

Compulsory RE mustn't indoctrinate, says European Court of Human Rights

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Religious education must avoid indoctrinating children into religious practice if it is compulsory, the European Court of Human Rights has said, after a successful National Secular Society intervention.

In a [ruling](#) regarding a case in Greece, the court said states must ensure RE curricula are "conveyed in an objective, critical and pluralistic manner".

It added that states are "forbidden" from attempting to indoctrinate children in a way "that might be considered as not respecting parents' religious and philosophical convictions".

The court's judgement came as it ruled that Greece breached the European Convention on Human Rights (ECHR) when it required parents to submit a declaration form to opt children out of RE.

The NSS [intervened](#) in the case to argue that the requirement undermined the right to an education.

The case and ruling

A group of parents and students brought the case.

They challenged the practice of requiring parents to submit a solemn declaration, counter-signed by a teacher, that their children were not Orthodox Christians to exempt them from religious education. They argued that the programme of study did not provide for an objective, critical and pluralist religious education.

The court ruled that the requirement breached Article 2 of Protocol 1 of [the ECHR](#), which protects the right to an education.

The article requires states to "respect" parents' rights to ensure education and teaching is "in conformity with their own religious and philosophical convictions".

The court ruled that the declaration requirement risked "placing an undue burden on parents" and exposing "sensitive aspects of their private life". This reflected some of the arguments included in the NSS's intervention.

It noted that the right to religious freedom also includes individuals' right "not to manifest" religious beliefs or to reveal them.

The ruling affirms long-standing precedent that the ECHR does not entitle families to a particular form of education which exactly matches their convictions, but it limits the state's ability to go against them.

National Secular Society intervention

The NSS's arguments, which were largely adopted by the court, were that:

- The system for exemption from RE classes in Greece breached Article 2 of Protocol 1 of the ECHR. It did this by requiring parents to declare their children's religion or belief and exposing them to possible coercion or intrusion from school authorities.
- The exemption system treated different religious groups as cohesive groups, undermining the individual right to freedom of religion or belief.

In response to the court's decision, NSS chief executive Stephen Evans said: "This welcome ruling should act as a reminder that those in charge of education must not seek to push religion on children. Politicians in the UK should take note.

"Teaching about religion should be objective and enable children to make up their own minds. Where states and schools attempt to inculcate children into religious worldviews, parents must retain the right to withdraw them."

Religious education in Greece

- Greece's RE curriculum continues to promote the "prevailing religion" of Orthodox Christianity, despite changes to the curriculum introduced between 2011 and 2015 which were designed to make the subject more pluralistic.
- The preamble to the Greek constitution [contains](#) a reference to Greece's status as a Christian Orthodox country.

Notes

- Article 2 of Protocol 1 of the ECHR says: "No person shall be denied the right to education. In the exercise of any functions 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."
- The ruling notes that "almost" all European countries currently have some form of opt out from religious education, intended to protect the rights outlined in Article 2 of Protocol 1.
- The Welsh government is currently [consulting](#) on plans to end the right to withdraw from RE.

The NSS is grateful to Professor Ronan McCrea of UCL who drafted the intervention with invaluable input from Harry Small and Sadikur Rahman.

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