education systems and explain why the Québec education system in general, and the ERC subject in particular, could be seen as an inspiring example for the future Flemish education policy. In addition, I will illustrate why some aspects of the present Québec system, and particularly of ERC, are controversial and/or problematic and should be taken into consideration if profound (religious) education reforms are on the political agenda.

2. Religion and Education in Québec and Flanders: differences and similarities

2.1 Belgium/Flanders

In the federal state of Belgium, education is organized along local, linguistic lines: since the constitutional reforms of 1988, the three Communities (Flemish, French and German) have their own ministries and decrees for education, and education is organized in the language of the Community. In addition, education in Belgium is organized in a *pillarized* way⁵: at present, 60 per cent of all Belgian schools, and 68 per cent of all Flemish schools, are state-funded private schools, mainly with a Catholic identity and thus managed by confessional school boards. In exchange for state subsidies, these schools must be in accordance with regional educational standards, framed by the Ministry of Education. Since 2002, all Flemish subsidized schools (faith-based schools included) must be accessible for all students (whatever their religious affiliation may be), provided their parents agree with the pedagogical style and goals of the school.⁶

² For the current situation in the French Community, see Sägeser 2017.

³ ‘State-funded schools’ are schools recognized and subsidized by the state (Flemish, French and German Community), where the regular curriculum is taught. These schools can be established by private (mainly faith-based) organizations and thus have the legal status of a private organization; or they can be established by the state and have the legal status of a public organization. In this article, we will use the term ‘private schools’ for the former and ‘state schools’ for the latter.

⁴ For a profound overview of the discussion in the media, see <https://www.kuleuven.be/thomas/page/discussie-levensbeschouwelijke-vakken-2011/> (accessed 2018-11-14) and <https://www.kuleuven.be/thomas/page/discussie-levensbeschouwelijke-vakken/> (accessed 2018-11-14)

⁵ The term ‘pillarization’ refers to the ‘vertical’ division of society in closed social groupings or ‘pillars’ along class and ideological or religious lines, with each pillar having its own social institutions such as newspapers, broadcasting organisations, political parties, trade unions, health insurances, farmers’ associations, banks, schools, hospitals, universities, youth movements and sport clubs. This vertical division of society is characteristic for, among others, Belgium and the Netherlands, where it is still significant in education. (Cf. xxx)

⁶ Flemish Decree on equal educational opportunities I, 28-06-2002 (B.S. 14-09-2002), chapter 3: right to register, art. III.1.

Because most state-funded schools are Catholic, Roman-Catholic RE is the main RE subject in Belgium, and especially in the Flemish Community, where it is taken by 79% of the students, mainly in Catholic schools.⁷ Even though the subject is since 2000 no longer catechetical but open and ‘dialogical’, Christianity still has a priority position and 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). Besides, this (semi-)confessional subject is organized in a denominational way: the Church (i.e. the Recognized Authority of Roman Catholicism) is responsible for syllabi, teaching material, teacher training, appointment and inspection and in order to teach the subject, teachers must receive both baptism and a church mandate.

In state schools, the situation is different. In line with constitutional law (art.24), these schools are required to organize classes in the recognized religions and worldviews. As a result, students in state schools can choose now between Roman Catholicism, Protestantism, Orthodox Christianity, Anglicanism⁸, Islam, Judaism, and non-confessional ethics. All these subjects are, like Roman Catholic RE, autonomously organized and controlled by the recognized religious or non-confessional communities, which means that they – and not the state – are responsible for the training and appointment of teachers, inspection and the syllabuses.⁹

2.2 Canada/Québec

As in Belgium, education in Canada is organized on a local level: the different Provinces are responsible for education and thus also for RE. Until 1997, all public schools in Québec were denominational Catholic or Protestant schools, where RE was respectively Catholic or Protestant. In 1983, an alternative subject ‘ethics’ was organized, but the schools were still organized on a religious basis, without a non-confessional alternative (‘secular’ or ‘non-denominational’ state schools). In 1964, the Ministry of Education was established after adoption of *Bill 60 (An Act to Establish the Ministry of Education and the Superior Council of Education)*, but both the Catholic and the Protestant committees were maintained within the Superior Council of education. Because these committees played an important role in guiding the educational projects, but also in RE programs and in teacher qualification, the confessional nature of the school system was still secured and the churches were still “the privileged partners of the state” (Estivalèzes 2012, 59).

As a result of far-going religious pluralism and secularization, this confessional school system could no longer be maintained and from 1997 onwards, the Québec school system gradually deconfessionalized. This process was finished in 2008, when the subject ‘Ethics and Religious Culture’ (ERC) was introduced as a compulsory school subject in all public (i.e. recognized and state-funded) schools (primary and secondary; state and denominational). This organization of ERC is, together with the deconfessionalization of the Québec school system, a very interesting case from a Flemish perspective. Like Québec society, Flemish society is characterized by increasing secularization and religious diversity at the expense of Roman Catholicism. However, in spite of these changes, neither the Flemish education system nor the Flemish RE system changed significantly. As a result,

⁷ Flemish Ministry of Education, Statistic yearbook of Flemish Education 2016-17. <http://onderwijs.vlaanderen.be/nl/statistisch-jaarboek-van-het-vlaams-onderwijs-2016-2017> (accessed 2018-11-14)

⁸ Anglicanism is represented in state schools only in the Flemish Community, not in the French and German Communities.

⁹ In the Flemish Community, non-confessional ethics is organized by the non-confessional organization of freethinkers. In the French and German Communities, this school subject is organized by the state.

several issues, or problems in the view of this author, which triggered the changes in the Quebecois system, are still present in Flanders today.

3. Flemish Community: Present situation and future Prospects

3.1 Present Situation

Like many other western nations and regions, Flanders is characterized by secularism and increasing religious diversity. Even though most Flemish people still subscribe to some Christian values, only 35.8% of the Flemish citizens identified with Roman Catholicism in 2016 (European Social Survey [ESS] 2016, summarized in Modood 2017, 34) and church attendance has decreased significantly over the past decades (Havermans & Hooghe 2011). In 2016, the number of baptized children was, for the first time in Flemish history, lower than the number of non-baptized children; the number of confirmations also decreased substantially.¹⁰ At the same time, belief in God has decreased (Dobbelaere et al. 2000, 117–52) and more and more Flemish people (57.7% in 2016) no longer identify with a particular religion (ESS 2002-2016, summarized in Modood, 2017, 34). According to a recent survey (Ipsos 2017), Belgium is even one of the most secularized nations worldwide: 68% of Belgian citizens see religion as a source for bad rather than for good things, which is the highest rating of any European country in the survey. In addition to this secularization, Flemish society is also characterized by increasing religious diversity: according to the ESS 2016, 4.1% of the Flemish citizens belong to Islam, which is now the main non-Christian religion in Belgium. Besides, a small number of Flemish citizens identify with smaller religious groups such as Protestantism (0.6%), Eastern-Orthodox Christianity (0.3%), Judaism (0.4%), and eastern traditions (0.7%) like Buddhism, Hinduism, Hare Krishna, Sikhism and Jainism.

Notwithstanding these sociological changes, the state-funded Catholic school network is still the largest provider of education in Belgium and especially in Flanders. Even though most students in Flemish Catholic schools are still baptized today¹¹, this number is decreasing and the number of practicing students is very low¹². Obviously, many students in Catholic schools no longer identify with Catholicism: 48.9 per cent identify with Roman Catholicism, 10 per cent with another Cristian denomination, another 10 per cent with Islam, 0.7 per cent with another non-Christian religion, 22.4 per cent with a secular worldview, and 8.5 per cent are indifferent.¹³ In spite of these numbers, almost 80% of all students in primary and secondary schools take Roman Catholic education, mainly in Catholic schools. It is therefore not a surprise that in 2006, only 50% of the secondary school students in Flanders agreed that the RE subject taught at school was in line with the religious views at home.¹⁴ In

¹⁰ In 2009, 58% of children in Flanders and in the region of Brussels were baptized, but in 2016 this was only 45%. ('Minder dan helft van alle kinderen wordt nog gedoopt', *VRTnieuws* 2018-03-05). In relation to this, the number of confirmations decreased as well: while there were 50,000 confirmations in 2005, this number was 36,000 in 2014, which is a decrease of 30% ('Populariteit vormsel fel gedaald: min 30 procent in 10 jaar', *Dereadactie.be*, 2016-05-04).

¹¹ In the last two years of secondary education (16-18 year old) in Catholic schools, 86 per cent of the students is still baptized, but this number decreases among younger students: in primary Catholic schools only 68,5 per cent of the students are baptized. (<https://www.kuleuven.be/thomas/page/onderzoek-katholieke-identiteit-scholen/> (accessed 2018-09-17))

¹² <https://www.kuleuven.be/thomas/page/onderzoek-katholieke-identiteit-scholen/> (accessed 2018-09-17)

¹³ <https://www.kuleuven.be/thomas/page/onderzoek-katholieke-identiteit-scholen/> (accessed 2018-09-17)

¹⁴ Survey by order of the Flemish Government and as part of equal educational opportunities (Ministry of the Flemish Community, Department of Education 2006). In the first two years of Secondary education (students aged 12-14), respectively between 59.45 and 50% of the students said that the RE classes are in line with the religious views at home. In the next two years (students aged 14-16), this is the case for about 50% of the students. In the last two years of secondary schooling (students aged 16-18), this seems to be true for 63.89% of the pupils in more

theory, parents have the possibility to choose a non-Catholic school for their children, but in practice this is not always evident: even though the state provides transport for students to state schools in order to guarantee the freedom of education, it cannot be taken for granted that this is always sufficient. If there are, for instance, three Catholic schools at a walking or biking distance from a student's residence, while the nearest state school is at a distance of 15 km, for many parents it is more obvious to choose a nearby Catholic school, even if this is not in accordance with their own worldview.

Contrary to a few decades ago, the main reasons for choosing a particular school in Belgium today are no longer religious or ideological reasons, but non-religious reasons such as school distance, school climate, and quality of education;¹⁵ Catholic schools are also no longer considered to be schools exclusively *from, for* and *by* Catholics. Even though these schools are, at the structural level, still Catholic, in many Catholic schools there is no substantial difference with state schools, apart from their legal status, the subject Roman-Catholic RE, and the (formal) pedagogical style/curriculum. Accordingly, many parents seem not to care that much about the Catholic identity of Catholic schools, as long as they are not *too* Catholic. Notwithstanding this pragmatism, this discrepancy between the parents' and students' religious identity on the one hand, and the Catholic school identity on the other, could be seen as a possible restriction of the *factual freedom of religion and education* (cf. Franken 2016a), especially because state schools are in a minority and because there is no possibility to opt out of Roman Catholic RE in Catholic schools. Legally, these schools could allow exemption (which is for instance the case in state-supported faith-based schools in France and in the UK), but this does not happen in Belgium.

The organization of RE raises several issues in state schools as well. Even though the Belgian 'multi-religious RE model' takes into account religious diversity and gives positive attention to some (i.e. recognized) minority religions, the model has been criticized for its *segregative rather than integrative* character: during RE classes, students with diverse religious affiliations are separated, which is probably not the best way to stimulate "communication and dialogue between people from different cultural, religious and non-religious backgrounds" (Council of Europe 2008, 4). Equally important is the fact that there is *no state control with regard to RE* in Belgium: up until today, the different recognized religions and the recognized humanists (in Flanders) are responsible for the organization, inspection, teacher training, syllabuses and textbooks of their RE and non-confessional ethics classes. This lack of state control is problematic and particularly (but not exclusively) with regard to Islamic RE, many problems occur (cf. Franken 2016b, 2018a). Due to the absence of a core curriculum and educational standards for RE, there is, both in state and Catholic schools, also a *lack of religious literacy* among students. Given the omnipresence of religion in society, but also in Belgian, European and global history, this is also a problem. Finally, there is, in the Flemish education curriculum, almost *no attention for philosophy, ethics and citizenship education*: these issues are mainly (but not exclusively) integrated in the current RE classes, but this seems not to be the most successful practice (cf. Franken 2014).

3.2 Future prospects: non-confessional education about religion, philosophy, ethics and citizenship for all?

In order to meet the abovementioned changes and challenges, there is, since 2008, the proposal to organize one common, state-organized and obligatory subject about religion, philosophy, ethics and citizenship in all recognized

general studies, while this number is significantly lower (46%) for students in technical and vocational training. Unfortunately, only 250 students participated in this survey of 2006 and in order to get a more representative view, a new and large-scale survey is needed.

¹⁵ Pisa 2012. Table available at <http://www.onderwijsvaniedereen.be/2016/04/23/meerderheid-van-de-ouders-hecht-geen-tot-matig-belang-aan-religieus-project-van-school/> (accessed 2018-11-14); Detailed tables at http://www.onderwijsvaniedereen.be/bijlagen/PaginasPisa2012_SchoolkeuzeOuders.pdf (accessed 2018-11-14)

and thus state-funded – state and private – schools in the Flemish Community (Loobuyck and Franken 2011; Franken and Loobuyck 2013). Even though there are many pedagogical, societal, legal and practical arguments in favour of this subject called LEF, this proposal is controversial and particularly the recognized religions/worldviews and the Catholic school network in Flanders are opposed to it. This is one of the reasons why there are, ten years after this proposal, no substantial changes as regards RE in the Flemish Community.

In spite of this, the LEF proposal gets much media attention and is, like the ERC subject, probably the most discussed school subject of the past decade. Accordingly, it will be useful to look over the continental borders to see how a ‘paradigm shift’ in RE occurred in Québec. In the following paragraphs, I will, after a brief history of the implementation of ERC, look at the legal, societal and pedagogical benefits of this new school subject. Subsequently, I will consider its main critiques and difficulties and analyse how we can learn from them.

4. Deconfessionalizing the school system: Preparing the shift

4.1 The debate

In Québec, the defonfessionalization of the education system proceeded gradually, taking into account as much as possible the needs and wishes of Québec society. With the adoption of *Bill 109* by the National Assembly in 1997, school boards were re-organized along linguistic (French or English) rather than religious (Catholic or Protestant) lines and two years later (in 1999), the *Groupe de travail sur la place de la religion à l'école* (Working Group on the Place of Religion in Schools; also known as the Task Force) was established. This group, chaired by Jean-Pierre Proulx, consulted different stakeholders (parents, pupils, teachers) and submitted its influential report entitled *Laïcité et religion* (Religion in Secular Schools; also known as the Proulx Report)¹⁶ in 1999. In order to meet the religious diversity in schools on the one hand, and the fundamental rights and freedoms (such as the freedom of religion and education) on the other, the Report recommended the deconfessionalization of the Québec education and RE system. After publication of this report, the Québec parliament organized public hearings, wherein different actors and lobby groups were invited, and wherein the different scenarios of the Proulx Report were evaluated. In 2000, *Bill 118* ratified the complete secularization of government educational structures, as well as those of the school system. A final step was the amendment of *Bill 95* (2005) and the introduction of the new compulsory subject ERC in all recognized, state-funded schools (state and private) in 2008.

Although not all the Québécois agreed with the conclusions and recommendations of the Proulx report, the consultation of different stakeholders and the design of the report are remarkable. Such a report could be valuable and inspiring in Belgium and/or Flanders as well. In the aftermath of the terrorist attacks in Brussels in 2016, a ‘Commission for Constitutional Revision’ was established and organized several hearings in the Federal Parliament, where different experts were invited. However, in spite of the constitutionally anchored organization of RE, most speakers were silent about RE – the hearings focused mainly on the question what is meant by ‘neutrality’ and what this implies for the separation of church and state.¹⁷ In January 2018, the discussion was taken up by the Flemish liberals, pleading for a ‘preamble’ in the constitution, wherein the separation of church and state is explicitly mentioned and wherein the principle of ‘laïcité’ as well as several basic norms and values

¹⁶ Gouvernement du Québec/Ministère de l'Éducation 1999.

¹⁷ A summary of the hearings can be found in *Het karakter van de Staat en de fundamentele waarden van de samenleving. Inleidend verslag op initiatief van de commissie voor de herziening van de Grondwet en de hervorming van de instellingen*. DOC 54 2914/001, Belgische Kamer van volksvertegenwoordigers, 2018-01-24. Available at <http://www.dekamer.be/FLWB/PDF/54/2914/54K2914001.pdf>

(e.g. freedom of expression and gender equality) are listed. Even though this proposal for constitutional reform could have been a good starting point for educational reform, nothing really happened. Maybe one of the reasons for this prudence is the complexity and sensitivity of this subject matter, which clearly touches on historically obtained privileges. In order to open up the discussion in a more profound and nuanced way, it could therefore be useful to establish a working group on RE, comparable with the Task Force, which could also publish an expert report and subsequently consult different stakeholders for evaluating different RE scenarios.

In addition, there have been recent discussions in Flanders about the organization of RE and about the role of the state in controlling RE. However, in spite of these discussions, the Flemish Minister of education (who belongs to the Christian-democratic party) decided that there will be a thorough reform of the general educational aims in Flanders in the near future, but *with the exception of RE*. Needless to say, this is, in the view of this author, a missed opportunity.

Finally, there have been two small-scale surveys on the parents' view on non-confessional RE at school¹⁸, the conclusions of which are very similar: a majority of the parents (56-70%) are in favour of one common subject about – and not into – religion. Unfortunately, these surveys cover only a very small part of the Flemish educational landscape and a large-scale survey, which could be the basis of a bottom-up rather than a top-down reform, is therefore recommended. It is up to the Flemish Ministry of Education to take an initiative here.

4.2 Teacher training

A period of three years (2005-2008) was provided for realizing the shift from confessional to non-confessional RE in Québec. During this period, curricula and textbooks were written, for which a group of experts (mainly primary and secondary school teachers) was established. In addition, new teacher training programs were initiated. Special in-teacher training programs were organized to help facilitate confessional RE teachers and teachers of the ethics subject to maintain their jobs. Although many of these teachers were opposed to the ERC program at the outset, this possibility to participate in special teacher training programs was generously taken into consideration and it seemed that many RE teachers changed their minds towards ERC (cf. Morris, Bouchard and De Silva 2011).

The organization of special teacher training programs could also be an interesting possibility for current RE teachers and teachers of NC ethics in Flanders, though we cannot expect all teachers to be prepared to switch from confessional to non-confessional RE. For these teachers, alternative job careers are required. We should not, however, underestimate the practical and ideological (pillarized) difficulties concerning teacher training in Belgium. Different from Québec, where Religious Studies departments already existed before the introduction of ERC, there are, up until today, no Religious Studies departments in Flanders. Besides, the Flemish Universities and University Colleges are, like the schools, organized in a pillarized way¹⁹, which means that also there, religious/ideological issues are still a matter of discussion, difference and lobbying.

¹⁸At the request of the Flemish Green party, the first survey was conducted in state and private (Catholic) schools. Its general conclusions are available in the following newspaper article: 'Vlaming wil één vak voor alle godsdiensten', *Het Nieuwsblad* 2016-09-05, https://www.nieuwsblad.be/cnt/dmf20160904_02453991 (accessed 2018-11-06). The second survey was conducted by Flemish and Dutch parents in state schools (VOO and KOGOO) and its summary report *Wat denken ouders van levensbeschouwing en burgerschap op school?* is available online at <https://www.koogo.be/sites/default/files/pdf/bevraging/180420-Rapport-KOOGO-VOO-bevraging-levensbeschouwing-burgerschap-2018.pdf> (accessed 2018-11-06)

¹⁹In Flanders, there are five Universities: one Catholic (KULeuven), one freethinking-humanist (VUBrussels), one 'active pluralistic' (University of Antwerp), one 'pluralistic' (UGent) and one without a specific religious/ideological mission (UHasselt). In addition, university colleges are either Catholic, or 'neutral' (established by the state).

4.3 Legal changes

In order to ensure that the introduction of ERC was possible from a legal perspective, several laws had to be amended. A first milestone was the amendment of *section 93* of the *Constitution Act 1867*, so as to provide Québec with full authority to redefine school boards along linguistic lines. At the same time, article 41 of the *Québec Charter of Human Rights and Freedoms* was amended, now stating that “parents or the persons acting in their stead have a right to give their children a religious and moral education in keeping in with their convictions and with proper regard for their children’s rights and interests.”²⁰

In addition to these constitutional amendments, some ‘ordinary’ legal changes were also required. In 2000, the ‘*Act to Amend Various Legislative Provisions Respecting Education as regards Confessional Matters*’ (*Bill 118* [2000]) was changed and five years later, the ‘*Act to amend various legislative provisions of a confessional nature in the education field*’ (*Bill 95* [2005]) was modified. With the enactment of these laws, and with the modification of the *Education Act*, the public school system and its structure, including the Protestant and Catholic committees, were deconfessionalized. Three years later, this process of deconfessionalization was completed with the introduction of the ERC Program.

Flanders could learn from Québec from this legal perspective as well: at present, a reform in the Flemish RE program and in the education system is often blocked because it requires a constitutional amendment. However, even though modifying the constitution is not a sinecure, the Québec example shows at least that this is not impossible and that legal requirements – including constitutional requirements – should never be considered absolute.

5. ERC: legal, societal and pedagogical benefits

Compared to the previous RE programs, the ERC program has several benefits. First of all, it takes the *freedom of religion and education* more into consideration than the previous program: even though the school population has become more and more secularized and diversified, all public schools in the previous system were denominational schools and RE classes were only organized in Protestantism/Catholicism and, since 1983, also in ethics. At present, things are different: most public schools are no longer denominational and they all organize one common, non-denominational class ERC. Although some parents and schools complained about this way of organizing RE (cf. *infra*), the Canadian Supreme court argued that offering ERC to all students is in line with the freedom of religion and education if presented in an objective, pluralistic and critical way. Because these freedoms are *in practice* not always guaranteed in the present Flemish education system, this non-denominational and inclusive approach could, from a human rights perspective, be an inspiring example.

Second, the ERC program takes the importance of *religious literacy* seriously into consideration: because adequate, correct and nuanced knowledge about religion is important, ERC is organized and supervised by the state (and not by the religious communities) and offered in *all* public schools. Besides, a connection has been made in ERC between education about religion, ethics and citizenship education. Although this connection, and especially the link between the religious and the ethical component in the program, has been criticized (cf. *infra*),

²⁰

In the previous article 41, this human right was connected to the state’s obligation to organize RE classes in accordance with parental religious preferences: “Parents or the persons acting in their stead have a right to require that, *in the public educational establishments*, their children receive a religious or moral education in conformity with their convictions, within the framework of the curricula provided for by law.” (emphasis mine)

there are also good reasons for a similar combination in Flanders, where philosophy, ethics and citizenship education are almost absent in the current curriculum.

Another benefit of the Québec system is the *non-confessional approach* to RE, which is, in view of the present author, for legal as well as pedagogical reasons, the most promising way of offering RE in contemporary western societies (cf. Franken 2017): this approach does not only take into account the freedom of religion and education of all the students, but is also, from a legal perspective, the only permissible approach wherein students with *different* religious affiliations can participate in the *same* RE classes. As stated by Andreassen (2011, 270; also Jensen 2008, 125):

The secular perspective is the only way the teaching of religion in school can be conducted as long as it is mandatory and its overriding objectives are tolerance, respect, and dialogue as important ingredients for citizenship in a global world.

This has also been confirmed by the European Court of Human Rights: according to the Court, the state can offer a *compulsory* subject about religion, as long as this subject is taught “in an objective, critical and pluralistic manner” and does not lead to indoctrination (*Folgerø and others v. Norway*, Appl. no. 15472/02).

6. ERC: Deficiencies and Challenges

6.1 Implementation, teacher training and perception

Probably one of the main practical problems with the ERC subject was its overhasty *implementation*. For legal (constitutional) reasons, the subject was introduced at the same time in all primary and secondary schools, at all levels and years (except for the third year of secondary education, where ERC is not on the curriculum). Accordingly, syllabuses and textbooks as well as teacher training programs were simultaneously required for *all* these years, but this was a very difficult task, especially because only three years of preparation were provided. Perhaps a gradual introduction of the subject would have been more beneficial: e.g. starting with the higher years of secondary education (16-18 year old) and steadily expanding the subject to the lower years and to primary schools.

In relation to this, there is a problem with *teacher training*. Even though there were good initiatives taken by the Québec government, teacher training still needs improvement (cf. Morris et al. 2011, 262-264; Rymarz 2012, 304-305; Jeffrey & Hirsch 2016, 4), especially for the teachers of primary and of lower secondary schools. Also here, the Flemish government could learn from the Québec situation and improve of teacher training in a more extensive way at all levels.

Another important issue is the *perception* and *importance* of the subject. Even though ERC is considered to be a common and compulsory school subject, it does not seem to be a full-blown subject: schools are required to offer it, but the number of teaching hours is only recommended (not required) by the Ministry of Education. Furthermore, students must either succeed in sports or in ERC in order to attain their degree, which is, in view of this author, not an ideal situation.

6.2 The teachers' impartial stance

Different from the teachers of confessional RE, the ERC teachers study religion from an *outsider's perspective* and abstain from value judgments on the “veracity and quality (let alone the inferiority or superiority) of the

worldviews studied, whether philosophical, religious or secular” (cf. Estivalèzes 2016, 62). In order to do this, ERC teachers must keep a critical distance from their own beliefs and values:

Teachers show professional judgment imbued with objectivity and impartiality in order to foster students’ reflection on ethical questions or understanding of the phenomenon of religion. Thus, to ensure against influencing students in developing their point of view, teachers abstain from sharing theirs. (MELS 2008, 12)

In order to guarantee this professional stance of impartiality, teachers must be discreet in the expression of personal ethical or religious beliefs. It is, however, questionable whether this is always desirable and possible. According to Robert Jackson and Judith Everington (2017, 10), for instance, teachers of non-confessional RE “may draw upon their personal views [...] provided they do this with academic integrity, and without the aim of persuading students to adopt their views”. In a similar vein, Morris (2011, 203-208) pleads for a ‘constructive relationship between commitment and impartiality’, wherein teachers can approach the subject matter with personal integrity. Without any doubts, this raises important issues for the Flemish situation, where there are many discussions on the place of religion at school and in particular on wearing religious symbols at school.²¹ Besides, like ERC, LEF is often criticized for its ‘impartial’ or ‘neutral’ stance, which is viewed by opponents as not only impossible, but also undesirable.²² If LEF were ever on the Flemish school curriculum, policy makers should not neglect these critiques, but counter them in a constructive way without abandoning the non-confessional and religious studies based approach. In this regard, Robert Jackson’s *interpretive approach* could be relevant (cf. Franken 2018b).

6.3 The Cultural approach

A related topic in the discussions concerning ERC is the *cultural approach*, which is seen as the official didactical approach behind ERC. Unlike denominational teaching that presents faith as the main point of reference, “the ERC program encourages Québec culture as the common culture for all students” (MEC 1994, cited in Gravel 2016, 230). Although the ERC program is “impartial “ with regard to religious views, it is thus not impartial with Québec culture which is, with its values such as openness, respect and dialogue (cf. *Québec Charter of Human Rights and Freedoms*), a core ‘comprehensive’ element in the ERC program.

In relation to this, students are required to demonstrate a rational understanding of *the phenomenon of religion as a social and cultural fact*. Unlike in confessional RE classes, the focus in ERC is thus not on spiritual or religious development, but on understanding religious phenomena and expressions:

Living together in our society requires that we gain an understanding of the phenomenon of religion. In this program, the goal is to encourage students to understand the various forms of religious expression, grasp the complexity of the phenomenon and gain perspective on the various

²¹ For an overview of the present situation, with particular attention for schools of the Flemish Community (Gemeenschapsonderwijs), see xxx

²² E.g. Rik Torfs, Mathijs Lamberigts & Didier Pollefeyt, ‘Het lef om de andere echt te ontmoeten’, *De standaard* 2015-01-09, available at http://www.standaard.be/cnt/dmf20150118_01480480 (accessed 2018-11-13); Didier Pollefeyt & Mathijs Lamberigts, ‘De mythe van de neutraliteit’, *De standaard* 2015-01-13, available at http://www.standaard.be/cnt/dmf20150317_01584537 (accessed 2018-11-13)

dimensions: experiential, historical, doctrinal, moral, ritual, literary, artistic, social or political.
(MELS 2008, 20)

A final aspect of the cultural approach is the emphasis on *Québec religious heritage*, which means that teachers must convey most information about the most influential religions in Québec (Christianity, Judaism and native spirituality). Even though the teaching of religion is non-denominational and cultural, the ERC program thus requires a hierarchy of religions, according to their cultural and historical influence and importance. According to some critics, however, this approach “runs the risk of being exclusive, regionalistic, or even nationalistic” (Andreassen 2011, 269). In relation to this, several people (e.g. Gendron 2012, 55-56; Baril 2016, 89-119; Poisson 2016, 26) complain about the restricted attention for secular worldviews such as humanism, existentialism, Marxism, liberalism, agnosticism and atheism and see the “abolishment of the ERC’s religious section as the only feasible way out” (Baril 2016, 116).

These critiques show at least that the cultural approach is not as evident and impartial as it should be. Besides, we should be aware of the fact that the cultural approach is not the only possible approach for non-confessional RE and that other approaches – e.g. interpretive, phenomenological, hermeneutical, post-modern... (cf. Grimmitt 2000; Jackson 2004) – may also have their complications and benefits. If non-confessional RE were implemented in Flanders, it would be useful to investigate the merits and difficulties of these different didactical approaches.

6.4 The Ethics component

In the ERC program, three core themes (religious culture; ethics; and dialogue) are specified, of which especially the ethics component raises some issues (e.g. Baillargeon 2016; Doyon 2016, 79ff; Poisson 2016, 35ff). The combination of ethics and religions can give the erroneous impression that ethics cannot stand on its own, while combining ethics and religion risks instrumentalizing the latter by reducing it to its moral function. Besides, there is – once again – discussion about how ‘neutral’ ERC teachers could and should be, especially when ethical themes are at stake.

In this discussion, we should be aware of the fact that ERC is an exponent of *liberal and pluralist education theories* which are, from a normative point of view, not neutral (cf. Levinson 2004; Brighouse 2005; MacMullen 2007; Rondeau 2012; Leroux 2016), but based on the idea that all citizens should be able to live a life according to the values they endorse. In order to enable this, the state should guarantee education “that aims at developing (children’s) capacity for autonomy.” (Levinson 2004, 67) Like liberal education in general, the ERC program is thus based on a ‘thin’ normative view on freedom/autonomy and equality/solidarity (cf. McDonough 2011) and is in this regard not neutral.

It is, however, important here to underline the difference between this ‘thin’ or ‘political liberal’ moral view on the one hand, which can, in Rawlsian terms, be accepted by all ‘reasonable and rational’ citizens and which forms the basis of ERC; and different ‘thick’ or ‘comprehensive’ moral views, which are not necessarily accepted by all ‘reasonable and rational’ citizens (Rawls 2005 [1993], 78, 175, 217)²³. In a similar way, van der Kooij et al. (2015) make a distinction between ‘narrow’ and ‘broad’ morality: while the former “focuses on the

²³ In Rawlsian terms, reasonable and rational persons have a capacity for a sense of justice and a capacity for a conception of the good and are able to act in accordance with these capacities. The former capacity is “the capacity to understand, to apply, and to act from the public conception of justice”, while the latter is the possibility “to form, to revise, and rationally to pursue a conception of one’s rational advantage or good” (Rawls 2005a [1993], 19).

basic rules and principles that make it possible for human beings to live and work together” and is thus “about duties and obligations to others”, the latter “focuses on living a flourishing life and surpasses moral rules necessary to live together.” (Van der Kooij et al. 2015, 83) Accordingly, broad morality is connected with “someone’s most important aims in life” (Van der Kooij et al. 2015, 83) and is thus also related to personal and/or institutional worldviews, which is not necessarily the case for narrow morality.

Notwithstanding this difference, we should not forget that the concept of narrow morality, which seems to have much in common with the ethics component in the ERC program, is also indebted to a particular normative, liberal and autonomy-based paradigm: in order to enable children to lead a life according to the values they endorse, they are informed about different religious and non-religious traditions (and are thus not educated in one specific tradition), they learn how to reflect and discuss with their co-fellows in a critical way, and they are encouraged to live together in a fair way, taking into account the principles of reciprocity and rationality. When basic rules concerning ‘living together’ are at stake, the ERC teacher should thus not be neutral, but should encourage a particular - liberal and autonomy-facilitating - moral view about social life. Taking these aims of liberal education into account, the ERC teacher should, like any other teacher, foster and encourage narrow morality, while at the same time broad morality can and should, in a respectful and critical way, be discussed. Hence the emphasis on dialogue in the ERC program.

6.5 Impartiality/neutrality, reductionism and relativism

Another contested issue in the ERC program is its ‘impartial’ approach. According to several secular critics (cf. Baril & Baillargeon 2016), the ERC program is largely influenced by the Roman Catholic church and is thus not neutral at all. In relation to this, religion is, in the program and in the textbooks, mainly portrayed in a very positive way, while its negative side (e.g. religious segregation; discrimination of women and homosexuals; superiority of God’s chosen people; opposition to scientific progress...) is often absent (cf. Poisson 2016, 32ff; Gagné 2016, 209-212). Hence there is nothing ‘neutral’ or ‘cultural’ in ERC, which is, according to these same critics, merely “about transmitting beliefs” and is therefore “exactly the same as the previous Catholic religious education.” (Baril 2016, 100).

While the ERC program is thus sometimes considered *too religious*, it is, on the other hand, also considered *not religious enough*, in particular by several religious people. Even before the ERC classes were organized (September 2008), a couple of Catholic parents, supported by the Catholic Parents Association of Québec (APCQ), complained about the ERC subject, which would, in their view, lead to *relativism and infringe on the freedom of conscience and religion*. According to the complaints, only an *insider’s perspective* on religion would be in line with the freedom of conscience and religion. In 2012, a final decision was made by the Canadian Supreme Court (*SL v. Commission scolaire des Chênes*; SCC 7, 1 S.C.R. 235, 2012), which argued that “exposing children to ‘a comprehensive presentation of various religions without forcing the children to join them’ [cannot constitute] in itself an indoctrination of students that would infringe [upon] the appellants’ freedom of religion.” (37) Therefore, exemption from ERC, which was required by the parents, was not allowed.

Not surprisingly, similar arguments countering non-confessional RE are also taken up in the Flemish debates. According to several Catholic opponents of the LEF proposal, for instance, non-confessional RE is only supported ‘from a particular radical-atheistic side’²⁴ and accordingly, this kind of RE is not neutral and

²⁴ Didier Pollefeyt & Mathijs Lamberigts, *De mythe van de neutraliteit*.

unavoidably leads to reductionism. In view of these critics, LEF will never touch on the kernel or essence of religion - Rudolf Otto's 'the holy' -, which can only be experienced from the inside. Because the essence of religion cannot be understood in an empirical, rational and objective way, but can only be experienced from the inside, non-confessional RE is missing the point.

What these critics often forget, however, is that the teacher's stance of impartiality or 'neutrality' is an epistemological stance which only says something about the way we can(not) know the transcendent or divine, without making declarations about its existential or ontological status: what is behind objective or scientific knowledge (the transcendent) is not the business of the non-confessional RE teacher, who is only involved with religious phenomena – hence his/her stance of impartiality. In relation to this, critics of non-confessional RE often seem to misinterpret the differences between confessional and non-confessional RE, for instance with regard to *aims* (informing about diverse traditions versus socializing in one tradition); *scope* (integrative versus separative); *didactical approach* (education about and from versus education into and from religion); *content* (focus on different worldviews versus focus on one particular worldview), *teacher training* (based on religious studies versus on theology), and *professional stance* of the teacher (committed versus impartial).

Finally, there is no reason to think that teaching about religion would always be at the expense of teaching into religion: when non-confessional RE is on the school curriculum, it should always be possible for parents/students to have additional confessional RE. Whether this kind of RE is offered in or outside the public schools, and whether it should be state-subsidized or not, should be a matter of national state policy (cf. cf. Franken 2016c, p.123; 2018b, p.164).

7. Faith-based schools

The omnipresence of Catholic schools in Flanders is, in all probability, the most challenging aspect for LEF. If we agree with Jackson (2004, 57, 161–162) that “*all* schools should promote social justice (including religious tolerance), knowledge about religions, the development of the pupils' skills of criticism and independent thinking, and also the dialogue and interaction between pupils of different backgrounds” [emphasis mine], an obligatory ERC-like subject for all, wherein religious knowledge and understanding, ethics and citizenship are emphasized and intertwined and wherein students are not separated according to their religious affiliation, could offer many opportunities.

In addition, the freedom of religion and education of the parents and the students should also be taken into consideration. When we take into account the fact that most students in Flemish Catholic schools are no longer Catholic and that Roman Catholic RE is a compulsory school subject in these schools, the right of parents to educate their children “in conformity with their own religious and philosophical convictions” (ECHR, art.2, 1st protocol) is not always guaranteed in practice. From a human rights perspective, this situation needs improvement: as Temperman (2010, 872) states, “the minimum standard international human rights law provides is that all persons, whether secular or religious, must be able to have public school education if they so desire”, but this is not the case in Flanders today: in 2017-18 for instance, the Flemish Community Schools (Gemeenschapsonderwijs) had to refuse more than 5000 pupils because there was not enough place in their

schools, mainly in secondary schools in large cities.²⁵ In order to guarantee school choice not only in theory, but also in practice, profound educational changes are required.

One possibility is an evolution to *one pluralistic educational system*, as for instance suggested by the current head of the Flemish Community Schools.²⁶ Such a common, pluralistic system would not only be better in line with the real freedom of religion education, but it would also be more efficient and less expensive. However, even though there are some good arguments for one common education system for all students – provided that these schools foster “a multicultural approach to education” (see e.g. Kymlicka 2013, 6; also Modood 2017), such a system, wherein the state only recognizes and finances its own schools, is not a realistic option in the short term. Besides, a system wherein only state schools are subsidized, can – like the present system – also lead to a factual infringement of religious and educational freedom: since all parents have the right to provide their children education in line with their religious/philosophical convictions, the state should *at least* allow faith-based schools. And in order to guarantee real (and not only formal) freedom of school choice, financial state support for these schools is sometimes considered necessary (for instance in the Belgian and Dutch context). (Vermeulen 2004, 38; De Groof 2004, 159, 162; Glenn and de Groof 2005, 31-32)

Taking this into account, a *partial deconfessionalization* and evolution to an education model that is more adapted to the secular and diversified school population might be more realistic, especially in the Flemish educational context. Because the Catholic school network has a lot of expertise and experience in education, and because Catholic schools are at least in principle open for all students, the Flemish government could, for pragmatic reasons, choose to continue its policy of support, but only under the condition that substantially supported faith-based schools are not only in theory, but also in practice accessible for students with different religious convictions. In order to guarantee this, the Flemish Ministry of Education could opt for a policy in which substantially subsidized Catholic schools make their religious activities and confessional RE classes optional. Under these conditions, students with a different worldview could be enrolled in faith-based schools, without being obliged to participate in religious activities and classes they do not endorse. In a second stage, these ‘open’ Catholic schools could also in a structural way distance themselves from their Catholic identity and detach from the Catholic pillar. In the long term, this could lead to a more diversified, but state-controlled school system that is more adapted to the religious, philosophical, and pedagogical views of parents and students.

Within this proposed system, those Catholic schools who want to do so, can still prefer a more explicit religious identity and e.g. make their RE classes and other religious activities compulsory for all students. In order to guarantee the parental freedom of religion and education, however, the state could decide to diminish subsidies for these schools and to use them only for schools with a more open policy. A similar educational policy is for instance common in France, where faith-based schools receive a considerable amount of state subsidies, on the condition that they make their religious activities (and thus also their RE classes) optional. As stated by Harry Brighouse (2002, 251), “religious schools [...] have the choice to opt out. They are simply being presented with a new option: more financial security in return for fulfilling a secular function, or refusing that security and refusing the secular function”.

Finally, we should be careful that the proposed policy does not exclude religious education from the curriculum altogether. As said by Tim Jensen (2008), religious studies based RE is “a must for a secular state” and

²⁵ Exact numbers available from the administration of Flemish Community Schools.

²⁶ ‘Mijn droom is een onderwijs zonder netten’, *Knack* 23-10-2013, available at <https://www.knack.be/nieuws/belgie/mijn-droom-is-een-onderwijs-zonder-netten-raymonda-verdyck-go/article-normal-112764.html> (accessed 2018-11-14); ‘Onbekend (onderwijs) is onbemind (onderwijs)’, *De Standaard* 24-05-2016, available at http://www.standaard.be/cnt/dmf20160523_02303300 (accessed 2018-11-14).

there are good reasons to make this kind of non-confessional RE part of every regular school curriculum in state-run public and publicly funded private schools. However, when organizing this kind of RE, the state should - once again - be aware that this school subject does not infringe on the freedom of religion and education. Flanders could learn from the Québec experience in this regard as well, where the organization of ERC in private schools has led to the Supreme Court Case *Loyola High School v. Québec* (Attorney General, SCC 12, 1 S.C.R. 613, 2015). In its final decision, the Canadian Superior Court argued that the state can require faith-based schools to offer a non-confessional and state-designed course about religion, but in order to guarantee the freedom of education and organization, the state cannot require these schools to treat their *own* tradition in an impartial or objective manner. Needless to say, this legal outcome is also of interest for the Flemish education system, especially if a deconfessionalization of the school system were to proceed gradually and if an ERC-like subject were to be offered in state and faith-based schools. We should not, however, underestimate the differences between Flanders and Québec here: different from Flanders, Québec Catholic schools are a minority today, attended by approximately 12 percent of the province's students (Clemens et al. 2014), whose parents often chose these schools for confessional reasons. This is different from the Flemish situation, where most students in Catholic schools are no longer Catholic and where Catholic schools are mainly chosen for non-religious reasons.

8. Conclusion

A debate about non-confessional RE in Flanders has been going on since 2008 – the year the ERC program was introduced in Québec – but different from Québec, this debate has not (yet) led to profound reforms in (religious) education. Even though the deconfessionalization of (religious) education in Québec did not happen overnight and has been contested and criticized, this reform was considered necessary in order to guarantee the freedom of religion and education in a religiously diversified and secularized society. Obviously, these same issues challenge the present (religious) education system in Flanders and in this regard, a closer look at the Québec (religious) education system could be inspiring.

As I have shown, the Québec RE system has, compared to the previous system, several legal, pedagogical and societal benefits which could be similar and therefore relevant to the Flemish educational context. There are, however, also important deficits, for instance with regard to teacher training, the teacher's and subject's neutrality, the ethics component, and the cultural approach. Even though it would be impossible to utterly avoid these deficits due to the complex character of RE, we could nevertheless learn from them in Flanders (and in other nations and regions where non-confessional RE is on the political agenda) and try to anticipate and compensate for them as much as possible. In addition, we should also be aware of significant differences between Québec and Flemish history, society and educational systems. Accordingly, merely importing the ERC program into Flanders would not be a realistic and desirable option. But notwithstanding this complexity, I am confident the Québec experience with ERC could have something important to say vis-à-vis the ongoing debates and future reforms in Flanders.

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