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Tolerance and cultural diversity in schools Comparative report

Dr. Marcel Maussen and prof.dr. Veit Bader (eds.)
University of Amsterdam

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Tolerance and cultural diversity in schools

Comparative report

Marcel Maussen
Department of Political Science
University of Amsterdam

Veit Bader
Department of Philosophy and Department of Sociology and Anthropology
University of Amsterdam

Jan Dobbernack
Centre for the Study of Ethnicity and Citizenship
University of Bristol

Tariq Modood
Centre for the Study of Ethnicity and Citizenship
University of Bristol

Tore Vincents Olsen
Department of Political Science and Government
Aarhus University

Jon Fox
Center for the Study of Ethnicity and Citizenship
University of Bristol

Zsuzsanna Vidra
Center for Policy Studies
Central European University

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Jan Dobbernack and Tariq Modood

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Responding to the Challenges of the 21st Century in Europe**

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The ACCEPT PLURALISM Consortium

ACCEPT PLURALISM is a Research Project, funded by the European Commission under the Seventh Framework Program. The project investigates whether European societies have become more or less tolerant during the past 20 years. In particular, the project aims to clarify: (a) how is tolerance defined conceptually, (b) how it is codified in norms, institutional arrangements, public policies and social practices, (c) how tolerance can be measured (whose tolerance, who is tolerated, and what if degrees of tolerance vary with reference to different minority groups). The ACCEPT PLURALISM consortium conducts original empirical research on key issues in school life and in politics that thematise different understandings and practices of tolerance. Bringing together empirical and theoretical findings, ACCEPT PLURALISM generates a State of the Art Report on Tolerance and Cultural Diversity in Europe, a Handbook on Ideas of Tolerance and Cultural Diversity in Europe, a Tolerance Indicators Toolkit where qualitative and quantitative indicators may be used to score each country's performance on tolerating cultural diversity, and several academic publications (books, journal articles) on Tolerance, Pluralism and Cultural Diversity in Europe. The ACCEPT PLURALISM consortium is formed by 18 partner institutions covering 15 EU countries. The project is hosted by the Robert Schuman Centre for Advanced Studies and co-ordinated by Prof. Anna Triandafyllidou.

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Anna Triandafyllidou is the Scientific Coordinator of the ACCEPT PLURALISM research project. She is part time Professor at the Robert Schuman Centre for Advanced Studies of the European University Institute and Senior Research Fellow at the Hellenic Foundation for European and Foreign Policy (ELIAMEP), for more information on her work please visit www.annatriandafyllidou.com

Contact details:

Robert Schuman Centre for Advanced Studies, European University Institute,
Via delle Fontanelle, 19, 50016 San Domenico di Fiesole (FI), Italy
Tel: +39 055 46851 Fax: + 39 055 4685 770
E-mail: anna.triandafyllidou@eui.eu, accept-pluralism@eui.eu
Project Website: www.accept-pluralism.eu

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http://cordis.europa.eu/fp7/cooperation/socio-economic_en.html,

Authors' Contact Details



UNIVERSITEIT VAN AMSTERDAM

The Institute for Migration and Ethnic Studies (IMES) is an interdisciplinary research institute that focuses on international migration and the integration of immigrants and their descendants in host societies in a comparative perspective. Research projects revolve around themes such as transnationalism, religious diversity, multicultural democracy, radicalization, labour and entrepreneurship, generational change and urban public space. The IMES is a part of the Amsterdam Institute for Social Science Research (AISSR), which is one of the main research schools of the Faculty of Social and Behavioural Sciences at the University of Amsterdam.

Marcel Maussen is assistant professor in the department of political science at the University of Amsterdam

Contact details:

Department of Political Science,
Oudezijds Achterburgwal 237, 1012 DL Amsterdam
Tel: +31 (0)20 525 4097
Email: m.j.m.maussen@uva.nl | <http://home.staff.uva.nl/m.j.m.maussen/>

Veit Bader is emeritus professor of social and political philosophy and sociology at the University of Amsterdam

Contact details:

Capaciteitsgroep Philosophy and Public Affairs (PPA)
Oude Turfmarkt 141, 1012 GC Amsterdam
Tel: +31 (0)20 5254521
Email: v.m.bader@uva.nl | <http://home.medewerker.uva.nl/v.m.bader/>



The Centre for the Study of Ethnicity and Citizenship is based at the University of Bristol. Its research theme recognises the importance of ethnicity to the study of contemporary societies and politics, and to prospects for social justice and social cohesion. Research focuses on two main dimensions: the politics of multiculturalism, ethno-religious identities, challenges to secularism and the nation state; and ethnicity and socio-economic structures, with a special focus on racialised exclusion.

Jan Dobbernack is a Research Assistant at the Research Centre for the Study of Ethnicity and Citizenship at the University of Bristol.

Contact details:

Centre for the Study of Ethnicity and Citizenship Bristol Institute for Public Affairs University of Bristol
2-3 Priory Road Bristol BS8 1TX United Kingdom
Tel: +44 (0)117 33 10929 Fax: +44 (0)117 954 6609
Email: jan.dobbernack@bristol.ac.uk | <http://www.bristol.ac.uk/ethnicity/>

Tariq Modood is Professor of Sociology, Politics and Public Policy and Director of the Research Centre for the Study of Ethnicity and Citizenship at the University of Bristol.

Contact details:

School of Sociology, Politics and International Studies
3 Priory Road, Bristol, BS8 1TX United Kingdom
Tel: +44 (0)117 331 0850
Email: t.modood@bristol.ac.uk | <http://www.bristol.ac.uk/spais/>

Jon Fox is a lecturer in the School for Sociology, Politics and International Studies at the University of Bristol. He is also Assistant Director of the Centre for the Study of Ethnicity and Citizenship.

Contact details:

School for Sociology, Politics and International Studies
University of Bristol, 4 Priory Road, Bristol BS8 1TY, UK
Tel: +44 (0)117 331 06 06 | Fax: +44 (0)117 331 10 44
E-mail: jon.fox@bristol.ac.uk | <http://www.bristol.ac.uk/spais/people/person/114312>



The Department of Political Science and Government, Aarhus University, Denmark was founded in 1959 and it is the oldest of its kind in Denmark. It delivers research and education of the highest standards within all of the primary fields of political science: comparative politics, international relations, public administration, public policy, sociology, political research methods as well as political theory.

Tore Vincents Olsen is associate professor in the Department of Political Science and Government at Aarhus University

Contact details:

Department of Political Science and Government
Aarhus University, Bartholins Allé 7, DK-8000 Aarhus C, Denmark
Tel: +45 871 656 37
Email: tvo@ps.au.dk | Web: <http://person.au.dk/en/tvo@ps.au.dk>



Zsuzsanna Vidra has her PhD from Écoles des Hautes Études en Sciences Sociales in Paris, and currently works as a Research Fellow of the ACCEPT PLURALISM project at the Central European University, Center for Policy Studies.

Contact details:

Tel.: +36 1 2240770 | Fax: +36 1 2240790

vidrazsuzsa@gmail.com | <http://www.accept-pluralism.eu/Consortium/People/ZsuzsannaVidra.aspx>

Violeta Zentai is a cultural anthropologist with a PhD from Rutgers University in the United States.

Contact details:

Director of Center for Policy Studies, Central European University.

Nador u. 11, Room: #317, 1051 Budapest, Hungary

Tel: + 36 1 327 3100/2166 | Fax: +36 1 265 6170

Email: vzentai@osi.hu | http://cps.ceu.hu/profiles/faculty/violetta_zentai

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Executive summary

Challenges of diversity arise in specific societal fields, which are shaped by their own institutionalized regimes of governance. This report is to bring out the relevant comparisons between the national case studies on tolerance in the field of education.

Four aspects of the field of education deserve to be highlighted. First, education is not merely one of the various spheres of society, it is also **one of the major institutions of socialization in modern societies**. Teachers and educational officials need to relate to demands coming from society at large, from the state, to ideas and wishes of parents and cultural or religious communities, and the values and objectives they want to pursue in education. Second, in schools we are dealing with **maturing children, not with adults**. Parents have a strong interest in school-life since their concern often is to reproduce specific cultural, for example religious, traditions. Teachers play a dualistic role given the pedagogical nature of their relationship with pupils; they are both to guide and correct, and to show respect for the ideas and wishes of pupils (and parents). Third, schools are institutional environments in which challenges of diversity tend to become **relatively acute and unavoidable** because nearly all countries have compulsory education, because in the school context social interaction is intensive and extends across a fair amount of time (in terms of school days, but also in terms of years over a life-time) and because the school is an arena for different stakeholders (teachers, parents, community leaders, state officials) who may advocate specific ways of dealing with challenges of diversity and issues of (in)tolerance. Finally, education is an institutional sphere that is marked by important **power asymmetries**. At the level of society as a whole these include differences in power between majorities and minorities, between established, native minorities and immigrant communities, between religious and ethnic communities that are seen as crucially belonging to the nation and those who are positioned as “outside” of the national community.

The research carried out in the field of education analyzes the shifting meaning and practices of toleration by conducting qualitative case studies on “**key events**”, being controversies or issues that (1) resulted in public debates, interactions and forms of governance in the respective country; (2) were felt to be genuine concerns for (at least some) practitioners within the schools or educational system; and (3) had resulted in actions and/or forms of governance that were justified in terms of (in)tolerance and respect. The time-frame for the selection of these key events was between 2000 and 2011.

The empirical case studies were subsequently grouped into **four clusters** in order to bring out the relevant comparative observations. The first cluster contains case studies related to issues of curriculum, educational culture and teaching tolerance; the second cluster is about the accommodation of diversity in everyday school life; a third cluster contains case studies on the issue of Roma segregation in educational institutions; and the fourth cluster contains studies on religious schools and tolerance. The chapters in the report correspond to these four clusters.

Curriculum, educational culture and teaching tolerance

The case studies discussed in this comparative chapter deal with the issue of how toleration can be achieved and fostered in European educational contexts. It includes case studies in Turkey, Germany, Spain, Britain, France, Bulgaria, Italy, Hungary and the Netherlands. The focus is on three broad dimensions that seem relevant for evaluating the place of tolerance in European education: the politics of curriculum reform, claims for national narratives to be pluralized, and the representation of diversity, citizenship and group difference in education.

The **politics of curriculum reform** across European countries follows varied patterns and speaks to concerns that often seem context-specific. Examples from Turkey, Germany and Spain are illustrative of grievances and claims and how these have been expressed in political campaigns. In Western European countries in particular, claims for the revision or extension of national curricula are put forward in order to increase the weight given to the presence of particular minority groups or to pluralize foundational narratives. Education is an important site for the debate of historical representations of the nation. The French, British and Bulgarian experiences illustrate this dimension. In various European countries, there appears to be a desire – often expressed with the concept of “interculturalism” – to register forms of diversity amongst school pupils, but to do so without necessitating a commitment to deep diversity in school curricula. The case of the Roma, moreover, exemplifies how conceptions of groupness determine strategies of cultural and socio-economic accommodation. The status of diversity and identity and the significance of groups is illustrated with reference to debates in Italy, the Netherlands and Hungary. Issues around curriculum reform illustrate a complexity of interests that is present when significant changes to the curriculum are discussed. Tolerance and equal respect require not just the removal of stigmas and of institutionalized disrespect, but some form of minority involvement in the definition of positive or accurate accounts.

A second area of interest has been **the determination of the “national story”**. The pluralization of “the national story” in British education has been a concern for some time. Recently, policy makers argue for revisions to be made to the curriculum in order to introduce a consolidated narrative account of British history. While in France there is some willingness to acknowledge aspects of 20th century pluralism, this concern is constrained by apprehensions about how the accentuation of “difference” would be incompatible with ideals of republican citizenship. In Bulgaria, the concern by some is to promote a narrative account of Christian-Orthodox nationhood. Others emphasize a more “secular” story and criticize the potential neglect of non-religious or Muslim Bulgarians in attempts to emphasize or invent a religious heritage.

The third aspect involves issues where ambiguous definitions of “groupness”, “sameness” and “identity” have to be considered in order to understand corresponding **educational objectives and curricular programmes**. Conceptions of the “difference” of minority groups impact on strategies for accommodation. In Hungarian educational discourse, reasons for the marginalization of the Roma are ambiguously conceived and correspond to conflicting and often confused ideas about Roma culture. Similar ambiguities are evident in the definition of “citizenship” in Dutch education, where three conceptions are at hand. These relate to particular educational strategies to foster corresponding civic attitudes. This case also highlights how official definitions and their practical applications may not be congruent, with the consequence that teachers continue with preferred practices or simply ignore governmental guidelines. Interculturalism in Italian education lacks coherence, too, and the respective programmes are usually formulated by individual schools. The idea of interculturalism is mainly concerned with language issues

and everyday encounters, not necessarily with more protracted debates about religious accommodation and difficult cases.

The accommodation of diversity in everyday school life

This comparative chapter focuses on arguments around the accommodation of symbols and practices on the basis of case studies from France, Turkey, Ireland, Sweden, Germany, UK, Denmark, Romania, Poland and Greece. In view of recent moves towards “civic integrationism” in many European countries and the centrality of “autonomy” as a key value in education generally, the chapter focuses on whether or not there is a prevalence of “liberal intolerance” towards accommodating cultural and religious diversity in school life.

Many of the case studies revolve around if and how to accommodate demands to either **express religion or be free from religion at school**. Another tension is found between clear national rules clarifying the normative situation with regard to diversity in everyday school life and giving schools and school districts local autonomy in deciding how to accommodate diversity.

“**Liberal intolerance**” is present in a great number of national debates. However, it is not as prevalent as one might think. It is paired with **national intolerance** in many cases and countered by similar liberal arguments about respect for the cultural and religious choices of students and their right to attend (mandatory, public) education without ethnic and religious discrimination, as well as by pragmatic arguments for accommodation based on local autonomy, experiences and circumstances, and the overriding goal of finding a workable framework for everyday school life, ensuring the education and wellbeing of individual students. In Poland and Romania, the religious and national intolerance is rather turned against liberal atheism for failing to understand the role of religion in the re-creation of the nation after Communism and as an essential source of human life and morality. However, in Poland, the “religious strife” does not seem to run very deep, since for many, religion is more convention than belief. In Greece and Poland, there are instances of what one might call “pre-tolerance” or indifference to minority claims contesting the predominance of majority religion. They are simply a non-issue for the majority.

A central issue in nearly all the national disputes is the freedom to and from religion in school life; on the one hand, the possibility of expressing one’s religion and attending education with greater or lesser “consistency” with one’s religious beliefs; on the other hand, the freedom from religion: that of the state, that of others and that of one’s parents. If both claims of freedom to and from religion have some legitimacy, then a balance between them needs to be struck.

It is indeed a cross-cutting concern or issue in all of the cases whether or not there should be **local autonomy for schools** to deal with cultural and religious diversity. Clear **national rules** have the advantage that individual schools do not have to wrestle with the difficult issues of if and how to accommodate diversity. National rules furthermore clarify the legal situation and individual rights. However, local autonomy may be better at ensuring a workable everyday school life, taking into consideration local circumstances and experiences, in particular if it is made mandatory for schools to address diversity issues using a procedural model that entails (creating) respect for all parties involved as equal speaking partners. The immediate loss in legal certainty that may follow from local autonomy is regained in terms of the **procedural rights to participation in the discussion** about if and how to accommodate diversity locally. The aim of the

model is to find practical, pragmatic solutions to problems, not to discuss values or identities. The focus on practical matters makes the model better suited to deal with real and persistent conflicts where they exist.

Roma segregation in educational institutions

The comparative chapter on Roma educational segregation and its aftermaths examines case studies in five countries: Bulgaria, Greece, Hungary, Poland, and Romania. Different types of educational segregation are found in these countries. The predominant response to segregation is socio-economic integration, but this often does not produce the desired outcomes. The failures of integration policies across the region are reviewed and possible causes for the failures of these integration policies are discussed. Roma segregation (and its integrationist response) has important implications for questions of tolerance.

Individual variation can be found in these and other regards in each of the five countries examined. Despite this variation, however, there is considerable similarity between the countries on all basic counts: the persistence of segregation, the failure of integration efforts, and the mismatch between an official discourse promoting tolerance and public attitudes remaining intolerant.

This chapter advances three main arguments. First, the segregation of Roma in educational institutions continues to be a major problem in all five countries examined. This segregation is both cause and consequence of the **severe marginalisation of the Roma**. Second, despite a normative consensus that integration is the only acceptable solution to segregation, all noteworthy **integration efforts to date have ended in failure**. These failures can be explained in view of: the lack of political will (or in some cases political opposition); resistance from parents and teachers concerned with the quality of their children's education; and underlying racism and nationalism. Third, official discourse and policy are generally tolerant, but **public attitudes toward the Roma question typically remain intolerant**. Policies aimed at integrating the Roma, however, whilst usually framed in socio-economic terms nevertheless require the Roma to become more like the majority in cultural terms as well. Attempts at integration therefore sit uneasily with promoting tolerance.

Religious schools and tolerance

In the context of increasing religious and cultural pluralisation of European societies the role and functioning of religious schools is an important issue in discussions about **the structure of education systems**. Public and political debates focus on whether and how religious schools merit toleration or recognition, and/or whether some of their educational and organizational practices are perhaps intolerable. The chapter builds on the insights developed in the studies in Denmark, the Netherlands, Sweden, Ireland, Italy and Spain.

Educational systems vary widely with regard to the recognition and financing of religious schools, the mix of governmental and non-governmental schools and their relative "market share", the freedom of these schools to shape the curriculum and to select teaching materials, to govern diversity in the school context, to recruit teachers and staff, and to select and admit pupils, as well as the types and degrees of public scrutiny and control.

In order to have an idea of the importance of religious schools within different countries one needs to look not only at their legal status, but also at the number of pupils attending these schools and their “market share” compared to other types of schools. It is highly contested **whether religious schools should be publicly funded** and, if so, how. Public financing of non-governmental schools in existing educational regimes is perplexingly complex and diverse, depending on who is financing how (i.e. directly and/or indirectly; by contract), when, and what. Empirically, the overwhelming majority of states with liberal-democratic constitutions, one way or the other, do publicly finance non-governmental religious schools.

The empirical variety of **public regulation and control** of non-governmental religious schools (and its counterpart: their associational freedoms) is considerable with regard to the selection of staff and of students, the forms of organization and internal governance of ethno-religious diversity, the content of the curriculum and even classes and lessons, the selection of teaching material, didactics, examination, recognition of diplomas, and public inspection. Fairly high degrees of **associational autonomy** in specific regards, for example the associational freedom to recruit teachers or to select and admit pupils, can go hand in hand with nearly no autonomy in other regards, for example the associational freedom to shape the curriculum and select teaching material. The latter is the case, for example, in the Netherlands.

All institutional arrangements and all educational systems have to deal with the following **main tensions**:

1. The right to freedom of education interpreted as parental choice can conflict with the (proto-) freedoms of pupils, increasingly gaining in “autonomy”.
2. The tension between educational/pedagogical freedoms of religious schools and principles and rights of non-discrimination (e.g. in the selection of teachers and students).
3. The tension between associational freedoms of religious schools to select students and equal educational opportunities for all.
4. The tension between educational/pedagogical freedoms of religious schools and demanding requirements of teaching and learning democratic citizenship and democratic virtues.
5. The possible and actual tensions between far going decentralization or autonomy of schools/teachers (in general, for religious schools in particular) and educational performance, as one version of difficult trade-offs and balancing in the organization of educational systems in general.

Although the various empirical studies had a different focus on public debates and contestation around (different types of) religious schools, it is possible to detect **three major themes** related to issues of tolerance, cultural pluralism and equality. In the first place, there is a debate ongoing in a number of countries on the legitimacy of having religious schools, especially in relation to socio-economic, cultural and religious segregation *and* especially in relation to the more recently established Islamic schools. In the second place, there is debate on the scope of associational freedoms of religious schools. Third, there is a debate on the issue of public financing of religious schools.

Messages for policy makers

A recommendation can be made regarding **the processes of consultation that need to be put in place for curriculum reform**. In order for new perspectives or subjects to be perceived as legitimate, a strong element of democratic participation needs to be put in place. Significantly, minority concerns may be

internally contested. Complex constellations of actors and interests, exemplarily highlighted in the cases of Turkey, Spain and Germany, point to the need for robust arrangements in order to have meaningful deliberation and compromise. Where curricular issues are deeply contested, mirroring cultural cleavages as in the case of the debate about citizenship education in Spain, it may be necessary to accompany political negotiations with a meaningful debate about fundamental social principles in a way that avoids misrepresentations and name-calling.

Where the desire is to emphasize citizenship, national identity and social cohesion, educational initiatives will need to be evaluated for **how much space remains for an acknowledgement of social pluralism**. This is not (just) a matter of historical accuracy, but of designing public institutions, including schools, in which pupils of all backgrounds feel included and represented.

Considering the multidimensionality and the often opposed interests pertaining to controversies about the rights of education and religion it makes sense to **allow schools to make diversity accommodations based on local experiences and circumstances**. If the constellation of claims, needs, experiences and possible solutions varies from school to school, the ability to address this flexibly might be better than issuing “one-size-fits-all” solutions at the national level.

Integration of Roma into educational institutions requires a two-pronged approach. First, policies must be developed to **effectively combat racism**. If this pervasive racism is not overcome, then policies aimed at integrating Roma will not be successful. Second, policies need to be developed to **fully integrate the Roma socio-economically** into the fold of the majority society. These policies must target educational integration, but they must necessarily go beyond these institutions to affect more widespread integration into the majority society and economy. Racism and segregation go hand in hand; they must therefore be tackled simultaneously if they are to be overcome.

States should primarily be **concerned about respect for minimal moral and legal requirements**. The value of tolerance is deeply enshrined in European and national institutional arrangements, especially in the domain of education. Even though there are important worthwhile collective goals at stake in education, notably in relation to social equality and segregation, the institutional guarantees of pluralism should be upheld. There is a danger that increasing public scrutiny and monitoring of all aspects of the functioning of religious schools (e.g. requirements with regard to effective teaching of democratic ethos of students, requirements with regard to curriculum etc.) reduce the freedom of these schools to effectively pursue alternative approaches in pedagogy and philosophy, and thus to contribute to the overall diversity of the education system as a whole (notably in Denmark, but also in the Netherlands and Sweden).

It is clear that in dealing with diversity in education there are conflicting principles and rights at stake. There is no context-independent hierarchy. We cannot simply declare, for example, that non-discrimination should always be considered more important than associational freedoms of schools, or that policies of “desegregation” should always take priority over educational freedoms. **A sensible balancing of the liberal principles** of non-discrimination and of collective freedoms and associational freedoms is necessary in order to uphold a truly pluralistic society in which there remains room for more orthodox religious groups.

There is not one ideal or best institutional model or practice, and revisions of (aspects of) educational systems or policies should most certainly not be built upon idealized views of other country’s “models”. Still, there are **possibilities to learn from one another by exploring the way trade-offs are being**

made and for what reasons. Educational systems may well be shaped by the past and constrained by the (social, economic) context, but they are not totally rigid and static and have proven quite capable of accommodating rapid change. Thus European educational systems may incrementally learn to cope with present day challenges raised by old and new forms of pluralism, by the multiple and often conflicting goals of “education”, and the need to balance different principles, policy goals and interests in societal contexts marked by inequalities and power-asymmetries.

1. Introduction:

Tolerance and diversity challenges in European education

Marcel Maussen and Veit Bader ^[1]

1.1 Tolerance and toleration

The research project ACCEPT Pluralism investigates understandings and practices of tolerance in 15 EU countries, aiming to determine whether and how these societies have become more or less tolerant during the past 20 years. “Tolerance” as a principle and “toleration” as attitudes, virtues, practices and institutional regimes, are commonly defined as involving a negative attitude towards the life-styles, identities, values or practice of others, usually in relation to the collective identity of the other, and the conscious preparedness to refrain from acting upon this negative attitude, i.e. some form of self-restraint.

The basic concept of toleration (Bader forthcoming following King 1976) is X tolerates Y, where:

- i) X does not approve of Y
- ii) X has the power to interfere with Y but refrains from doing so

Tolerance and toleration thus inevitably entail a tension between their two constitutive components of *objection* and *acceptance*, and the reasons to tolerate practices and life-styles of others override but “do not cancel out reasons for rejection” (Dobbernack and Modood 2011: 10). Toleration is also not the only way of dealing with differences, nor is it always the most appropriate way. Sometimes there may be good reasons *not* to tolerate a particular form of behavior or a specific practice, and sometimes mere “toleration” may be seen as *not enough* because it entails a negative evaluation and a form of rejection of identities and practices that seem valuable and worthy of recognition to others. In order to map out the conceptual space in which “tolerance” can be situated as a way of engaging with difference the researchers in the ACCEPT pluralism project have developed a threefold concept, provisionally called “accept” (Dobbernack and Modood 2011: 31-32). It distinguishes between a space of intolerance, one of tolerance and one that is beyond tolerance and in which differences are dealt with based on equality, respect and recognition.

The space that precedes tolerance is that of *intolerance*. Here we find actions and justifications that seek to disallow certain ways of being and practices, for example by outlawing them or by seeking to obstruct them by other means. Intolerance can be justified by reasons that we consider morally legitimate, for

¹ We would like to express our gratitude to all researchers in the ACCEPT-pluralism consortium who have commented upon earlier versions of these comparative chapters and especially to the project coordinator prof.dr. Anna Triandafyllidou for her comments and encouragements.

example because certain practices inflict harm on others. Liberal-democratic societies may legitimately be intolerant towards actions that violate the interests and status of others as equal moral and political subjects. Recently the concept of “liberal intolerance” has been used to critically scrutinize arguments for intolerance of certain religious or cultural practices that are said to violate liberal-secular norms. Attitudes, ideas and justifications underlying intolerance can also be morally wrong and reprehensible. For example, if intolerance is related to forms of exclusion and racism that are directed at entire minority groups (such as the ways many societies engage with Roma populations, see Fox and Vidra in this report). One aim of the ACCEPT pluralism project is to identify different practices of *intolerance* and their justifications and to determine whether and why these are morally legitimate.

In the space of tolerance proper we speak of attitudes and ways of engagement with differences in which some form of rejection, criticism or disapproval is still present. It can be a form of “gritted teeth” toleration, in which one decides to “put up with” the life-styles and practices of others that one finds highly problematical. It can be a nearly untheorized or pragmatic way of dealing with difference which primarily aims to achieve additional values and goals, such as social peace or stability (see Olsen this report). It can also be a more developed or deliberate form of engaging with forms of value pluralism, in which one feels a strong dislike towards the values and ideas of others but also acknowledges that allowing others to live their own life is central to pluralism and democracy. In this sense tolerance becomes slightly more demanding and tolerance can be considered as “a demanding and difficult attitude that requires critical self-reflectivity” (Dobbernack and Modood this report). Identifying the justifications of tolerance and toleration and their inherent instability is an important objective of the project.

The third space is about that which is “beyond tolerance”, when the undertone of disapproval that goes with tolerance is seen as *not enough* in the way people should deal with differences. Sometimes what is asked for is not mere toleration, but genuine equal respect for differences in life-styles, in cultural expressions and practices, for different “conceptions of the good life” and different “comprehensive doctrines”. As Charles Taylor famously put it, what may be at stake is a “politics of recognition” because “a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves” (1992: 25). Minority groups that mobilize for recognition argue that they do not want to be merely “tolerated”. They merit respect as human beings, but they also want to be accepted as groups of equal value and claim that their collective identity merits recognition. In this third space what is asked for is positive acceptance (Modood 2007). The need to move beyond tolerance also acknowledges that “the giving of a new public status to an identity group is not just to legitimize their presence and to include them in the self-definition of one’s society or country, it is also to allow them to influence, the attitudes, mores and practices of the rest of society” (Dobbernack and Modood 2011: 23). Some differences may become so commonly accepted that they become “invisible”, at other times the struggle against being perceived as “abnormal” is deeply political, and minority groups will raise demanding claims for positive acceptance and recognition.

Building on this conceptualization, the empirical phase of the ACCEPT pluralism project investigates the way tolerance is of importance in contemporary diversity challenges in European states. It explores the ways in which increasing cultural diversity in post-war Europe presents challenges to ideas and theories of toleration, in view of how toleration may relate to new claims of cultural difference and how it “works as a device of social regulation, boundary drawing and the demarcation of what is tolerable and what is not” (Dobbernack and Modood 2011: 9). Its focus lies with diversity challenges related to ethnic, national and religious minority groups, less than for example sub-cultural groups (e.g. sex and gender minorities). Moreover, the ideas about identities and appropriate ways of dealing with difference need to be situated

in the context of narratives of national identities, which are sometimes challenged by minority groups, but which also are at the core of more established traditions of nationhood.

The ACCEPT pluralism project also explores the way comparable challenges are dealt with differently in different countries and different fields, notably in the fields of education and politics. The ways challenges of diversity arise in different countries are shaped by the distinctive national and local contexts. The aim of the first phase of the project has been to map out the most important aspects of national difference, which are related to different histories of state-formation and traditions of citizenship and nationhood, different institutional contexts (notably with regard to church-state relations and political institutions), different societal context marked by different types of minority groups with different histories, and different balances of power between minorities and majorities, and finally different vocabularies that structure the national discursive spaces in which ideas about (in)tolerance are being articulated.^[2] For the project as a whole, the focus on justifications, discourses and ways of defining what is intolerable, tolerable and beyond tolerance is of crucial relevance. Furthermore, challenges of diversity arise in specific societal fields, which are shaped by their own institutionalized regimes of governance. In different societal field different issues and political struggles will set the stage for discussions on tolerance and its limits. In the next section we introduce the ways challenges of diversity and tolerance arise in the field of education.

1.2 Tolerance and diversity challenges in the field of education.

The aim of the research on “tolerance in education” was: (1) to investigate the meaning and practices of tolerance when it comes to cultural diversity in school life and/or education-related issues; (2) to investigate what kind of cultural diversity is tolerated in schools – what practices are considered tolerant or intolerant and what values/norms are considered to promote or undermine tolerance in schools; (3) to investigate how the embodiment of tolerance in school life (norm and) practices relates to concepts such as multiculturalism, liberalism, respect, understanding, national heritage and national traditions (Project Description 2010).

In the project the focus was on education at the level of primary and secondary schools.^[3] In order to situate the way issues of diversity and tolerance arise in the field of education we briefly introduce some distinctive elements of this institutional sphere. Four aspects of the field of education need to be highlighted (some of which are obviously interrelated):

1. Education is not merely one of the various spheres of society, it is also **one of the major institutions of socialization in modern societies**. In schools, societies and the liberal state can more or less deliberately contribute to the forming of “new citizens”. For this research it is important to pay attention to the ways schools are seen as crucial in the forming of democratic citizens, who acquire the skills necessary to live in pluralistic societies, and who are (becoming) members of a national community (Miller 1995). Also when considering the role of teachers and management we need to keep in mind this aspect of education as an institutional sphere. Teachers and educa-

2 For the results of this part of the project on national discourses on tolerance and diversity see the country reports available at: <http://www.accept-pluralism.eu/Research/ProjectReports/NationalDiscourses.aspx>

3 With the exception of some case studies, such as the case study in Turkey that dealt with the issue of headscarves in universities (see Kaya and Harmanyeri 2011).

tional officials need to relate to demands coming from society at large, from the state, to ideas and wishes of parents and cultural or religious communities, and the values and objectives they want to pursue in education.

2. In schools we are dealing with **maturing children, not with adults** (Olsen this report). With regard to issues of identity, values, ideas, cultural and religious practices, convictions and choices, the fact that school-life is a period of “growth towards maturity” and “gradual increase in autonomy” is important, because this may lead to relevantly different situations and considerations compared to spheres in which we are dealing with adults. Given this growth towards maturity and socialization, parents have a strong interest in school-life since their concern often is to reproduce specific cultural, for example religious, traditions. Also, teachers play a dualistic role given the pedagogical nature of their relationship with pupils; they are both to guide and correct, and to show respect for the ideas and wishes of pupils (and parents).
3. Schools are institutional environments in which challenges of diversity tend to become **relatively acute and unavoidable** because of (at least) three reasons: first, nearly all countries have compulsory education, which means that children will necessarily attend school and meet children with other (cultural, class, religious) backgrounds. Of course, the degree to which governmental and non-governmental schools are mixed matters a lot.^[4] Second, in the school context social interaction is intensive and extends across a fair amount of time (in terms of school days, but also in terms of years over a life-time). Third, the school is an arena for different stakeholders who may advocate specific ways of dealing with challenges of diversity and issues of (in)tolerance, notably school managers and teachers, school boards, parents and parents’ associations, state agencies (such as Inspectorates of Education), community leaders, churches, NGOs (e.g. minority organizations challenging educational practices and curricular content).
4. Education is an institutional sphere that is marked by important **power asymmetries**. At the level of society as a whole these include differences in power between majorities and minorities, between established, native minorities and immigrant communities, between religious and ethnic communities that are seen as crucially belonging to the nation or as constitutive of the national identity and those who are positioned as “outside” of the national community, etcetera. At the level of the educational sector we find differences in power between various (institutionalized) stakeholders, such as government institutions (Ministries, Inspectorates of Education), government authorities at different administrative levels (municipal, regional, state), organized religions, interest organizations representing minorities, professional organizations representing teachers and staff, etcetera. At the level of schools we may find differences in power between school management, teachers, parents of different backgrounds and with different resources (economic, cultural, social) and pupils. These power asymmetries are of special relevance because discussions about intolerance, tolerance and recognition are inevitably about the drawing up boundaries and one should be sensitive to “how the relationship between tolerator and tolerated entails elements of power, authority and domination” (Dobbernack and Modood 2011: 31).

4 Obviously, the existence of (intentionally or unintentionally) segregated schools, along lines of class, ethnicity, nationality or religion, will diminish the degree of diversity within the school context. In some types of schools, such as Islamic schools in the UK and the Netherlands or Protestant schools in Ireland, children will encounter less “challenges of diversity” than they may encounter in other spheres of their life (sports, neighborhood, work).

1.3 Comparing countries, events and qualitative case studies

The research carried out in the field of education aimed to analyze the shifting meaning and practices of toleration in different countries by conducting qualitative case studies that were illustrative of diversity challenges that were of particular relevance for each individual country. In order to identify possible case studies the concept of “**key event**” was used, being issues or events that (1) resulted in public debates, interactions and forms of governance in the respective country; (2) were felt to be genuine concerns for (at least some) practitioners within the schools or educational system; and (3) had resulted in actions and/or forms of governance that were justified in terms of (in)tolerance and respect. The time-frame for the selection of these key events was between 2000 and 2011. This empirical perspective on the issue of toleration in the form of qualitative case studies makes it possible to move away from highly idealized and ideologically loaded views on conflicts and national models to “local practices of accommodation and conviviality that are often supported by pragmatic reasons, as well as with local and contextualized moral reasons for granting toleration” (Dobbernack and Modood 2011: p.16).

In view of developing a research agenda that would allow us to meaningfully compare different case studies each national team collected and analyzed information with regard to four dimensions:

1. The dimension of **structural problems**: in this dimension the case studies were related to structural tensions in the respective society and how these are played out in the educational sector. As it turns out, educational systems in Europe encounter a similar set of structural problems. They need to find ways of balancing between available budgets and the need to achieve educational (and other) goals, and they are under constant pressure of educational reforms and contradictory political efforts to “centralize or decentralize” education, or to strengthen state-involvement or to grant more autonomy to private “marketized” or “associational” education. Another set of structural problems can be found at the intersections of cultural diversity and social inequality, notably in the form of ethnic, religious and class segregation between schools and in the form of the reproduction of inequalities in education. Finally, an important set of structural issues relates directly to the issue of accommodation or non-accommodation of diversity in schools, both with regard to curriculum and educational culture and with regard to specific practices, symbols and forms of behavior.
2. The dimension of **political mobilization and framing**: in this dimension what is at stake is the way a specific crucial event is being raised as a political issue, by whom and in what terms.
3. The dimension of **policies and practices**: in this dimension the analysis of the case studies included attention for the relevant policies that were related to the challenges under investigation and the practices of accommodation and confrontation that developed in specific situations.
4. The dimension of **justifications and arguments**: in this dimension the analysis of arguments for and against tolerance were analyzed as they were articulated by different actors around specific situations of conflict. These arguments were analyzed through the lenses of the ACCEPT pluralism conceptual framework as well as situated in the distinctive national discursive and institutional repertoires.

1.4 A typology of challenges

In relation to education diversity challenges and the question of toleration may arise in different ways. They may be related to the education system as a whole, for example whether it provides sufficient room for minority groups or whether some minorities can have their own schools. They may be articulated in relation to broader societal trends, such as inequality, racism or exclusion. But it may also be the case that very concrete issues arise, about whether a school should revise a curriculum, whether religious symbols or specific forms of dress are allowed in the school or not, etc.

In order to address this diversity in the type of challenges that arise in relation to education, a first step was to distinguish between three types of issues. The first type of issues is related to the presentation of self and interactions in the school context. In educational institutions specific forms of interactions occur and issues arise about ways of engaging with specific self-presentations (in dress, symbols, practice, speech) and with practices, interactions and encounters in this context (for example with regard to the request to perform prayer in the school). This type of issues is about whether and how the school (individual schools, the school system, teachers, pupils) should practice and institutionalize (in)tolerance and respect (Olsen this report).

A second set of issues is related to the way the content and practice of education and teaching (in a broad sense as involving curriculum, pedagogy, educational culture) involves questions of engaging with difference.

A third set of issues is about the ways the education system as a whole institutionally addresses diversity (e.g. by granting autonomy to religious schools, by setting up separate classes for immigrant or Roma children etc.) and how this is related to tolerance, social integration and equality.

Key events and case studies could thus be classified as belonging to one of these three types of issues. The focus of the study was on identifying the ways toleration serves as a device of social regulation and **boundary drawing**. We explored the practices and arguments involved in drawing the boundaries between what is intolerable and tolerable, and between what is tolerable and what should be positively accepted. These boundaries are empirically contested and shifting and the empirical studies aim to understand what is being accepted/not accepted, by whom, for what reasons and motives and in different contexts and countries.

Table 1: Types of issues and challenges of diversity in education

		Presentation of self and interactions in the school context	Curriculum, pedagogy, educational culture	Structure of education system
BOUNDARY I →	Non-toleration	(1)	(2)	(3)
BOUNDARY II →	Toleration	(4)	(5)	(6)
	Respect/recognition	(7)	(8)	(9)

1.5 Clusters of case studies and comparison

On the basis of the (formal) typology of issues each country teams sought to explore and select possible case studies^[5] These were subsequently grouped into four clusters in order to bring out the relevant comparative observations. The first cluster contains case studies related to issues of curriculum, educational culture and teaching tolerance; the second cluster is about the accommodation of diversity in everyday school life; a third cluster contains case studies on the issue of Roma segregation in educational institutions; and the fourth cluster contains studies on religious schools..^[6]

The remainder of this report consists of four chapters in which a comparative analysis is given of a selection of case studies. Dobbernack and Modood compare cases that deal with curriculum, educational culture and teaching tolerance in Turkey, Germany, Spain, Britain, France, Bulgaria, Italy, Hungary and the Netherlands. They focus on three broad dimensions in order to evaluate the place of tolerance in European education: the politics of curriculum reform, claims for national narratives to be pluralized, and the representation of diversity, citizenship and group differences in education.

Olsen compares arguments for and against toleration in relation to the accommodation of cultural and religious diversity in everyday school life in France, Turkey, Ireland, Sweden, Germany, Britain, Denmark, Romania, Poland and Greece. In particular he looks at the relative prevalence of liberal intolerance, the way national controversies revolve around the freedom to express religion in school on the one hand and the freedom from religion on the other, and finally the tension between clear national rules defining the limits of tolerance and local school autonomy

Fox and Vidra examine Roma educational segregation and its aftermaths in five countries: Bulgaria, Greece, Hungary, Poland, and Romania. They provide an overview of the types of educational segregation and discuss the factors that contribute to segregation. Their contribution then analyses the implications of segregation and the failure of integration efforts for questions of tolerance.

Bader and Maussen compare discussions on religious schools in six countries: Denmark, Ireland, Italy, the Netherlands, Spain, and Sweden. Public and political debates on whether religious schools merit “toleration” or “recognition” are situated against the background of different institutional regimes and different policies with regard to the financing of religious schools and their associational freedoms. The chapter then discusses three major issues that appear in the different education: the relation between religious schools and segregation, the associational freedoms of religious schools and the issue of public funding.

1.6 References

Bader, V. (Forthcoming) “Concepts of tolerance and toleration. Moral minimalism and more demanding moralities.” In: *Hard to Accept. Perspectives on Intolerance, Toleration and Respect*, edited by Dobbernack, J. and Modood, T., Basingstoke: Palgrave.

5 The case studies on school life can be found at the website of the ACCEPT pluralism project: <http://www.accept-pluralism.eu/Research/ProjectReports/CaseStudiesSchool.aspx>. Full references can be found in annex II of this report.

6 The research questions that were formulated in view of the comparative analysis can be found in annex I of this report.

Introduction: Tolerance and diversity challenges in European education

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2. Curriculum, educational culture and teaching tolerance

Compiled by Jan Dobbernack and Tariq Modood^[7]

2.1 Introduction

The issue considered in this chapter – how toleration can be achieved and fostered in European educational contexts – invites some initial discussion of conceptions of toleration and, depending on such conceptions, of the role that tolerance can play in education. In a conventional formulation, toleration is seen to entail a balancing of reasons. Dislike or disapproval are qualified, not displaced or removed, by overriding reasons for acceptance. Disapproval is not forgotten; but it is not acted upon, because acceptance is considered to hold greater value than rejection (eg, King, 1976; Horton, 2011).

On the basis of this conception, normative theorists have explored various dimensions of toleration, such as what reasons may be eligible: whether there can be “tolerant racists”, or if reasons for rejection need to pass a test of basic decency for us to speak of tolerance (McKinnon, 2006: 20ff). Another concern has been to determine grounds for acceptance that can aspire to some degree of universality and justifiability (eg, Forst, 2003). Others have been more concerned with features of the act of toleration, pointing to attitudes and dispositions that a tolerant person is likely to exhibit. David Heyd has drawn attention to the significance of perceptions: tolerance is achieved, he suggests, “because attention is shifted from the object of disapproval to the humanity or the moral standing of the subject [that is to be tolerated]” (1996: 12). Others, again, suggest that norms of reciprocity and mutual respect are important to consider not as doctrines or value principles, but for how they guide behaviour and inform social relationships (eg, Honneth, 2001). Arguably, for “cultures of tolerance” to be fostered and sustained, such norms need to be widely present, and tolerance needs to be learned (see Bader, 2011). In order for the value of tolerance to have some social relevance in respective country contexts, this learning has to be a concern in official programmes of education.

While this significance of education would be widely acknowledged, some implications of different accentuations of tolerance, in particular for the question of *what is to be taught*, are evident. The emphasis on perceptual change, which may result from affective as well cognitive learning, points to the need to complement educational programmes if these are exclusively concerned with the teaching of facts or doctrine. Heyd (2003, 2003) suggest that

[e]ducation to toleration consists in the formation of a capacity to see beliefs and actions not in the light of some impersonally validating criteria but as parts in a coherent whole, constituting a moral personality or character and being the consequence of a sincere attempt to achieve meaning and truth. It takes moral imagination, the ability to see the other from her point of view.

7 Text within individual country sections to be attributed to country teams as indicated at the beginning of each section.

His emphasis on “the personal point of view” (2003, 199) corresponds to accounts that highlight socialization and norms of reciprocity that have a grounding in everyday experiences. The more toleration is seen to require an everyday, active and demanding contribution on the part of the tolerant person, the more the focus will be on competencies, a moral imagination and on a disposition of self-reflexivity. Education would then be concerned not (just) with the task of “teaching tolerance”, but with the fostering of the competencies and dispositions that toleration requires.

Regarding educational curricula in European states, we can argue for such critical competencies to be extended into a domain of political participation and co-governance. The type of tolerance that is to be taught, where it applies and what its boundaries are, needs to be politically defined. For issues to arise within the purview of toleration, debates, campaigns and claims may need to be considered. Our understanding of how education can contribute to a culture of tolerance requires some concern with processes of political articulation and the definition of appropriate objects of tolerance.

As illustrated in this chapter, these issues are usually contentious. Across Europe, questions of how to consider social pluralism – its historical emergence and contemporary significance – have been the cause of conflict where public education is debated. Understanding such debates requires contextual awareness of the issues that are at stake and of how educational objectives are conceived. Sensibilities and anxieties, as well as institutional frameworks of state education, differ among Europe countries, and this is amply illustrated by the variety of experiences and concerns surveyed in this chapter. Value commitments, such as to certain understandings of tolerance and respect, often seem context-specific and usually are even within specific contexts ambivalent and disputed.

Evidently, a rhetorical commitment to tolerance is widely shared across European educational contexts. How such commitments are operationalized in practice is clearly a different matter. The concern with tolerance for cultural diversity is usually one of a number of objectives, among which tends to be the teaching of a cultural canon, practical skills, and a certain relationship with the nation state, defined in various forms as a socio-historical community of normative and emotional significance. Such objectives – instrumental, cognitive and normative – may support one another. But it is evident from the debates examined in this chapter that contradictions are all but exceptional.^[8] Weiler (1990, 18) rightly suggests that of “all educational policy decisions, those dealing with curriculum tend to be most explicitly normative, and hence, except in either highly homogeneous or highly repressive societies inherently controversial and subject to conflict and dispute.” Even where there is some normative agreement, educational objectives may still be contested since divergent strategies towards achieving such commitments may be envisaged.

In the current climate, the ambition to acknowledge diversity in education coincides with new concerns to address perceived divisions in European societies. While these concerns with cohesion, citizenship and national identity have been mobilized in favour of restrictions to the domain of tolerance (see Mouritsen and Olsen, forthcoming 2012), it has equally been argued that there does not need to be a trade-off between an emphasis on citizenship or national identity – appropriately understood – and social pluralism

8 In addition there is also the argument that educational objectives are often framed cognitively and may neglect “participative” and “emotional” aspects of learning: “it is questionable whether policymakers” intended aims and outcomes for would-be citizens – in terms of promoting civic and social integration can be met, being based on a relatively passive rather than a more active conception of learning” (Kiwan, 2011, 273).

(Modood, 2007). The idea of multicultural citizenship or conceptions of “plural nationalism” (Triandafylidou, forthcoming 2012) offer templates for how the two trajectories may be reconciled.

Undoubtedly, however, understandings of the national self often are framed antagonistically and an emphasis on narratives of national unity often does imply the exclusion of others. The rhetorical nature of such emphases, in particular if they occur within a framework of institutions and practices that guarantee some form of inclusion, might mean that their efficacy or harm can be difficult to gauge.⁹ If in education, however, reference points for what is to be taught are exclusionary and reinforce stigmatisations, the effect of such emphases may be detrimental for reasons given above: tolerance requires learning. How the “national self” is defined and plays a role in education thus requires particular concern.

In this chapter we focus on three broad dimensions that seem relevant for evaluating the place of tolerance in European education: the politics of curriculum reform, claims for national narratives to be pluralized, and the representation of diversity, citizenship and group difference in education. Each of these dimensions contains contestations and exemplifies national particularities, as well as in some cases a limited convergence in how educational systems across European polities respond to diversity challenges.

- Often, the *political mobilization* of minority groups leads to educational practices and curricular content to be changed. However, the politics of curriculum reform across European countries follows varied patterns and speaks to concerns that often seem context-specific. In the first part of the chapter we consider some of the ways in which actors seek to influence the teaching of cultural diversity and tolerance. Drawing on examples from Turkey, Germany and Spain, we consider grievances and claims and how these have been expressed in political campaigns.
- In Western European countries in particular, claims for the revision or extension of national curricula are put forward in order to increase the weight given to the presence of particular minority groups or to pluralize foundational narratives. Across Europe, conversely, new concerns with social unity and cohesion have been met by attempts to specify national identities in cultural, historical and normative terms. In both cases, education is an important site for the debate of *historical representations of the nation*. We illustrate issues by drawing on aspects of the French, British and Bulgarian experience.
- In various European countries, there appears to be a desire – often expressed with the concept of “interculturalism” – to register forms of diversity amongst school pupils, but to do so without necessitating a commitment to deep diversity in school curricula. The case of the Roma, moreover, exemplifies how conceptions of groupness determine strategies of cultural and socio-economic accommodation. We illustrate and evaluate this debate about the status of diversity and identity and the significance of groups with reference to debates in Italy, the Netherlands and Hungary.

The chapter considers these three broad areas of debate by selectively drawing on the experience of nine country cases.

9 For example, a highly visible speech by the British Prime Minister (Cameron, 2011) about “muscular liberalism” and the “end of passive tolerance” has not yet been accompanied by political measures that would match the severity of the paradigm change that Cameron appeared to demand.

2.2 Political change

Pressure to revise the content of the curriculum in order to acknowledge diversity is frequently, though not always, a result of claims and political mobilization by or on behalf of minority groups. Such claims may be for the adaptation of ideas enshrined in history, citizenship or religious instruction at state schools, most commonly for the removal of negative or stereotypical images and for the adoption of what is seen to be a more complete or a more positive account of minority features.

As with most political movements, their success depends on reaching tipping points when claims become widely recognized in the public sphere and are seen to constitute problems that require political remedies (Kirst and Walker, 1971, 497-8). Institutional particularities of the policy-making environment, notably at what level decisions about curricular objectives are made, determine strategies. Political contestations about religious instruction in the German *Länder*, for example, differ from a situation, such as in Spain, where principles of citizenship education are nationally debated. Institutional rationales for conceding minority claims, moreover, are highly context-specific. The responsiveness of institutions to political pressure thus requires particular interest for how divergent interests are negotiated.

2.2.1 Turkey: Alevi religious instruction (Kaya and Harmanyeri, 2011)

The Turkish case regarding the content of religious instruction and the representation of the Alevi religious group illustrates the complexity of political mobilization and institutional responses. Historically, Alevi identity became more publicly asserted in the 1990s, not least in response to rising political Islam in Turkey. There are signs indicating that Alevism was embraced and promoted by the laicist military and state bureaucracy in order to balance the growing impact of Sunni-based political mobilization. More generally, however, for Turkish Alevi, numbering more than 10 million of the Turkish population, the fair and undistorted portrayal of their faith in a Sunni majority context was clearly an issue of considerable importance.

Various incidents, in particular an arson attack on an Alevi gathering in Sivas in 1993, which resulted in the death of 37 people, led to a new assertiveness and to an era of Alevi revivalism. Alevis have become more vocal in raising their claims such as about the compulsory courses on religion and ethics, the recognition of communion houses as worship places, the allocation of resources from *Diyanet* (the state directorate for religious affairs), and for the revision of majority stereotypes.

Regarding education, claims were made to address the Sunni bias that was seen to characterize compulsory religious instruction and to rectify inaccurate as well as derogatory perspectives on the Alevi faith and community. Historically, religious instruction at Turkish schools reflected the laicist tradition of the republic and, as a result of military rule, the objective to depoliticize civil society and to emphasize an ethno-national ethos. Compulsory religion courses, called “Education on Religion and Ethics”, were made mandatory for all Turkish students. Although the title of the course suggests neutrality towards all religions, its content involves the teaching of a homogenous way of life, based on Sunni Islam. Therefore, Alevis felt that they were indoctrinated with Sunni Islam.

More recently, with the electoral success of moderate Islamist *Justice and Development Party* (AKP), the tenets of religious instruction have become more open to revision. It became clear in this context that Alevi claims were not unitary but reflected different concerns. While some argued for an exemption of

Alevi students, others requested an adaptation of the existing framework or even the adoption of a new stream of religious education. To respond to claims from Alevi citizens, who notably invoked their arguments in the courts of law, the government initiated the so-called Alevi workshop. It was decided that the curriculum should be re-designed in order not to degrade any religious belief and with an encompassing language, which would recognize all religious groups.

These revisions and the attempt to accommodate Alevi religiosity proved to be challenging, not least for how it was seen to entail an intrusion of the state into the religious domain. As the moderator of the Alevi workshop put it:

Alevi culture is so diversified and complicated that teaching Alevi belief and practice to students in courses and applying it to the everyday-life is a very challenging task. Therefore, the state undertakes the duty of adjusting the Alevi belief to the modern times, re-organising and rendering public visibility to it. Alevi culture does not have a formal and official chain of representatives which the state can correspond to. Nor does it have a formal cadre for clergy. Therefore, the state has to think in the name of Alevi families as well. (Interview, March 2011)

Such ambitions have been criticized by representatives of Alevi organisations. Critics suggest that topics that were selected for inclusion into the redesigned curriculum do not reflect Alevi culture, which is syncretic and heterodox, combining pre-Islamic, shamanist, sufist, pantheist, and even Christian elements. Some Alevi groups suggested that initiatives amounted to the attempt to incorporate Alevism into Islam and to eliminate contesting discourses. Dissident Alevi groups portrayed the initiative as an attempt to foster cultural integration, the terms of which are designed by the government and the political elite without consulting the Alevis through a fair negotiation process. It has been highlighted that no Alevi representatives were included in the commission formed for the preparation of the new curriculum.

An alternative to the “re-organisation from above” would have been to exempt Alevi students from mandatory instruction or to allow for separate streams of religious education. The scope of the reform envisaged by state actors, however, did not allow for such requests to be realized. The new curriculum remains vulnerable to the charge of reproducing tenets of Sunni Islam and ignoring the complexity and traditions of the Alevi faith.

The case of the inclusion of Alevi religious content into compulsory religious education illustrates some of the complexities of political debate. Pressures for change were met within a framework that could only – or where powerful actors chose to – accommodate demands for pluralization without allowing for exemptions or a meaningful participation of civil society or religious groups. It further illustrates that state involvement in the definition of religious content may be experienced as highly problematic if it seen to entail determinations about the nature of religiosity and how religion is thematized in state education.

2.2.2 Germany: The Islamic Federation and Islamic religious instruction at Berlin schools (Mühe, 2011)

A different case of problems posed by claims for the inclusion of minority faith in mainstream education is represented by attempts within the German federal system to allow for the teaching of Islam at state schools. As in the case of religious instruction in Turkey, the question of Islamic religious education at German state schools has become increasingly urgent in recent years. The reasons are partially to be

found in Muslim communities, who have been more self-consciously asking for basic legal rights that are envisaged in the German constitution and for the recognition as religious communities in the legal sense. As the constitution envisages cooperation between public institutions and the respective religious communities, one of the most significant problems with the introduction of religious classes was for the state to identify appropriate Muslim interlocutors: organization or federations with whom to collaborate in designing Islamic religious education. This task was complicated as hardly any organization is officially accepted as a religious community in the German legal sense.

Similarly to Turkey, the political claims of religious minorities coincide with a state agenda. In Germany this is the desire to increase state involvement in Islamic instruction in order to control and monitor compliance with constitutional tenets. Apprehensions about the loyalty of Islamic groups to the constitution are widely articulated, and a frequent motif in public discourse is that of an infiltration of state institutions by radical Islamists. Problematically, this state involvement in the negotiation of what constitutes acceptable and unacceptable Islam clashes with provisions in Article 4 of the German *Grundgesetz*, which enshrines religious freedom. As one of the respondents to the German research put it, “religious education is exploited for solving integration problems” (Interview April 2011). In this context, critics consider the right of religious communities to define their faith without interference to be at risk.

The case of the Islamic Federation Berlin (IFB) and its role in religious instruction at Berlin schools illustrates such concerns. It exemplifies dilemmas of the German case and difficulties in creating spaces for Islamic religious instruction. Now operating at Berlin schools for ten years, the IFB provides religious education for Muslims at 32 elementary schools, including 5,000 pupils that are taught by 23 teachers. There was strong initial resistance towards allowing the IFB fulfil what, in the Berlin context, it is legally entitled to provide. Where evidence did not allow opponents of the IFB to make a direct case, compensatory arguments were used and applications by the IFB evaded or, in some cases, simply misplaced. Mistrust towards Muslim organisations could be observed in the case of prayer at school, where many interviewees held the opinion that the requests for facilities for prayer – a contentious issue at Berlin schools – reflected dubious objectives of hard-core religious organisations.

In Berlin, a city with a sizeable Muslim minority, demands for Islamic religious instruction have been reluctantly met. There are some signs of more positive attitudes as a consequence of the practical work of Islamic instructors. But suspicion and mistrust still remain and make it difficult for IFB and other providers to expand their programme. The state interest to channel Muslim religiosity in ways that are considered appropriate responds to persistent apprehensions about the “otherness” of German Muslims. The assumption is that an appropriately monitored Islamic instruction can provide a safeguard against radicalization. While parental requests for accommodation may highlight principles of respect, tolerance and religious equality, institutional acquiescence to such requests for incorporation can occur in response to state concerns with prevention and control.

2.2.3 Spain: Contestations about Citizenship Education (Zapata-Barrero and Burchianti, 2011)

In Spain, a significant debate in recent years was about the introduction of citizenship education in state schools. The historical legacy of the domination of the Catholic Church in education and continuing interrelations between church and state are a significant feature of the Spanish education system. In the context of increasing preparedness to question such conditions, there is considerable potential for conflict.

In 2006, the creation of a new course entitled “Education for citizenship and Human rights” (*Educación para la ciudadanía y los derechos humanos - EpC*) triggered not only debates about the content of this new subject but about Spanish identity. It highlighted divisions about public values and about the respective role of school, state, church and families in their promotion. The debate largely exceeded the initial motivation for the creation of the citizenship subject, which was mainly to take into account new challenges arising from increasing cultural diversity. The debate about how to strengthen tolerance in an increasingly diverse society – the official objective of EpC – has given way to contestation about public values and virtues and how these should be taught to children.

Among the proponents of the law leading towards the introduction of citizenship courses were mainly representatives of the Socialist Party (PSOE) and members of the Spanish secular movement. Opposing the new subject were members of the Catholic Church hierarchy and Catholic organisations, which could rely on significant support from the conservative Popular Party (PP). CONCAPA, a federation of catholic parental associations, was particularly articulate in its opposition and introduced a movement of “conscientious objection” to the new courses. A petition against EpC received more than 3 millions signatures

Opponents of citizenship instruction pursued various arguments but prominently rejected the idea that the state should be entrusted with the teaching of values, in particular where these would be contrary to personal or familiar convictions and religious doctrine. The archbishop of Granada, Javier Martinez, spoke out in favour of “conscientious objection” and “civil disobedience” to EpC in November 2006. He argued that the new initiatives entailed a “real invasion of the fundamental right of parents” and a “terrible threat” to their freedom of education. This first statement from a high representative of the catholic hierarchy caused considerable political furore.

The respective institutional roles of Church and State in the definition and promotion of values are at stake in this debate. Church representatives and conservative politicians argue that the state should not be involved in the definition of public values, which might conflict with private convictions, in particular of Catholic parents. Gender relations and sexuality, but also human rights issues and liberal values, were at the core of this contestation about the shared value horizon that should be taught as part of EpC.

The debate about EpC has highlighted the co-existence of two different institutions, the liberal-democratic state and the Catholic Church, based on two different “regimes of truth” and associated values systems. It has brought out clear and seemingly irreconcilable positions about the respective roles of the state and of families to educate children.

2.2.4 Conclusion

In the three debates outlined education became a site for the negotiation of claims about equality, public values and national identity. As the Spanish case illustrates, contestations about curriculum can be a placeholder for conflict across major socio-cultural cleavages. Institutional concerns to incorporate ethno-religious minorities, as in the case of religious instruction at state schools in Germany and Turkey, do not necessarily correspond to claims for equality and respect in a straightforward fashion. Rather, they may reflect concerns with security, surveillance and other rationales of minority management. Accordingly, when public institutions decide to respond to demands for the revision of the content of state education, this may well be part of a strategy of give and take, where some concessions are made, whereas other, more problematic or more demanding, claims remain unmet.

More generally, the response of public institutions to minority claims or to civil society input rarely reflects a direct transmission of interests or values. The determination of how minority claims are to be accommodated would, then, need to take account not just of policy outcomes, such as of curricular revisions or the introduction of new subjects, but of the political process and how it is organized, perceived and legitimated. In the case of Turkey, the absence of Alevi involvement in the consultation on the content of the new religious subject put into question its legitimacy. The incremental concessions that were made to the Islamic Federation in Berlin reflect deep-seated suspicions and considerable reluctance among public institutions to grant legal entitlements. Protracted debates about the new citizenship course in Spanish education point to how societal cleavages can be mobilized in political debates of considerable toxicity.

2.3 Representations of the nation

Claims for the revision or extension of national curricula are frequently made in order to increase the symbolic weight that is assigned to the presence of minority groups. Education is an important site for the negotiation of national narratives and of conceptions of nationhood and whether these acknowledge social pluralism. How such narratives are conceived and presented for the purpose of education may not just be of symbolic but also of practical significance.

The purpose of history instruction usually is to provide an authoritative account of the past and to identify an acceptable mode of how young people should relate to this past. The institutionalized disregard for certain historical or social facts means, practically, that perceptions may be barred, relationships discouraged and ignorance perpetuated. Symbolically, the refusal to consider an issue or social fact in history instruction, for example, may be seen to imply a degree of non-recognition and disrespect, in particular if what is at stake is the presence of minority groups. The pluralization of history and citizenship curricula, in turn, can be considered as a sign of recognition. Educational time, of course, is limited and any determination of curricular content is bound to be selective. Some conflict over what is taught at schools, and how the “difference” of minority groups is considered and related to a national story, may be unavoidable.

2.3.1 Britain: Slave Trade and History Curriculum (Dobbernack and Modood, 2011)

In Britain, recent decades have seen some efforts towards a new consideration of social pluralism as part of the national self-conception. The Swann Report (1985) envisaged new multicultural objectives in British state education. In 2000, the report of the Commission on the Future of a Multi-ethnic Britain (CMEB, 2000) spoke of the need to “rethink the national story”. The absence of a serious consideration of colonialism and the slave-trade have been criticized for some time and have led to efforts to adapt the history and citizenship curriculum.

The 200-year anniversary of the abolition of the slave trade in 2007 (the “bicentenary”) was one flashpoint event for debates about the national past. Various British cities organized cultural and commemorative events. These initiatives were contested. The idea that 1807 had seen the “end of slavery”, and that this end could be attributed to the actions of white abolitionists, caused some offence. The celebrations, it was suggested by critics, would “be nothing more than public relations exercises”. They were seen to be the result of a self-absorbed majoritarianism, somewhat ironically summarized as a celebration of “Wilber-

force day” – the name of the white parliamentarian and abolitionist leader. The idea that the workings of a “eurocentric abolitionist movement” deserved this kind of “self-congratulatory” celebration – whereas other perspectives and experiences continued to be unacknowledged – caused offence. Critics of the official commemorations thus dissociated themselves from these events, which “assert[s] African history begins and ends with slavery and the abolition of slavery by Europeans”.

In this sense, imbalances in the bicentenary were seen to reflect the continued subjugation of African people in Britain, as further evidenced by their socio-economic marginalization. Regarding education, critics pointed to the need to put more emphasis in the National Curriculum on the “history and legacy of the trans-Atlantic slave trade” and on the need for “schools ... to teach about the local connections with and visible legacies of the slave trade”. Indeed, local historical narratives often reflect and even celebrate a commercial and slave-trading past. In the city of Bristol, one of the hubs of the slave-trade in the 18th century, contradictory impulses were evident and lead to the dilemma, as it was put by one campaigner, that one simply cannot “hate slavery but love the slave traders”.

As a member of the organisation team for the celebration of the Abolition in a major British city put it: “by having that on the National Curriculum, it put a marker as if to say, “We recognise this”. As a sign of public recognition, the inclusion of abolition of the slave-trade into the curriculum, it was suggested, conveyed appreciation and interest. The way in which the abolition eventually found a place in the History Curriculum, however, was the result of a protracted and somewhat opaque political process, largely driven by individual initiatives and not necessarily reflecting a broader institutional concern to upgrade the discussion of these aspects of the British national story.

2.3.2 France: Immigration History (Kastoryano and Escafré-Dublet, 2011)

Parallel debates, though within a different context of concerns and national self-conceptions, have taken place in France. The French republican horizon, as is well known, is characterized by an emphasis of universal citizenship and the disavowal of “particularist” ascriptions of ethnicity, culture and religion. To some extent, as shown by the increasing readiness to legislate against religious dress in the public sphere, this disavowal has become more pronounced in recent years.

In the debate about the consideration of immigration history as an object of interest in French education, the movement appears to be, albeit carefully, towards a pluralization of historical understandings. While current social and cultural diversity in France is largely the result of 20th century migratory movements, such movements have conventionally not been considered as a legitimate topic of study for historians and social scientists, nor have they been recognized as a constitutive feature of French national identity.

More recently, a research agenda on immigration history has developed. Starting from concerns with social history, scholars have considered different waves of immigration at the turn of 20th century and during the interwar period (with the establishment of immigration quota in the US an important part of the migration flows coming from Southern Europe, redirected towards France). An important aspect in the literature of the 1990s has been the emphasis on integration processes in a context of rising xenophobia in France (as evidenced by the electoral success of the National Front).

Regarding the adoption of concerns with immigration history in schools, the tension for many participants in the debate appears to be in between a worthwhile attempt to construct a more inclusive national

identity and the pitfall of “ethnic ascriptions”, which are seen to stigmatize individual pupils as not-fully-French. A challenge in the introduction of immigration history, moreover, is to present the according issues as legitimate topics of historical inquiry and not an addition dictated by the current political climate – namely the repressive turn in immigration policy-making and the presentation of immigrant populations as problematic.

Significantly, in contrast for example to concerns to pluralize the history curriculum in Britain, this extension of the French curriculum is usually not understood as an attempt to accommodate minorities. It aims at addressing the school population without pointing at specific groups. This approach to the topic corresponds to the universalist argument and the republican idea of equality regardless of religious, racial or ethnic belonging. This definition of acceptance is clearly distinct from one that emphasizes the significance of particular ethno-religious traditions for their bearers and seeks to respond by according forms of recognition or respect.

2.3.3 Bulgaria: Christian-Orthodox religious instruction (Kosseva and Hajdinjak, 2011)

Bulgarian nationhood and its portrayal in education have been topics of debate in recent years. Bulgaria – as a new member state of the European Union and not an established immigration country – provides an interesting example of how features of religion, culture, and history are newly mobilized in order to construct national narratives.

In recent years, the prospect of introducing religious instruction at Bulgarian schools has been hotly debated. Debates take place against the background of strictly secular arrangements that were in place at the time of the socialist regime. Historically, however, Bulgarian society has not been characterised by deep religiosity. Although the Communist regime was hostile to all religions, its anti-Islamic campaign was especially fierce. Muslims were forced to change their names into Christian-sounding names, mosques were closed and some destroyed, Muslim graveyards were demolished, and traditional Muslim clothes, rituals and traditions were prohibited. While this strong anti-Islamic orientation has subsided, Muslims continue to play the role of “significant others” in new attempts to outline national narratives and to highlight these in education.

The post-communist context is characterized by new concerns to define Bulgarian nationality, which for some – in particular for a coalition between parts of the Bulgarian Orthodox church and nationalists – means assigning particular importance to Orthodox Christianity. For some commentators, the idea of a civilizational struggle and the “otherness” of the Muslim minority in Bulgaria seem to require an accentuation of this tradition. An Orthodox priest interviewed as part of the Bulgarian research, stressed the significance this tradition for Bulgarian national identity: “without it... Bulgaria is like a table, hanging on only three legs because the fourth one was cut off.”

The case for the introduction of religious instruction, however, can also be put differently, such as with an emphasis on the value of tolerance that results from familiarity with religious traditions. Proponents of the secular character of education, by contrast, make the case that religious belonging is an intimate personal choice and schools should not interfere. Religious education, it is suggested, should remain confined to religious institutions. Any type of religious education should be under the supervision of the state. Although religious institutions might contribute to the formulation of the curriculum, it is suggested that they should not be in charge of the subject. Similar to how in the Turkish case a separate stream of

Alevi religious instruction was rejected, an argument in the Bulgarian case was that the separation of children for the purpose of religious instruction would lead to division and be a potential source of animosity.

In this environment, the debate about religious education quickly lead to debates about Islam and the place of the Muslim minority in Bulgarian society. Persistent stereotypes about and mistrust towards the Turkish minority in combination with global discourses about Islam, influence public perceptions and have lead to some anxiety about the possible spread of “radical Islam” in Bulgaria.

2.3.4 Conclusion

National identity narratives that are expressed in state education are usually connected to accounts of how difference has been dealt with in the past: how religious conflicts were overcome, understandings of the nation pluralized, and the tolerance of difference introduced as a principle of social integration. Such accounts can be questioned, by minority groups and more generally, for how the contemporary and historical presence of “others” is conceived and how the national curriculum acknowledges or marginalizes their presence.

Definitions of nationhood in the three contexts examined here, pluralist Britain, republican France and post-socialist Bulgaria, point to considerable challenges when the “national story” is to be defined. Significantly, national narratives in each case have been contested from different angles, to pluralize representations of the nation, to establish more encompassing narratives or to introduce new markers of national identity that are deemed necessary for different reasons. In the case of Britain, a desire to adopt a more “positive” account of the past the current reform of the history curriculum. In France, the adoption of immigration history is considered necessary to arrive at a more accurate account of French nation-building, though it does not imply a recognition of ethno-religious groups. Finally, the attempt to introduce religious education at state schools is contested for how much significance Orthodox Christianity is accorded in the determination of the Bulgarian “national story”.

Available conceptual languages of acceptance, toleration, recognition or respect often seem not particularly suited to capture claims towards the revision of “national stories” or to chart societal responses to such claims. Arguably, however, the adoption of a strong ethno-religious account of Christian-Orthodox nationhood – one what would potentially ignore and stigmatize Bulgarian Muslims as well as non-believers – could be deemed intolerant. The same can be said for the adoption of other conceptions of *Leitkultur* that are introduced and defined with the explicit intention to single out particular groups that are written out of the national socio-cultural mainstream. On the other end of the spectrum, the official recognition that was accorded to claims for inclusion by African and African Caribbean people in Britain, despite being criticized as incomplete, inconsequential and tokenistic, would seem to point towards a space beyond toleration. In the case of France, it is difficult to establish what the normative horizon for claims towards the adoption of immigration history is, since these are couched not in normative terms but in terms of historical accuracy.

2.4 Group difference and citizenship

The French case, with its willingness to acknowledge a history of immigration without groups, points towards an ambivalence that is more widely evident in European educational discourse. The concern to acknowl-

edge and accommodate expressions of social pluralism neither means that its group-based manifestations are acknowledged and accommodated, nor that such manifestations are deemed desirable. Across Europe there appears to be some desire to change educational arrangements in order to register forms of diversity. But often the concern is to do this without necessitating a commitment to deep diversity, which is considered undesirable for a variety of context-specific reasons (see Meer and Modood, forthcoming 2012).

How to conceive of group difference, but also how to conceive of the nature of the receiving society and its ideals of citizenship that newcomers are expected to aspire to, are questions of considerable significance in education. In Italy, the idea of interculturalism has been offered as an expression of the commitment to encourage communication, recognise the dynamic nature of identities, promote unity, and facilitate the critique of illiberal cultural practices. In other cases, Hungary for example, the conception of the “group-ness” of disadvantaged minorities, Roma in particular, determines political strategies and thus requires particular concern. Such conceptions of “difference” coincide with understandings of national and civic identities, as the introduction of the subject of Citizenship Education in the Netherlands illustrates.

Werner Schiffauer (forthcoming 2012) argues that toleration involves the drawing of boundaries between wanted and unwanted expressions of difference:

Toleration implies otherness and constructing the other raises the question of tolerance. The domain of sameness is the domain of the known and the own. Differences do exist but they are considered to be normal. They make no difference. It is the behaviour of those who are perceived to be the sexual/religious/ethnic others which creates irritation and therefore poses the problem of tolerance.

Following his suggestions, it becomes necessary to consider the modalities of the construction of “otherness” and “sameness” to understand how boundaries of toleration are drawn. This pertains to conceptions of difference (e.g., of Roma in Hungarian educational discourse), of sameness (e.g., of conceptions of citizenship in the Netherlands) and of the educational strategies envisaged that are predicated on a particular account of “difference” (e.g. intercultural education in Italy).

2.4.1 Italy: Intercultural education (Ambrosini and Caneva, 2011)

In Italy, the “intercultural approach” was developed in the 1980s and 90s, when the term became fashionable in educational discourse. Emphasis was put on the importance of dialogue and exchange among people marked by cultural difference, in order to avoid conflict and to achieve coexistence. Intercultural education was seen as an important way of preventing racism and intolerance and to support democratic values. This approach entailed the revision of curricula and the use of suitable teaching aids, such as bilingual texts and books. In the 1990s, the so-called Turco-Napolitano law envisaged the promotion of “initiatives of hospitality and cultural exchange”. In the same period the “National Commission for intercultural education” was created by the Ministry of Education. The Commission published a report that outlined that intercultural education had to be considered the “normal” approach to teaching at school and had to be integrated into the regular school programmes.

With interculturalism, integration is seen to consist of educational mixing and the sharing of spaces. Through relationships with peers, pupils can keep in touch with those who are different, they can mix and interact, and learn that differences are positive. It is noteworthy that in the Italian context the idea

of interculturalism is most prominently operationalized for the purpose of bi-lingual education or cultural exchange. The emphasis is on cultural exchange at the micro level, in everyday school life and within classrooms. Interculturalism, it seems, is not necessarily an approach that is used to include religious pupils through exemptions, institutional or curricular revisions, or by seeking compromises that would change the nature of education.

The idea is that children can carry out some cultural customs, but not others. They can practice traditions as long as these are not seen to undermine characteristics of the Italian school or impact on its organization in terms of arrangement of time or space. Significantly, in many everyday situations interculturality amounts not to recognition and respect but to a form of minimalist toleration, which can be withdrawn as soon as claims are considered too demanding or difficult to accommodate.

Intercultural education has been applied autonomously by schools, in their self-organization, and it has been realized mainly through language learning support for immigrant pupils. As a result, intercultural education, although it has been defined theoretically, has been applied unsystematically and best practices – where these have been identified – have rarely been spread or institutionalized. Finally, in the last few years intercultural education programmes have suffered severe cuts.

2.4.2 Hungary: Conceptions of Roma “difference” (Vidra and Fox, 2011)

In Hungary, the debate on the curriculum regarding the Roma has been simultaneously hidden and omnipresent. In 2003 the publication of a textbook on Roma culture was strongly criticised by Roma activists who claimed it contained racist language. The book was ultimately withdrawn by the government. At the same time, more fundamental questions such as “What is Roma culture?”, “How are Roma different?”, “What are the consequences of their difference in the education system?”, and “How are Roma perceived by the majority?” are at the centre of discussions on issues on Roma and education.

The second discursive type is “cultural racism”, which is functionally similar to biological racism but emphasises cultural instead of biological difference. Culture from this perspective is nevertheless just as deterministic as biology. “The Gypsies” marginal position is in the first instance not the result of the majority’s exclusionist practices, wrote one representative of this perspective in a liberal weekly magazine:

The presence of Gypsies in all developed countries raises the same questions and reasons for should be sought in their particular culture that can be described as a “culture of self-exclusion”. (...) This is not about poverty but survival patterns that follow historically evolved cultural codes.

A third discourse type might be called “romantic essentialist”. This discourse type is also essentialist, but it differs from the previous ones in that it portrays Roma culture in a positive light, drawing on positive stereotypes.

The remaining more positive discursive strategies can be divided into two subgroups. A “culture of poverty” discourse denies the existence of a separate Roma culture, arguing instead that majority Roma culture in Hungary is characterised by the loss of the Roma language and their traditions, suggesting that it would be misleading to portray the Roma as a separate group with its own culture. This view also holds that Roma customs and behaviours are derived from their socio-economic circumstances and therefore

are closer to a “culture of poverty” rather than the specificities of their ethnic culture. The final discursive type emphasises the “social historical roots” of Roma culture: cultural difference is to be understood from analysing the past social position of Roma in various periods of the history of the country.

These ideal types are in practice never so clear-cut or self-contained. They often overlap, with elements of one mixing with elements of others. They are significant in the representation of the Roma in textbooks of Hungarian education, in debates about minority schools and minority education more generally (including schools and/or classes organised for minority children with the express purpose of nurturing their cultural/ethnic identity), and in conceptions of “tolerance” or “respect” that is due to Roma. Conceptions of their “groupness” and of the causes and conditions of their marginalization determine the political remedies that are conceived in response.

2.4.3 Netherlands: Conceptions of citizenship (Versteeg and Maussen, 2011)

In Dutch public debate regarding education and tolerance of diversity, there is the idea that schools should fulfil a major role in the socialization of “new citizens”. One type of argument is that religious schools, and especially orthodox Christian and Islamic schools, will have a poor record in “teaching tolerance”. Another line of argument involves a plea for more involvement of the government in developing, promoting and implementing the teaching of “good citizenship”.

In 2006, in response to European developments and ongoing debates about integration and identity, Citizenship Education (CE) became compulsory in the Netherlands. Because of the Dutch conception of freedom of education, the precise interpretation of what CE should encompass, is left to the schools. What is required is that schools develop a plan and that they see to it that the plan is executed. The Government provides only general guidelines, stating that it should increase social coherence and “the willingness and the ability to be a part of the community and to contribute to it actively.”

Objectives of citizenship education thus remain somewhat ambiguous, in particular for how there are conflicting conceptions of the kind of citizenship that is supposed to be fostered at schools. Studying the discourses of educational practitioners, policy-makers and experts, Wiel Veugelers (2007) has delineated three different conceptions:

- The community-oriented, adapting citizen. In this perspective, norms and values are created within a group, community or society. The internalization of these norms is the core objective of citizenship education. Discipline and social awareness are core values.
- The individualist, autonomous citizen. The objective for citizenship education in this perspective is to create autonomous citizens who have developed an independent attitude and an individual identity, through cognitive development. Discipline and autonomy are core values.
- The critical-democratic, socially oriented citizen. Citizenship education must teach children critical reflection on society’s structures, and stimulate the development of attitudes which will increase emancipation and equal rights. Autonomy and social awareness are core values.

Despite the Dutch Government’s attempt to install assimilationist values in citizenship education, the experiences from teachers and experts in the Dutch research suggest that these values barely influence the

actual curriculum and classroom practice. Ideologically, the identity-adaptive approach, which is dominant in political discourse, is not carried out at the lower levels of implementation. Educational experts involved in creating practical frameworks for schools, as well as NGOs who create programs, often work from a critical-democratic perspective and are opposing identity-adaptive ideals. Thus, while the government may envision citizenship education to increase integration of ill-adapted Muslim youth into “Dutch norms and values”, school programs may instead try to reduce the negative stereotype regarding Islam or reduce prejudices among the “white” youth. Researchers and experts involved with implementation are actively bending the policy in this direction.

2.4.4 Conclusion

The previous discussion suggests that constructions of “difference” and “sameness” need to be examined and contextualized in order to understand debates about minority accommodation. Different approaches towards including minorities may depend on contextual conceptions of what their difference is and what it requires. Regarding diversity challenges in education, the usefulness of such conceptions – interculturalism is an example – will be evaluated not just for how they are able to solve problems but for how they respond to claims for toleration and respect as they are empirically present in respective country contexts.

The previous discussion has highlighted some difficulties with categories of cultural difference and citizenship. Essentialist conceptions of Roma “difference” may not just be misconstructions on the part of policy-makers but may also lead to strategies that perpetuate exclusion. The concept of interculturalism might suitably characterize situations of everyday conviviality, but without offering the resources to resolve more protracted debates about the implications of cultural difference in education. Conceptions of citizenship and the dispositions that these are seen to entail seem to correspond to political imperatives, notably to new concerns with social cohesion. The identities and attitudes that citizenship education intends to foster, as illustrated in the Dutch case, reflect conflicting objectives – with pluralism, tolerance and critical thinking as well as with social cohesion and ideas of national belonging.

2.5 Conclusion

Debates about how tolerance and respect should be enshrined in state education and inform curricular objectives usually coincide with some contestation of the implications of immigration or of the presence of national minorities. While these debates may have wider societal dimensions that are relevant beyond school life, education often is a site for the negotiation of significant issues, such as of the relationship between state institutions and religious groups or for the official determination of national identity narratives. Education, in particular the determination of what is to be taught, represents a test for whether European states can claim to live up to standards of tolerance, respect and decency in how minorities are treated. This relevance of education, we have suggested, is evident when we consider toleration as an attitude that has to be learned and that requires competencies, which education needs to foster or inculcate.

Issues around curriculum reform, the first concern of this chapter, illustrate a complexity of interests that is present when significant changes to the curriculum are discussed. Institutional rationales for conceding minority claims may be characterized by an interest in prevention and control, which is to be achieved through a strategy of incorporation. It is clear that such rationales offer opportunities as well as risks

for minorities. On the one hand, the institutional concern to incorporate may be significant enough for policy-makers to be receptive to minority claims and for educational practices to be pluralized. On the other, incorporation may be perceived as infringement, such as where it is seen to entail additional state involvement in the determination of minority religiosity.

In this regard, tolerance and equal respect require not just the removal of stigmas and of institutionalized disrespect, but some form of minority involvement in the definition of positive or accurate accounts. A recommendation, then, can be made regarding the processes of consultation that need to be put in place. In order for new perspectives or subjects to be perceived as legitimate, a strong element of democratic participation needs to be put in place. Significantly, minority concerns may be internally contested. Complex constellations of actors and interests, exemplarily highlighted in the cases of Turkey, Spain and Germany, point to the need for robust arrangements in order to have meaningful deliberation and compromise.

Where curricular issues are deeply contested, mirroring cultural cleavages as in the case of the debate about citizenship education in Spain, it may be necessary to accompany political negotiations with a meaningful debate about fundamental social principles in a way that avoids misrepresentations and name-calling. Reflecting on his annoyance about “creation science” in the United States, T.M. Scanlon (2003, 196) points to his own “feeling of partisan zeal in such cases, a sense of superiority over the people who propose such things and a desire not to let them win a point even if it did not cost anyone very much”. Where such attitudes characterize the political debate, the difficulty of toleration – but also its significance for a meaningful democratic debate – seems particularly clear.

A second area of interest in this chapter has been the determination of the “national story”. While a desire to acknowledge some diversity seems widely shared, the frameworks in which such acknowledgments take place provide for different debates and outcomes. The pluralization of “the national story” in British education has been a concern for some time. Recently, policy makers argue for revisions to be made to the curriculum in order to introduce a consolidated narrative account of British history. While in France there is some willingness to acknowledge aspects of 20th century pluralism, this concern is constrained by apprehensions about how the accentuation of “difference” would be incompatible with ideals of republican citizenship. In Bulgaria, the concern by some is to promote a narrative account of Christian-Orthodox nationhood. Others emphasize a more “secular” story and criticize the potential neglect of non-religious or Muslim Bulgarians in attempts to emphasize or invent a religious heritage.

Historical narratives and accounts of national identities in education often draw on the idea that social fractures, political polarisations or religious conflicts were overcome in order to create a shared purpose. Such narratives, as they are evident across European states, allow for different interpretations of how “difference” should be considered. Inclusive ideals of shared civic aspirations may be accommodating of ethno-religious and national minorities; culturally-enriched understandings of belonging, in particular when their main purpose is to define national identities against the “otherness” of minorities, are not. Where the desire is to emphasize citizenship, national identity and social cohesion, educational initiatives will need to be evaluated for how much space remains for an acknowledgement of social pluralism. This is not (just) a matter of historical accuracy, but of designing public institutions, including schools, in which pupils of all backgrounds feel included and represented.

The third part of the chapter has considered issues where ambiguous definitions of “groupness”, “sameness” and “identity” have to be considered in order to understand corresponding educational objectives and curricular programmes. Conceptions of the “difference” of minority groups impact on strategies

for accommodation. In Hungarian educational discourse, reasons for the marginalization of the Roma are ambiguously conceived and correspond to conflicting and often confused ideas about Roma culture. Depending on how Roma “difference” is perceived and whether socio-economic issues or race and culture are foregrounded, different educational strategies become plausible. Similar ambiguities are evident in the definition of “citizenship” in Dutch education, where three conceptions are at hand. These relate to particular educational strategies to foster corresponding civic attitudes. This case also highlights how official definitions and their practical applications may not be congruent, with the consequence that teachers continue with preferred practices or simply ignore governmental guidelines. Interculturalism in Italian education lacks coherence, too, and the respective programmes are usually formulated by individual schools. The idea of interculturalism is mainly concerned with language issues and everyday encounters, not necessarily with more protracted debates about religious accommodation and difficult cases. These examples discussed in this third part of the chapter highlight how issues of minority accommodation in education requires some interest in corresponding debates about “difference” and identity.

We have set out in this chapter with a discussion of how tolerance has been conceived in different ways, sometimes highlighting reasons and their justification, philosophical principles and doctrines, sometimes with an emphasis on communication, relationships and socially embedded norms. Tolerance has been considered as a demanding and difficult attitude that requires critical self-reflexivity. Accordingly, the challenge for education, we have suggested, is not just to provide for the learning of values, attitudes and dispositions that make it possible to “accept pluralism”. It requires that the debate about pluralism is extended so that programmes and initiatives in education, but also the very terms in which these are framed and debated, are open to critical scrutiny and democratic participation.

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3. Tolerance and Intolerance in European Education

On the accommodation of diversity in everyday school life

Tore Vincents Olsen

3.1 Introduction

Should veils, burqas and Muslim prayer be allowed in European schools? Does the majority have the right to reinforce its culture and religion through educational institutions? How far is it possible to reconcile the right to education with the right to religious freedom? This chapter compares arguments for and against toleration in 10 European school systems in relation to the accommodation of cultural and religious diversity in everyday school life. It is based on qualitative case studies of critical events and controversies in France, Turkey, Ireland, Sweden, Germany, UK, Denmark, Romania, Poland and Greece. Most of the case studies relate to primary and lower secondary education, but two of them also concern university students and students at teachers college.

As an analytical framework, the chapter introduces the structure of the concept of toleration and standard arguments for and against toleration. It then briefly discusses the particular issues that pertain to toleration in education. At stake here is how to balance the rights of the child, the parents and the state in regard to the education of children.

After this theoretical preliminary and introduction of the analytical framework, the chapter analyses the 10 national cases studies. In view of recent moves towards “civic integrationism” in many European countries and the centrality of “autonomy” as a key value in education generally, the chapter focuses on whether or not there is a prevalence of “liberal intolerance” towards accommodating cultural and religious diversity in school life. The conclusion is that liberal intolerance is a widespread phenomenon, but not as dominant as one might think. Moreover, we also find instances of national and religious intolerance against “liberal atheism”.

The 10 case studies reveal the continuous tension between ensuring the freedom to express one’s religion and attending (public, mandatory) education on the one hand, and, on the other, to be free from religion when attending education. Many of the case studies thus revolve around if and how to accommodate demands to either express religion or be free from religion at school. Another tension is found between clear national rules clarifying the normative situation with regard to diversity in everyday school life and giving schools and school districts local autonomy in deciding how to accommodate diversity. Considering the multidimensionality and the often opposed interests pertaining to controversies about the rights of education and religion, the chapter argues that it makes sense to allow schools to make diversity accommodations based on local experiences and circumstances. Inspired by an example from the Danish educational system, where some schools practice an “appreciative dialogue” with immigrant

parents about possible diversity accommodations, the report lays out the rough contours of a procedural model to be used by schools across Europe to address diversity issues. The argument is that this model could be made mandatory for schools in order to prevent that it is arbitrary if and how schools address diversity. First, however, a look at the concept of toleration and the arguments for and against it.

3.2 The Space of Toleration and Arguments for and against

Tolerating means not forbidding what is wrong. As Forst explains, the concept of toleration entails an objection component, an acceptance component and a rejection component, which together create a space of toleration. The objection component is based on reasons that one holds that a belief or action (or identity) is wrong and to which one then objects. The acceptance component is based on reasons that overrule one's objection in the belief that it would be "wrong not to tolerate what is wrong" (Forst 2008). The "space of toleration" is hence created by the fact that there are stronger arguments not to forbid what is considered wrong than to forbid it. The limit of toleration is defined by the rejection component. This is where the reasons pertaining to the acceptance component and the reasons to tolerate what is wrong are overridden by yet other reasons to forbid what is wrong. Important points here are, first, that toleration pertains to something stronger than just dislike or discomfort. Second, the reasons for objection, acceptance and rejection may be of the same kind (for example relating to others as free and equal citizens) or different kinds (for example relating both to concerns about social order and to others as moral and political equals).

The concept of toleration has been criticized for being a negative concept that cannot adequately provide for the inclusion of diverse groups into society who ought to be recognized as part of what is normal (Galeotti 2006) and/or be given the opportunity to turn the negative stereotypes ascribed to them into positive self-identities (Modood 2007). The claim is either to see toleration as a form of recognition or that we should move beyond toleration.

While toleration is difficult to reconcile with positive recognition because of its negative objection component, it is more difficult to separate from concepts such as respect, equality and equal rights because such concepts may be implied in arguments for toleration. Toleration is a normatively dependent concept (Forst 2008). It depends on other external reasons, for example concerns about social peace, respect for individuals and their equality. The following takes a look at standard arguments for and against toleration in order to establish an analytical framework for the analysis of the 10 national case studies on toleration in education.

3.2.1 Standard Arguments for Toleration

Pragmatic arguments for toleration pertain to the achievement or not of a particular goal, while principled arguments relate to the status of individuals and groups, and to some of their important features.

A key pragmatic argument for toleration is peace and establishment or maintenance of social order more generally. Tolerance of differences to which one objects can be based on the overall interest in ensuring social and political peace. Trying to eliminate differences will escalate conflicts, may be too costly or sim-

ply impossible. Famously, Locke argued that it would not be possible to change wrong religious beliefs with the use of force because belief was not subject to will (Locke 1993).

Similarly, some argue that extremist views (for example of Nazis) should be tolerated rather than prohibited because suppression makes extremist groups more extreme. Toleration serves a valve function and keeps extremist groups where one can see them. More positively, pragmatic arguments may rest on the idea that toleration eventually would lead to interaction, communication between majority and minority, and little by little, to inclusion and integration into society.

A second, mainly pragmatic argument for toleration is based on doubt and fallibility. First, one should be willing to let oneself be challenged by opposing, wrong views, recognizing that one is fallible. Indeed, tolerating “wrong views”, as J.S. Mill argued, would contribute to the discovery of truth. Second, it would be wrong to impose views on others that are infused with residual doubt and uncertainty.

With this last argument, we move closer towards a principled conception of toleration that takes the viewpoint of potential victims seriously. Briefly, we find three different conceptions here. The first is based on value pluralism, the second on the concept of reasonableness and the third on inclusion.

First, the argument from value pluralism rests on the idea that several competing values contribute to or are part of a good life, and that it is not possible to rank these values or reduce them to a meta-principle (moral monism) because they are “incommensurable.” For Isaiah Berlin, this results in an argument for equal negative liberty and the non-imposition on others of one’s own values and tolerance towards their choice of values. The imposition of my ends on others would violate their negative liberty (McKinnon 2006: 61; Berlin 1958). For the liberal perfectionist Joseph Raz, toleration ensures the existence of (opposing, incommensurable) valuable choice options necessary for the pursuit of an autonomous life. Moreover, some non-valuable choice options may be tolerated because removing them by way of coercion impairs autonomy more than their continued existence (Raz 1988: 162-3, 167, 173-4).

The second principled argument is based on the notion of reasonableness (Rawls 1996). In McKinnon’s words, the reasonable person, accepting the “burdens of judgment”, “will reject the imposition on others of commitments she genuinely takes to be justified, because she accepts that others can reasonably disagree with her with respect to these commitments, and is committed to the use of public reason to solve problems of justice” (McKinnon 2006: 73). The effort is here to provide a “neutralist” defence of toleration not based on strong ethical theories (comprehensive doctrines). Toleration should be reciprocally given to beliefs and practices that cannot publicly be demonstrated to constitute harm to anyone. This is a respect conception of toleration based on the mutual recognition of all as moral and political equals.

The third argument is based on the notion that the promise of liberal society is inclusion. According to Galeotti (2006, 2002), neutralist liberalism overlooks that not all the differences that it seeks to include are of equal significance, and not all of them can be moulded to fit the public-private divide that relegates “differences” to the private sphere in order to keep the public sphere neutral with respect to “conceptions of the good.” Galeotti claims that the “negative differences” implied in stereotyping and pejorative depictions of some groups, minorities, deny these minorities equal bases of self-respect and inclusion into society. The notion of toleration should hence be expanded to include a form of recognition, understood modestly as “the acceptance and hence the inclusion of a different trait, practice or identity in the range of the legitimate, viable, ‘normal’ options of an open society” (Galeotti 2006: 574).

With the notion of “toleration as recognition”, we are arguably at the first step of moving beyond “toleration” as a manner of dealing with differences (Jones 2006). With its “objection component”, toleration is fundamentally a negative stance on differences. As such, toleration may not be enough to keep society together. Some have hence argued that toleration should be replaced or complemented with a notion of civility, in particular in contexts such as schools, where one has to cooperate with others on an ongoing basis (Lægaard 2011). Others have demanded that we move even further and apply “positive recognition” as a civic principle in all our relations (Modood 2007: 57). This implies working actively to turn the negative and stigmatic status of some (non-European) identities “into a positive feature of the societies of which they are now a part of” (Modood 2007: 43). Such positive recognition, especially of the latter kind, is demanding and something rather different than the negative “objection” entailed in the concept of toleration (Jones 2006; Lægaard 2011; Forst 2008).

3.2.2 Intolerance: Limits of the Tolerable

Many of the reasons for opening a space of toleration can be employed against it. Obviously, one argument against toleration is that it allows certain groups to gain strength and resolve enough to force upon others a new social order without toleration. Toleration of the intolerant is only advisable if the intolerant groups are marginal. Only then can the lack of reciprocity be accepted.

According to Locke, Catholics and atheists could not be tolerated because of their subversive loyalties and lack of moral convictions (Locke 1993). This also demonstrates the instability of the toleration argument from doubt. Even if “we liberal ironists” doubt the infallibility of our convictions, our opponents may not have any doubts about theirs and press on without hesitation (Mendus 1988). Similarly, the more convinced we are about the truth of our own convictions, the less we would be willing to tolerate those of others. Likewise, the more convinced we become in our ability to alter the beliefs of others through various more or less coercive and cost-efficient means, the more likely we are to make the attempt.

Seeing the concern about social order as more than just the absence of violence and open conflict leads to other types of intolerance. One type is national intolerance. The main reason for not tolerating differences is that they are thought somehow to conflict with and entail a potential threat to national values and traditions. Based on the notion that the national tradition has the right of the “first born”, such differences cannot be tolerated. The national identity and tradition has an intrinsic value and must be defended. Alternatively, national identity and shared traditions are seen as instrumental for maintenance of solidarity and democracy (Miller 1995). Undermining national identity – the ability of people to see each other as co-nationals – will hence also undermine solidarity and democracy. This type of national intolerance comes with different degrees of sophistication and is testified to by the emergence of new right parties in Europe.

This latter “instrumental” form of intolerance against difference also comes in a liberal version, where not a common national identity but a common liberal identity is under threat. It is hence the sociological pre-suppositions for the maintenance of a liberal welfare state and democracy that are seen as challenged by the presence of non-liberal identities, which are seen as “too diverse” (Goodhart 2004).

A second form of liberal intolerance is found exactly towards those identities or groups about which Galeotti speaks, namely those who challenge the key liberal divide between private and public that,

crucially, relegates questions of religion to the private sphere and insists on keeping the public sphere culturally and religiously neutral:

The original liberal promise of openness towards the inclusion of anyone independent of her origin, culture, language, religion, and race, turns into resistance to accepting alien or oppressed groups into full citizenship. Such resistance is explained by the alleged threat to the neutral public sphere represented by groups who do not accept the principle of neutral citizenship. In other words, it is an argument for the self-defense of the liberal order (Galeotti 2006: 571).

Liberal intolerance defends what is perceived to be a constitutive principle of the liberal order.

A third form of liberal intolerance is premised on a form of simple liberal perfectionism and is oriented towards those groups and persons who are seen as living traditional non-autonomous lives out of tune with modern society. Living a non-autonomous life implies not only doing harm to one-self but also to others, as failing role models for coming generations, as unemployable in a modern labour market (and hence as welfare dependent) and generally as non-functioning in the institutions of a modern welfare society, which requires certain competences and motivational dispositions. Non-modern, non-autonomous people become a burden on society and “harm” others indirectly (through welfare transfers) similarly to those who smoke or eat too much. Instead, what is sought for is the creation of liberal, responsible, reflexive and (economically) self-sufficient people.

The forms of liberal intolerance are testified to by the “civic integrationism” that has spread over large parts of (Western) Europe, in particular with regard to third-country nationals and more or less directly directed towards Muslim immigrants and their descendants (Joppke 2010; Mouritsen & Olsen 2012). Obviously, it is oftentimes closely paired and intermingled with forms of “national intolerance” in more or less stable political coalitions.

New nationalist stances usually endorse majority religion and are permissive towards historically established religious communities, but they are hesitant, if not intolerant towards “new foreign religions”, Islam in particular. The new liberalism is generally more aggressively secular than liberalism has generally been. In the classic form of tolerance, religious minorities have been tolerated on the basis of a notion of *modus vivendi* (Mouritsen & Olsen 2012). Republican tolerance (for example France) has seen religion as problematic in the public sphere but as acceptable as long as it has been kept in private (*ibid*). Pluralist liberal tolerance (USA, UK) has generally seen the life of many different religious communities as a source of the good life and as a basis for virtue and charity in civil society. The state has here been seen as the guarantor of both private and public space to express and pursue a religious life (*ibid*).

In the new liberalism, these forms of tolerance, where religion is seen as valuable or as a fact to be reckoned with, are replaced by a more anti-religious stance, in particular towards Islam and Muslim practices. The latter are seen as challenging the cohesion of liberal society, the established boundaries of public and private, and as an impediment for the participation in labour market and welfare institutions (*ibid*).

It should be noted that this form of anti-religiosity is not all-dominant in all parts of Europe due to diverse historical circumstances and experiences. First, not all European countries have seen the same kind of immigration of people with “new” and “foreign” religions. Second, in particular East European countries have lived through different experiences with an aggressive atheism under Communist rule, which has led some people to create opposite linkages between a decent political order, and society and religion.

Here, a new form of “religious intolerance” against atheism has come about that resurrects the Lockean suspicion against people without religion for lacking moral convictions and restraints.

The above makes up a repertoire of recent and classic arguments for and against toleration and will work as a background for the analysis of the 10 case studies below. First, however, a brief look at the special issues of toleration in education.

3.2.3 Toleration, Education and the Rights of Children

The discussion about tolerance in the school sector has two dimensions to it. The first regards whether or not and, if yes, how tolerance should be taught as a principle and inculcated as a virtue (attitudinal disposition) among students in the school. The second regards how the school (the individual schools as well as the school system as such) should practice and institutionalize toleration.

Obviously, the two are connected, as one would think that “theory” and “practice” would follow/complement each other, but they are not congruent. The latter can be seen most clearly in connection with the question to what extent, if at all, one should tolerate the intolerant in school. It can furthermore be seen in relation to different concerns of, typically, traditional religious groups about how tolerance is taught in schools and how it may affect their ability to hand down their religious views to their children (for example if and how students may be introduced to modes of living and “facts” that contradict “the absolute truth” of their own) as well as in discussions about whether such concerns would warrant their children’s exemption from certain parts of the curriculum. And conversely, worries that one may have about heeding such concerns and granting such exemptions. Similarly, a very “tolerant” school system giving absolute autonomy (as well as generous state subsidy) to orthodox religious private schools may produce very intolerant students (with no knowledge about the principle of toleration).

This is not the place to review the literature on this. Suffice to say that the discussion about tolerance is more circumscribed when it comes to children than when it comes to adults. This is because the education of children touches upon the rights of the parents (to raise and educate their children according to their own worldviews), the rights of the state (for example to form future workers and citizens) and the rights of the children (for example to become independent individuals and citizens), and upon the question of who are the most likely custodians of the rights of the children: the parents or the state.

Liberals (political, egalitarian and perfectionist) would be concerned about the academic skills of children as well about their ability to participate democratically (Gutmann 1995) and about being given the preconditions for the personal autonomy that would make them avail themselves of the opportunities that a modern liberal society open up to them (Brighouse 1998; Feinberg 2007 [1980]) and develop personal integrity (Callan 2007 [1997]), if for example religiously orthodox minority parents are given too much freedom in deciding the content of their children’s education either through a system of private schools or through wide-reaching accommodations of cultural and religious differences in the public school system (for example through exemptions and censorship). From a liberal viewpoint, this constricts the limits of toleration more in the case of children – and in primary and lower secondary education – than is the case with adults, who are presumed to be able to take care of their own rights and interests (Macleod 2010). Or in other words, toleration is discussed on a different background here than with regard to other institutions of society, whose members are considered to be adults.

Similarly, nationalists would argue that “the principle of nationality implies that schools should be seen, *inter alia*, as places where a common nationality is reproduced and children prepared for democratic citizenship” (Miller 1995: 142). Children may be considered to have the right to gain a sense of rootedness in the nation and to become part of it through common public schooling – even against the will of their parents (*ibid*). This would obviously also constrict the space of toleration and accommodation of minority differences (although see Miller 1995: 145).

Oppositely, religiously orthodox parents would resist the explicit goal and unintended side effects of teaching values such as tolerance (Galston 1995), respect as well as the presuppositions for public and private autonomy on their ability to hand down their own worldview to their children, arguing, among other things, that introducing alternative modes of living and facts that contradict their worldviews (early) in their children’s education would deny them (that is, their worldviews) a fair chance (Burt 1994). In this way, they would be interested in protecting the integrity, stability and existential certainty pertaining to the confirmation or at least the non-challenging of their world views and way of living.

More modestly, they – or their children – would insist on being able to follow and participate in public education without having to compromise with their cultural and religious identity, including their practices. While the first kind of demand is a demand of a right to education for their children that is in continuation with their worldviews or that shows special consideration for them, the latter, more modest claim is for a right to education regardless of their cultural or religious identity, that is, without discrimination.

In legal terms, the rights of the child include the right to education that is, among other things, oriented towards the “development of the child’s personality, talents, and mental and physical abilities to their fullest potential” and “the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes and friendship” among national, cultural and religious groups (Convention on the Rights of the Child, art 29, a, d).

Thorny legal issues arise in connection with the ability of children to obtain education that is in continuation with their (and their parents’) cultural and religious worldviews and their ability to express these, on the one hand, and, on the other hand, the freedom to not adopt or maintain the cultural and religious worldviews of parents or others (*cf.* the Convention on the Rights of the Child, art 14). The latter relates to the problem of how to understand and ensure an educational environment that is neutral (or even-handed) towards religious worldviews: does it include the prohibition of conspicuous religious symbols and practices on and in buildings, on teachers as well as on students, or does it imply a *laissez-faire* approach to this issue? Under the European Convention of Human Rights (ECHR), concerns about state neutrality/secularism (freedom of religion for others), gender equality and threats to the public order have been cited as legitimate reasons for disallowing conspicuous religious symbols on teachers and students in schools and universities (Vakulenko 2007).

As the following section will demonstrate, the above concerns and arguments about tolerance and its limits in- and outside the educational system are reflected in a number of interesting ways in the public school system in a number of European countries. The section will analyze and compare how cultural and religious differences are addressed and, if so, accommodated in public European school systems. The analysis is based on a number of national case studies of mainly political events that exemplify the problems and dimensions of tolerance and other forms of acceptance of cultural and religious differences.

3.3 Toleration and its Limits in European Education

As mentioned in the introduction, the analysis includes studies from France, Turkey, Ireland, Sweden, Germany, UK, Denmark, Romania, Poland and Greece. The main focus has been primary and lower secondary education, although in two cases, also college and university education has been included. The nature of the cases varies, as does the methodology and the precise nature of the analytical framework. All the studies are based on qualitative data, documents (press, policy documents, legislation, court decisions, etc.) and interviews with people at different levels, from ministries to students in local schools. Hence, the following comparative analysis is one step removed from the original data and, in some instances, applies an analytical framework different from the one used in the original studies. The analysis should be read with this in mind. Table 2 (next page) gives an overview of the 10 cases.

Except for Poland and Romania, the tolerance relevant cultural and religious difference relate to Islam and Muslims. The case studies revolve around if and how to accommodate Islam and Muslims in the school system. However, the background conditions in the countries vary. France and Turkey have different laicist traditions according to which public institutions should be free of religious signs. In France, this has meant that since 2004, there has been a legal ban on wearing conspicuous religious signs in public schools. The general legal ban was, among other things, introduced because school headmasters wanted general rules to refer to when dealing with questions of this nature (Kastoryano & Escafré-Dublet 2011).

In Turkey, the ban on headscarves in universities has been introduced and lifted according to shifting power constellations between the established secular state elite and the Islamic political challengers. The headscarf has been seen as a sign of and vehicle for Islamic protest and, as such, a real and tangible political threat to the established (secular) political order. In 2005, the Turkish state won a court case at the European Court of Human Rights (ECtHR) against a university student claiming that the ban on headscarves at public universities was against her combined right to express her religious belief and to education. The ECtHR verdict has been working against attempts to lift the ban, and some individual universities are reluctant to lift the ban despite a general policy to the contrary, introduced with a reference to the ECHR of the right to education (Kaya & Harmanyeri 2011: 18).

The two laicist traditions seem to differ in their fundamental rationales. While laicism in France refers to equality and the development of autonomous individuals and citizens detached from particular ties and loyalties, the laicism in Turkey is closely linked to the creation of a modern Turkish nation. The unveiled and educated Turkish woman represents a modern European nation. Gender equality and personal and public autonomy are here secondary concerns.

Ireland has had its own headscarf controversy, but on an entirely different background than Turkey and France. In Ireland, most schools (98 percent) are organised and run by religious denominations, predominantly Catholic, that are state financed (Honohan & Rougier 2011: 8). For non-religious and minority religions, including Muslims, this means that there are few alternatives (there are two Muslim elementary schools in Ireland). Religion is an integrated part of the individual school's curriculum, and each school is based on an "ethos" that it can defend through its recruitment policies. Schools are exempt from discrimination rules on the basis of religion, also with regard to the recruitment of teachers. Some schools have crucifixes on the crests of their school uniforms. Generally, Muslims have been allowed to wear veils in schools. The controversy arose when a principal asked the Ministry of Education to issue guidelines on how to accommodate religious minorities on the request of a school headmaster.

Table 2 Countries, Cases and Arguments for and against Toleration and Beyond

	Case: event /controversy	Arguments for tolerance and beyond	Arguments for intolerance
France	2004 Prohibition against conspicuous religious symbols in schools	Respect for the individual choices of students Freedom from sexualised gender perceptions Discrimination in the right to education against the freedom to express religious identity and attend (mandatory) public education	National: protecting the constitutional tradition Liberal: transgressing the public/private divide (freedom from religion); against the creation of autonomous people and citizens + against (gender) equality
Turkey	Prohibition or not on headscarves on university students	Discrimination in the right to education against the freedom to express religious identity and attend public education Respect for the individual choices of students	National: against the secular nature of the state Liberal/modern: creation of modern people Public order: defence against politico-religious extremism overthrowing the state
Ireland	Guidelines on wearing headscarves in mainly religiously (Christian) organised school sector	Discrimination in the right to education against the equal freedom to express religious identity and attend (mandatory) education Related debate with liberal criticism of the failing religious neutrality of educational system	National: against the secular/Christian (Catholic) national identity Liberal: against the suppression of women, for gender equality; against segregation and too much diversity (next step: burqa = intolerable)
Sweden	Guidelines on wearing burqa in schools and teachers colleges	Respect for the individual choices of students Pragmatic: solutions for identification and communication can be found (+ very limited problem)	Democratic/ liberal: against the open society, gender equality, suppression of women Functional: makes identification and good quality communication necessary for education too difficult/impossible
Germany	Ability to practice prayer at public school (Berlin)	Discrimination in the right to education against the equal freedom to express religious identity and attend (mandatory) public education Positive neutrality of the German state (constitution) with regard to religion (even-handedness) Pragmatic: multi-religious-purpose room with no symbols would suffice	Liberal: transgression of public /private divide (freedom from religion for others); Social order: against conflict creating outward religious proselytizing Intolerance against the intolerant (Muslims)
Denmark	(Non-) accommodating immigrant parents by introduction of women-only meetings (i.e. sex-separated meetings)	Pragmatic: main goal is education and welfare of students; accommodation creates contact, communication, inclusion (of women) Local school democracy/autonomy: schools should decide on basis of local circumstances/experiences Respect for immigrant parents as equal and competent adults/parents and their right to make even “wrong” choices	National: goes against national tradition/values Liberal: school should transmit liberal values to students and parents; against gender equality and modern parent role conceptions

	Case: event /controversy	Arguments for tolerance and beyond	Arguments for intolerance
UK	Discussion about guidelines for positively accommodating interests of Muslim students in public schools	<p>Respect/recognition of religious choice and identity important for academic success (i.e. beyond toleration)</p> <p>Accommodation of religious identity creates existential stability/integrity</p> <p>Right to education in continuation with religious worldviews of parents</p> <p>Pragmatic: if compromise can be found and accommodation not too costly, why not?</p> <p>(National) Tradition of schools serving the local community's needs</p> <p>National/liberal: respect for the right to and content of religious choices</p>	<p>Liberal: essentializing religious identities goes against individual freedom and autonomy (+freedom of/from religion for others); segregation (too diverse)</p> <p>Social order: creating resentment among non-Muslims</p> <p>National/liberal: creating a Sharia state (no tolerance for the intolerant)</p>
Romania	(Non-) Removal of Romanian Orthodox icons from schools; right to exemption from religion classes ignored	<p>Liberal: the presence of icons/rituals goes against the rights to freedom from (majority) religion in claiming the right to education; transgression of the public/private divide (neutrality); gender equality and equality of opportunity.</p>	<p>Religious: the claim for secularism misunderstands the value of religion as the basis of morals as evidenced by communist rule</p> <p>National: Romanian Orthodoxy a constitutive part of new national identity</p>
Poland	Providing non-religious ethics courses and removal of Catholic crucifixes from schools	<p>Liberal: the right to non-religious education (freedom from religion); break with neutrality; secular state</p>	<p>Religious: the value of religion as the basis of morals as evidenced by Communist rule</p> <p>National: constitution of 1997 stresses religion as source of constitutional values</p> <p>Indifference: minority claims generally ignored, not seen as relevant (or controversial enough) for discussion about tolerance, respect and beyond</p>
Greece	Ability/right of minority students to avoid majority religion and practices in school and express their own culture/religion	<p>Exemptions: minority religion is a private matter</p> <p>Pragmatic: accommodation of minority culture/religion is the basis for contact, communication and inclusion</p> <p>Recognition: where minorities grow bigger, more effort should be given to the appreciation of their culture/religion</p>	<p>National: presumption in favour of majority culture/religion</p> <p>Indifference: minority claims generally ignored, not seen as relevant (or controversial enough) for discussion about tolerance, respect and beyond</p>

The guidelines issued by the Department of Education left this to the decision of the principal; more specific guidelines issued by the Catholic Church to schools were very open for accommodation and emphasised that school uniforms should not be designed to exclude people of specific religious observances. There were no strict limits although the ministry did not *recommend* “wearing clothing in the classroom which obscures a facial view and creates an artificial barrier between pupil and teacher” (cited in Honohan & Rougier 2011: 31).

We are here obviously a far cry from the policies that are or have been in place in France and Turkey, but we are also in a country where the “rights of the parents” are strongly supported in the constitution and the schools are not supposed to be secular (Honohan & Rougier 2011: 7). Nonetheless, opponents of veils cited some of the same (liberal intolerant) reasons against veils as had been found in French debates (suppression of women, against gender equality) and national integrationist intolerance (type “Irish girls don’t wear headscarves”) warning against the dangers of multiculturalism and segregation and conflating Irishness with Christianity and Catholicism (Honohan & Rougier 2011: 35-8). The demand for bans on headscarves related to a second, separate debate about the religious structure of the school system and the possibility of creating a secular system, including the removal of all conspicuous religious symbols from schools. However, this would ultimately imply not only a complete reform of the current educational system (privileging parents’ rights and freedom to express religious identity), but also a constitutional revision, both of which seem rather unrealistic.

Sweden has also had its troubles with Muslim clothing. Headscarves have been controversial when placed on television hosts but not generally in a school context, despite the Swedish educational system’s strong focus on progressive liberal values and the emancipation of students from tradition and conventions (Hertzberg 2011: 10-1). Controversy has instead arisen over burqas. In 2003, a school headmaster was, by way of nationally issued guidelines from the Swedish National Agency for Education, granted the permission to ban burqas on school grounds with a reference to disturbance of the school order, communication between students and teacher as well as a privileging of the negative freedom from religion over the positive freedom to express religion. In 2009, the debate arose again, and at the political level, burqas were seen as an affront to the open society, an expression of the suppression of women and as obstructing education because of the lack of communication. Some politicians argued for a general ban while others were reluctant. Many appealed to liberal reasons for their non-acceptance of the burqa (democracy, gender equality, autonomy). In a legal opinion by the Discrimination Ombudsman in 2010, the exclusion of a woman dressed in burqa from attending education was nonetheless considered to be illegal discrimination, thus showing some distance between the political discourse and the legal state of affairs. Similar differences could arguably be found between the national political discourse and the members of the professional community, to whom the primary concern with burqas does not so much lie with their anti-democratic and repressive connotations as with identification and communication in the classroom, and to whom the burqa controversy was more of a symbolic issue than something pertaining to widespread everyday experiences in Swedish schools. Nonetheless, also among Swedish professionals, the right of the child “to choose its own path” is given priority over the rights of parents to impose their religious beliefs on their children (Hertzberg 2011: 38-9).

In Germany, which allows veils on students but not on teachers, a controversy arose not on symbols and clothing, arguably a more passive form of religious expression, but on the wish of a Muslim student to be allowed to pray on school premises. The Berlin educational system (education is the responsibility of the German Länder) is based on a neutralist conception of religion in school, banning conspicuous symbols of all kinds on buildings and staff (contrary to, for example, Bavaria, which only bans the Muslim veil)

(Mühe 2011: 9). Arguments for allowing and practically accommodating the student's wish was based on the right to express religion while attending public mandatory education (right to education), the "positive neutrality" of the German constitutions, which entails an "even-handed" relation between the state and religious communities, and acknowledgement of the fact that the student's wish could be met in a relatively simple manner by reserving a small multi-religious-purpose room at the school with no religious symbols in it for the purpose (ibid.: 12-4). Arguments against were based on the notion of state neutrality and put weight on a distinction between inwards, silent forms of practicing religion and outwards proselytizing forms of religious practice. The latter is seen as spurring conflict and, furthermore, as placing social pressure on non-religious students to observe religious practices, for example prayer, against their will (freedom from religion). As an extension to the latter argument, some argued that tolerance should not be given to intolerant religious groups (that is, Muslims) who pressure other people to observe religious conformity (ibid.: 14-6).

The case demonstrated that issues in Berlin schools concerning the handling of cultural and religious differences are indeed also influenced by the concrete attitudes of the staff on the ground and their sympathies and antipathies towards religion in general and Islam in particular. Again, the issue has been raised beyond school level in order to find the boundaries of the space of toleration, this time in a court case. The question is whether individual schools can prohibit prayer on school grounds. The first court level demanded accommodation of the wish of the student based on the freedom to express religion and "the tolerance and respect of the beliefs of others" (Mühe 2011: 13) while the second court level came down in disfavour of his wish, citing the conflict potential of outwardly practiced religious prayer. The case is currently pending at a higher court, and the boundaries of toleration are therefore still unclear.

How far one should accommodate cultural and religious minorities were also on the agenda in Denmark when a debate arose over an initiative by a Copenhagen public school to hold parents meetings with women only. The school believed that this would attract immigrant mothers who would otherwise not attend because they were disinclined or prohibited (by their husbands) to attend meetings with both men and women present (Olsen & Ahlgren 2011: 15). Critics found this intolerable because such a practice contradicted with Danish norms and liberal norms about equal parental responsibility for child education, and with gender equality generally. Public Danish schools were to ensure integration through the transmission of key Danish and liberal values to students and their parents, and would commit a performative contradiction by "submitting" themselves to medieval (Muslim) norms through this type of accommodation (ibid.: 17). National intolerance shaded into liberal ditto. Some defenders of toleration found the motivation for the accommodation "horrible" but accepted it with reference to local school autonomy, while others defended it on the pragmatic grounds that this kind of accommodation facilitates inclusion of groups (that is, women) who otherwise would not participate and hence provide for more integration (through inclusion) than a rigid and uniform transmission of official values from schools to students and parents (ibid.: 18-9).

Like the Irish, Swedish and arguably also the German case, the Danish case demonstrates distance between the concerns of the professional community and those of (national) politicians. In the main, professionals are focused on ensuring the education and wellbeing of the students, and this includes working with their parents in an open and dialogical manner, ascribing the parents the status of equal and competent dialogue partners rather than of addressees of instructions and information in order to find solutions which work for both the school and the parents. The concept of "appreciative dialogue" has been developed as a procedural model for finding negotiated solutions regarding individual students and schools (ibid.: 22). On the other hand, many politicians pursue an ideological agenda (integration through

transmission of values), which is, among professionals, regarded as out of touch with reality, either as irrelevant or as harmful (because it impedes communication) for the task of educating children in collaboration with their parents.

Accommodations in Denmark grow out of local school autonomy and circumstances. They are not based on centrally formulated guidelines and even less on national political demands from immigrant groups. The national discursive opportunity structures “regulating” which claims are legitimate to voice are different in the UK, where the Muslim Council of Britain published “guidance notes” on how to “meet the needs of Muslim pupils at state schools” (Dobbernack & Modood 2011: 15). Behind the notes were concerns about Muslims students’ academic underachievement seen as coming from the lack of recognition of their identity (as normal) within the educational system as well as the concern of Muslim parents that the British educational system in general undermines and contradicts the value orientations of Muslim parents, leading to conflict and alienation, and eventually socio-economic failure and violence among Muslim youth (ibid.: 16-17). Hence, accommodation should entail a way of educating Muslim students in “consistency with their beliefs and the wishes of their parents” in order to nurture their “self-esteem and self-confidence” (ibid.: 18). The demand is here, then, that not only should Muslims be able to attend public education without having to relinquish (the expression of) their cultural and religious identity, the content of the education, including the practices at schools, should also, to some extent, be changed in order to ensure “consistency” (but not complete conformity) with “beliefs and wishes of parents” (ibid.: 20). The demands implied in the notes were met with criticism ranging from very rhetorical attacks on what was seen as attempts to Arabize British Muslims (predominantly originating from South Asia) and to erect a Sharia state, to more serious interventions claiming that heeding the notes would lead to segregation and resentment among non-Muslims and that they violate state neutrality and the right to freedom from religion, including the exposure of non-religious students to religious conformist peer pressure.

Hence, arguments against the notes in part rested on liberal intolerance against things which threaten the maintenance of a liberal democratic order, the constitutive divide between public and private and the ability for individuals to turn into autonomous liberal people, freeing themselves of particular ties. However, the case demonstrates a predominant view in the British debate to the effect that when respect is due to religious choices made by Muslim students (and their parents), and it encompasses the content of choices and not only to the right of making them. Still, the perceived implications of this respect also vary in light of the need to respect the same kind of choice by other students and their parents (Dobbernack & Modood 2011: 24-5). As such, the British debate is much less liberal perfectionist and more comfortable with identities which transgress the public/private divide than the one found in France and Turkey and, in a certain sense and more surprisingly, in Germany (Berlin).

In Britain, as in Denmark, the debate did not spur formulation of strict national rules or guidelines on how and how far local educational authorities or individual schools can accommodate religious minorities. The limits of what could and should be accommodated or/and positively endorsed are still partly up to local authorities and schools to decide.

In the three remaining countries, Romania, Poland and Greece, the claims about tolerance etc. are reversed. At the same time, the debate about tolerance of cultural and religious differences of minorities does not seem to have reached a particularly high level of national attention. The issues are reversed since they, in part, regard the claim by minorities – to the extent they are even voiced – to avoid being massively exposed to majority religion, symbols and practices in schools.

In Romania, national controversy arose when a parent (and high school philosophy teacher) argued that the ubiquitous presence of Romanian Orthodox icons and religious practices denied non-religious people and people of minority confessions the right to autonomous and creative development, and that the icons and practice enforce the idea of the inferiority of women and hence conflicts with the equality of opportunity (Ana et al 2011: 19). The National Council for Combating Discrimination (NCCD) ruled that “unlimited and uncontrolled presence” of religious icons in public schools outside the provided religion classes and areas assigned specifically to the study of religion violated the principle of neutrality of the state and the freedom of conscience (ibid.: 19). However, the decision of the NCCD, which, among other things, demanded that the Ministry of Education and Research should issue regulations regarding this, was opposed by the Ministry of Education and Research. Along with other complainants, the Ministry won a case in the Romanian High Court, which, in effect, maintained the status quo. The status quo means that the presence of icons remains formally under the auspices of parents and local communities and, informally, that the everyday practice of schools are heavily influenced by Romanian Orthodox practices as well as teachers and priests who discourage alternative worldviews and religious practices (of the type “if you enter an Adventist church, you will be run over by a tractor”). Students are legally entitled to be exempted from religious classes, but this legal right is generally not known to the school staff and students and/or not heeded. The demand for neutral education was, in part, met with a form of national intolerance tying Romanian Orthodoxy to the redefinition of national identity in contrast to atheist communism (of the type “enemies...committed against our faith, our parents, grandparents and forefathers”, cited in Ana et al 2011: 26). But there were also more “pure” forms of religious intolerance according to which atheism is a form of aggressive intellectual arrogance which fatally overlooks “the fundamental religious components of human life” (ibid.).

In Poland, where Roman Catholicism has had a strong role and status in the creation of the new Polish nation and state after the fall of Communism, similar conflicts have been seen. Here, the argument that having Catholic crucifixes placed in schools and class rooms goes against the right to non-religious education (freedom from religion) and the secular neutral state is hardly taken seriously by the majority, who, in the main, see itself as entitled to express its religious affiliation and tradition in the public institutions. This despite constitutional provisions on the freedom of conscience and the religion of others (Buchowski & Chlewinska 2011: 29, 35-7). Only few “fundamentalists” claim that demands to remove crucifixes “endanger the nation’s integrity” (ibid.: 35). The Polish case is interesting in that, contrary to the Romanian case, it does not even really lead to discussions about toleration and non-toleration. The situation could perhaps be described as “pre-toleration” or just simply as indifference: minorities get nowhere with their claims and are hardly responded to. The same applies to the provision of non-religious ethics classes. One student got the ECtHR’s word for his claim that he was entitled to such courses. However, since the case is perceived to be settled between the school and the student – or as no longer relevant, the Polish educational system has made no effort to ensure that such ethics classes are a real choice option for the minority who may want them. Again, it is generally left to individual schools and headmasters to make decisions about crucifixes and the provision of ethics classes.

The lack of serious controversy over the religious issue in Poland may be due to the fact that both minority and majority are rather “dispassionate” towards religion and religious education, a lack of passion which reflects a ritualistic religiosity where religious symbols and practices are seen more as pertaining to social conventions than to belief systems of clear propositional content (ibid.: 35; cf. Jones 2007). This, however, also obstructs the generation of any deep understanding at the national level of the issues involved in the concepts of toleration and respect of cultural and religious differences (Buchowski & Chlewinska 2011: 36-7).

In some regards, the Greek case is similar to the Romanian and Polish ones in that “the whole school environment is impregnated with the majority religion” (Triandafyllidou 2011: 5). In addition, the issue of religious diversity has not been the centre of any significant political events and is not seen as a problem in Greek schools (ibid.: 5). So it is even less controversial than in Romania and Poland. The Greek system does not aim for neutrality or secularism but, like the Romanian and Polish systems, provides exemptions from religious classes. However, the majority religion also colours school life in general, and minority parents are either unaware of the exemption possibility or feel pressured to assimilate and “hide behind the cross” (ibid.: 24). In contrast to majority religion, minority religion is (by way of the exemption) seen as a private matter and should be tolerated as such. Interviews among students, parents and teachers reveal that other conceptions of how to deal with religious differences are available and could provide the basis for future claims, including the notions that toleration would lead to inclusion, that being minority religious should be included among the range of “the normal” in school life and even that efforts should be made to generate appreciation, respect and recognition of minority beliefs and practices (were minorities to become a greater part of school life) (ibid.: 25-7). However, besides the minimal liberal toleration of minority views by way of exemption, the dominant position remains national “communitarian intolerance: the majority community has its religion respected by all” (ibid.: 25). Similar to the Polish case, it could be argued that the Greek situation is one of “pre-tolerance” where the system reacts to minority claims with indifference. They have either not been voiced or not heard and responded to at all. They have hence not led to any serious discussions about tolerance and respect of cultural and religious differences.

Having analyzed the 10 national case studies in terms of the arguments for and against toleration and accommodation of diversity in everyday school life, the next section draws together some of the common themes and issues that can be identified across the 10 cases.

3.4 Common Themes and Problems

Across the 10 cases, we find different types of intolerance against minority diversity. This section in particular asks how prevalent “liberal intolerance” is as we conjectured that the “civic integrationist turn” in many countries combined with the typical emphasis on “autonomy” in the education of children would make liberal intolerance a relatively widespread phenomenon. The section then points out how nearly all the studied national controversies revolve around the freedom to express religion in school on the one hand, and the freedom from religion on the other. Finally, the section places emphasis on the tension between clear national rules setting out the limits of toleration on the one hand, and local school autonomy to accommodate diversity on the other hand. This tension can be traced across the 10 case studies. Clear national rules ensure legal certainty. Local autonomy allows for flexible accommodation according to local circumstances and experiences. The report ends on a normative note, suggesting that priority should be given to local autonomy structured on a procedural model creating an equal status of all involved parties in the determination of how to accommodate diversity in everyday school life.

3.4.1 National, Liberal and Religious Intolerance

The report has traced the various arguments for and against tolerance of cultural and, in particular, religious differences. In seven cases, we find national intolerance (France, Turkey, Ireland, Denmark, Romania, Poland and Greece). In some cases, it shades into liberal intolerance (Turkey, France, Ireland

and Denmark). The cases demonstrate that liberal intolerance comes in three modalities. The first concerns the sociological presuppositions for the maintenance of a liberal order and the threatening presence of (too many) non-liberal identities. The classic Turkish concern with public order may be seen as an instance of this, but better examples are arguments about how the veil in Ireland, the accommodation of Muslims in Britain and Denmark, and the burqa in Sweden may lead to segregation and separate lives not consistent with an open society.

The second modality of liberal intolerance concerns the transgression of the public/private divide. Obviously, the French and the Turkish bans on headscarves in educational institutions are classic cases of this (questioning the newness of this type of liberal intolerance), but also the discussion in Germany (Berlin) bears traits of this liberal non-acceptance, as do some of the arguments from Ireland and Britain. Here, however, the background is entirely different, especially in Ireland, where there is no tradition for religiously neutral schooling. The freedom from religion for others in public institutions is ranked higher in France, Turkey and Germany than the freedom to express religion, although the thresholds are set differently in France/Turkey and Germany, respectively. In the former two countries, the debate concerns veils, while in Germany, it concerns whether prayer affects the school environment in a non-neutral way. Moreover, in the German (Berlin) case, the discussion does not concern a general ban, but the possibility of prohibiting prayer at individual schools. Curiously, an upcoming issue in France is whether long, loose, “conservative” dresses among female Muslim students should be considered conspicuous religious symbols, demonstrating how difficult it is to draw a precise line, not only between active and passive forms of religious identity, but also concerning what is even an expression of such identity. In the other countries (Ireland, Denmark and UK), the line is so far drawn, albeit only tentatively, at other Muslim garments, namely the burqa. The burqa is also seen as obstructing the communication functionally necessary for educational activities. In Sweden, exclusion of people with burqas would be considered illegal discrimination under the current legislation according to the Discrimination Ombudsman.

The third modality of liberal intolerance has liberal perfectionist features. It concerns obstructions against the creation of liberal people who are autonomous, reflexive, independent and (economically) self-sufficient as individuals and citizens. Developing a liberal personality is not only good for people themselves; it also reduces the “harm” that non-autonomous, non-liberal people incur on others because of their “dis-functionality” in the institutions of modern society. The Turkish nation-building project was about creating a modern nation, and the concern with individual autonomy seems secondary in current Turkish debates. In France, however, developing autonomy is one of the main purposes of national public education. The emancipation from religion and conservative worldviews can also be seen as underlying certain arguments concerning religion in other countries, namely in regard to the dangers of “essentializing” the Muslim identities of children and, in particular, in regard to the suppression of women. However, the main concern is how the presence of the religious symbols and practices affect other students’ ability to develop freely in the educational environment.

In sum, the three modalities of “liberal intolerance” definitely have some value in understanding the arguments against the tolerance and accommodation of cultural and religious differences in European education, but not all. Also, the newness of this type of liberal intolerance can be questioned (cf. France and Turkey).

In Romania and Poland, we find a combination of national intolerance and religious intolerance. Religious intolerance is mainly oriented towards atheism (Romania, Poland) but also, to some extent, towards minority religion (Romania). However, the controversy of religion seems to be much more intense in

Romania than in Poland, where the ritualistic perception of religion as a convention rather than as a belief diminishes the conflict potential and relegates the issue to a realm of “pre-tolerance” or indifference. The same applies to Greece, albeit for different reasons. Here, it is beyond question that majority religion must be respected. The minority is tolerated as an exception (through exemptions).

3.4.2 Freedom to and from Religion

One of the more serious problems of the less tolerant educational systems is their ability to provide for the right (and duty) of education without discriminating on the basis of religion, and to respect the choices of individuals. Claims to wear clothes that reflect religion and religious identity seem the easiest to accommodate – in particular in educational systems without school uniforms. Claims to facilities such as prayer rooms are more demanding but could be interpreted along the same lines: they also regard the right to access (mandatory) public education without discrimination. Both the neutralist systems in France, Germany (Berlin) and (to some extent) Turkey and the systems dominated by majority religion in Romania and Greece have obvious problems in this regard. This positive freedom to express religion while attending educational institutions can also be extended to include demands that schools meet religious requirements in the practice and content of education. This type of demand is exhibited most clearly in the UK, where some Muslims would like school life to be consistent with their religious beliefs and practices.

However, the positive freedom to (express) religious identity clashes with the negative freedom from religion. This issue is most pertinent in the case of majority religion dominating state schools in the cases of Romania, Poland and Greece (and the private denominationally run school sector in Ireland), but has also been raised in Germany, the UK and, to some degree, Sweden, where fears are that “local majorities” may come to dominate the environment at individual schools. In addition to the freedom from state religion and from the religion of others, is the freedom from one’s own (parents’) religion: an issue obviously present in France and Turkey, but also in Sweden, Denmark, Ireland and the UK.

3.4.3 Secure Rights of Education and Religion: Local Autonomy or not or how

Regardless of the exact boundaries of the space of toleration, a common theme runs through the cases concerning the ability to make local solutions and accommodations to problems relating to cultural and religious differences. In France, the prohibition on religious symbols was in part requested by school principals in order to have unambiguous rules on the matter. In other cases, for example Ireland, Sweden, Germany and Romania, we see moves to clarify the “normative situation”. In many of the countries reviewed in this report, important decisions about differences are left to local school authorities, individual schools and headmasters. The absence of clear or strict rules results in more local autonomy, but also in more uncertainty as regards rights and obligations of students and schools. Where no procedures exist for how to accommodate and draw the boundaries of what is tolerable, this problem is intensified: some schools and local authorities may be very open and accepting, perhaps even working to move beyond “toleration”, while others may ignore claims from minorities (which is the case in Poland and Greece) or reject them straight away.

Considering the multidimensionality and the often opposing interests pertaining to the rights of education and religion, it makes sense to be able to make accommodations flexibly according to local circum-

stances. But they cannot be completely arbitrary, depending, for example, on the will and responsiveness of the local school principal. Thought should therefore be given to how to create procedures for dialogue between all relevant parties.

In France, school principals have obligatory dialogues with parents and students in order to make them understand the laicist prohibition against conspicuous religious symbols. However, this model is really a one-way communication model where the students and their parents are seen as the addressees of information and the non-negotiable ideological content behind this prohibition (Kastoryano & Escafré-Dublet 2011: 16). The model is an attempt to solve the dilemma that the prohibition leads to the exclusion of students from mandatory education if the student redraws from school (*ibid.*). Although working from different legal premises, the Danish model of dialogue is a better one. Here, efforts are made to bestow on all the participants the status of equal and competent speaking partners in order to reach negotiated solutions and accommodations. This also includes the use of special dialogue training of the initiators of the dialogue, namely teachers and other school staff. The model is characterized by keeping a focus on tangible and practical matters, downplaying issues of identity and higher principles, and is reported to work well (Olsen & Ahlgren 2011). Indeed, deliberation in “divided societies” seems to work better when identities and principles are bracketed (Dryzek 2006: ch 3). However, the Danish model still suffers from not being mandatory. Schools can still choose whether to apply it or not, and some may therefore intentionally or inadvertently ignore relevant claims about accommodation (or not!) of cultural and religious differences.

Of course, this procedural model for developing flexible local solutions to problems regarding cultural and religious differences would still be moving within the range of what is the aim and content of national education. This range will necessarily work as a side constraint on the local negotiations since it would otherwise set aside the authority of national legislators. For countries like France, the range within the current legislation is rather narrow, and arguments could be made to have it expanded (Kastoryano & Escafré-Dublet 2011a). However, also in France, we see local accommodation of Muslim minorities, for example by providing changing rooms for students who need to change clothes when entering and leaving the school premises (Kastoryano & Escafré-Dublet 2011: 16).

The procedural model is based on the notion that all participants in the dialogue are, in principle, equals in finding solutions for accommodation of cultural and religious diversity that will allow all children to attend school and receive education. The wellbeing and education of the students would be the main goal. The model is based on equal respect for all parties involved as competent speaking partners having important and relevant views on the education of children which should be taken seriously. While the model rests on the notion that everyone deserves equal respect, it is, at the same time, sensitive to the fact that not everyone feels that they are (regarded as) equal speaking partners. The status of equal speaking partner is something that emerges as a result of social and communicative processes. Therefore, the individual schools or school administrations, i.e. the their staff (directors, teachers etc.), have a responsibility not only to initiate dialogue (when not forthcoming on its own), but also to make sure that the dialogue becomes a true dialogue by asking the right kind of questions, indicating true interest in the views of parents and students, and opening up for new perspectives. This requires training of staff in the right question and dialogue techniques. In fact, this aspect of the procedural model contrasts strongly with the Danish tradition for free-mindedness or tolerance, which assumes equality as pre-given and where respect is somewhat paradoxically shown (as amply demonstrated by the Mohammed Cartoon Affair) by involving speaking partners in blunt and confrontational exchanges (“I subject you to mock, scorn and ridicule because I assume you are my equal and therefore “can take it”).

An important feature of this model is that it places emphasis on practical solutions to problems in order to accommodate the concerns of various parties, while it downplays deep value conflicts, principles and identities. It does not necessarily presume that values or identities are in conflict and irreconcilable, but it does not rely on a notion that the dialogue necessarily should end in changes of value systems and worldviews, and even less in shared values and worldviews. The point is to have different parties “consider options that they find acceptable, within their value systems, for the issue at hand” (Forester 1999: 484), thereby permitting them not to compromise with their deep values and identities (ibid.: 491).

In this model, toleration is implied in (potential) value and identity conflicts (the objection component) and is based on respect for others as moral and “political equals” (the acceptance component). While toleration has the element of objection and hence, as a negative stance towards that which one finds wrong, negative utterances (linguistic and non-linguistic) are generally withheld (cf. Jones 2010: 44-5). Indeed, advocates of this model pair toleration with principled curiosity, “a willingness to listen and learn” (Walzer 1997: 11; Olsen & Ahlgren 2011: 23-4). Although the model implies expanding the range of what is considered “normal”, it does not, in itself, move beyond respect and toleration (cf. Dobbernack et al 2011: 21-4). Also, the respect concerns others as equals, with the right to make (potentially “wrong”) choices for themselves, not (necessarily) the content of those choices. The positive recognition of identities and values of others could become the happy result of such dialogues, but the model does not aim for it. In fact, the downplaying of value and identity questions in this kind of dialogue makes it unlikely that they will result in positive recognition. Positive recognition requires that such issues are addressed directly.

Again, this model could be used for addressing issues concerning the accommodation (or not) of cultural and religious diversity in everyday school life. The suggestion is that it could be made mandatory for schools and school administrations to use the model in dealing with cultural and religious diversity in order that it does not become arbitrary whether or not and how individual schools and administrations address diversity issues. The model is based on equality of everyone participating, although only to a certain point. First, as a model pertaining to everyday school life, it necessarily operates within the limits set by national legislation of the purpose, goals and content of education. Second, school staff has a special responsibility for initiating dialogue and structuring it in the right manner.

The model has the advantage of being able to take local experiences and circumstances into account in a flexible manner. It could be argued that too much local autonomy makes the legal situation uncertain and reduces security of rights of individuals. It also places some hard work on schools and administrations, which they avoid if there are clear national rules and no local autonomy. The hard work cannot be removed, but the lack of security of rights is counterbalanced by the right to participate in the process of setting the terms of diversity accommodation at school. Such procedural rights and powers can protect against domination understood as arbitrary interference and the determination by others of terms of cooperation, rights and duties (cf. Dobbernack et al 2011: 12-3; Bohmann 2007: ch 2). As regards other normative aspirations, the model may disappoint aims such as positive recognition. Its strength is, however, that it is better at handling real and persistent conflict where they exist.

3.5 Conclusions

This chapter has been looking at different arguments for and against toleration in European education through 10 national case studies of critical events and controversies. Based on a repertoire of classic and

recent arguments for toleration and intolerance, it has mapped the different types of arguments in the 10 studied events. It has focused on whether “liberal intolerance” defending liberal societies against too much non-liberal diversity, the transgression of the public/private divide and the emergence of non-autonomous people is a widespread phenomenon. Given the general tendency, at least in West European countries, in light of immigration, to increasingly focus on the “cohesion” of liberal society, threats to its fundamental principles, and on the creation of autonomous, self-reliant and employable individuals and citizens, this could be expected. Also, the centrality of the value of “autonomy” in many national legislations on education as well as in the Convention of the Rights of the Child would provide the basis for thinking that this type of “liberal intolerance” would be rather predominant when it comes to education.

The conclusion is that we do find “liberal intolerance” in its various modi in a great number of national debates. However, it is not as prevalent as one might think. It is paired with national intolerance in many cases and countered by similar liberal arguments about respect for the cultural and religious choices of students and their right to attend (mandatory, public) education without ethnic and religious discrimination, as well as by pragmatic arguments for accommodation based on local autonomy, experiences and circumstances, and the overriding goal of finding a workable framework for everyday school life, ensuring the education and wellbeing of individual students. In a small number of cases, we trace toleration debates on education that are reversed in a certain sense. In Poland and Romania, the religious and national intolerance is rather turned against liberal atheism for failing to understand the role of religion in the re-creation of the nation after Communism and as an essential source of human life and morality. However, in Poland, the “religious strife” does not seem to run very deep, since for many, religion is more convention than belief. In Greece and Poland, we likewise trace instances of what we might call “pre-tolerance” or indifference to minority claims contesting the predominance of majority religion. They are simply a non-issue for the majority.

A central issue in nearly all the national disputes is the freedom to and from religion in school life; on the one hand, the possibility of expressing one’s religion and attending education with greater or lesser “consistency” with one’s religious beliefs; on the other hand, the freedom from religion: that of the state, that of others and that of one’s parents. If both claims of freedom to and from religion have some legitimacy, then a balance between them needs to be struck. If the constellation of claims, needs, experiences and possible solutions varies from school to school, the ability to address this flexibly might be better than issuing “one-size-fits-all” solutions at the national level.

It is indeed a cross-cutting concern or issue in all of the cases whether or not there should be local autonomy for schools to deal with cultural and religious diversity. Clear national rules have the advantage that individual schools do not have to wrestle with the difficult issues of if and how to accommodate diversity. National rules furthermore clarify the legal situation and individual rights. Hence, it entails legal certainty or security of rights even if the rights may be rather limited in some instances. However, as argued, local autonomy may be better at ensuring a workable everyday school life, taking into consideration local circumstances and experiences, in particular if it is made mandatory for schools to address diversity issues using a procedural model that entails (creating) respect for all parties involved as equal speaking partners. The immediate loss in legal certainty that may follow from local autonomy is regained in terms of the procedural rights to participation in the discussion about if and how to accommodate diversity locally. The aim of the model is to find practical, pragmatic solutions to problems, not to discuss values or identities. It may therefore disappoint aspirations to move beyond toleration and toward “positive recognition”. On the other hand, the focus on practical matters makes the model better suited to deal with real and persistent conflicts where they exist.

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4. Roma segregation in educational institutions

Jon Fox and Zsuzsanna Vidra

4.1 Introduction

The segregation of Roma students in schools across Europe continues to be a major problem. Roma students are shunted into separate classes and sometimes separate schools where they typically receive a substandard education, thus contributing to the reproduction of socio-economic disadvantages for the Roma (and the racism that accompanies it). In some cases, segregation is the direct legacy of past policies that intentionally set the Roma apart from the majority population in schools. In almost all cases, however, segregation continues to be an unintended (and often but not always undesired) consequence of more recent policies aimed at integrating (or desegregating) the Roma in educational institutions.

This comparative chapter considers different dimensions of the problem of Roma segregation in educational institutions in five countries: Bulgaria, Greece, Hungary, Poland, and Romania. The chapter is divided into three parts. In the first part, the problem of educational segregation is sketched out with reference to the five countries. Here the basic structural features of segregation are considered along with some of the factors that have contributed to segregation both historically and in the present day. In the second part of the chapter, different solutions to segregation that have been proposed and attempted are described. Here attention is paid not only to the various strategies that have been adopted to combat segregation but perhaps more importantly to the reasons for the overwhelming failures of these policies. The third and final portion of the chapter turns to the question of tolerance. Here the implications that integration efforts (in the face of continued *de facto* segregation) have for questions of tolerance are evaluated.

The main finding of this chapter is that Roma educational segregation continues to be a major problem across the five cases examined in spite of (or in some cases perhaps because of) integration efforts aimed at ameliorating the problem. There is a general consensus (and indeed normative assumption) that integration can be the only way forward. There is somewhat less consensus on how integration should be understood: in socio-economic terms, or ethno-culturally. In practice, however, high levels of ongoing segregation continue to characterise the day to day educational reality for Roma children across the countries examined in this chapter. Despite the inevitable local variation to be expected across a wide range of cases, there is a remarkable degree of similarity in the nature of the problem, the solutions proposed to the problem, the reasons for their failure, and the consequences these failures have for issues of tolerance. This chapter will consider all of these dimensions in turn.

4.2 The problem: segregation

There are two basic types of segregation found across the countries being examined: parallel classes and parallel schools (*cf.* Greenberg 2010: 935-36). In the former case, Roma students are moved into

separate classes in otherwise majority schools; in the latter, schools that were *de facto* integrated nevertheless over time become the reserve of a majority or even exclusively Roma pupils. These types of segregation vary across the region. In Greece, for instance, the segregation of Roma students into parallel classes (sometimes with the creation of special annexes for them) is not uncommon (Triandafyllidou 2011: 9-10, 17), whereas in Poland classroom segregation is less frequent owing in part to the geographical dispersion of a numerically smaller Roma population (Buchowski and Chlewińska 2011: 17). Separate classes are more common across all countries than are separate schools, though the latter do exist in all countries (except Poland).

Segregation is unambiguously and unanimously viewed as a problem across the region. In no country are segregationist policies intentionally or openly pursued (though they have been in the past in most countries). To be sure, some countries do have separate educational institutions for their minorities. Greece has a system of “intercultural schools” for Greek ethnic return migrants (mostly from the former Soviet Union) designed to facilitate these students’ integration into Greek society (Triandafyllidou 2011: 9). Romania also has a robust system of minority education from kindergarten through the university which was fought for and achieved by a politically established and well-organised Hungarian minority (Ana *et al.* 2011: 5). Indeed, as a result of the efforts of the Hungarian minority, the Education Law in Romania (1/2011) guarantees “the principle of recognition and... the rights of persons belonging to national minorities and the right to preserve, develop and express their ethnic, cultural, linguistic and religious identity” (quoted in Ana *et al.* 2011: 5). These educational arrangements in Romania, Greece, and elsewhere, however, were developed and implemented with specific national and other minority populations in mind. The Roma have not been the beneficiaries of these policies, either intentionally or unintentionally. To the contrary, the favoured strategy for addressing the question of Roma education is not to provide separate educational institutions for them (thus contributing to their segregation) but to integrate them.

The reasons for the Roma’s continued segregation are complex and point to a long historical legacy of segregation. Past and present residential segregation is perhaps the most common factor that contributes to the segregation of Roma into separate schools. In many countries, the Roma have long been geographically concentrated in particular areas; schools that serve local populations thus end up with the same demographic profile of the surrounding population (see OSI 2007: 91, 407). Of course neither residential nor school segregation is a static condition, but rather a dynamic and changing tendency subject to multiple and diverse influences. These dynamics (both at the residential and educational levels) typically conspire, however, to produce more segregated outcomes, sometimes with surprising speed.

This is sometimes described as the phenomenon of white flight (Ana *et al.* 2011: 9; Kosseva and Hajdinjak 2011: 18-19, 22; Vidra and Fox 2011: 18-120), whereby a delicate balance in minority/majority education is upset by the departure of a few pioneering students at first, but is then followed by others leaving as well until a critical tipping point is reached (OSI 2007: 45, 212-14; Horvai 2010: 397-98). At that point, all but the most marginalised of majority families (without the means to change schools) will abandon the school, and the result is a segregated Roma school. The reasons for white flight are themselves complex, and not easily reducible to anti-Roma attitudes. Parents typically cite their concern with the educational attainment of their children, which they often view as being compromised by the presence of severely underachieving (or “disruptive”) Roma in the classroom. Teachers for their part complain about discipline problems they claim to experience with Roma students (Smith 1997: 248-54; OSI 2007: 288-89). These attitudes shared by parents and teachers alike are mutually reinforcing, and thus conspire to push increasing numbers of majority students out of classrooms with Roma pupils.

Segregation is also the result of other factors. In a limited number of cases, educational policies designed specifically for the Roma have the unintended consequence of contributing to their segregation. In Hungary, for instance, financial incentives were provided to entice schools to participate in an educational scheme that promoted Roma minority education. Those few schools that did choose to participate (albeit often to collect the extra funds) ended up segregating the Roma students when delivering this special curriculum to them (Vidra and Fox 2011: 9). In most cases, however, other educational priorities not directly related to the Roma nevertheless contribute to their segregation. An admissions process based on academic performance (measured through examination) in Hungary creates a ranked system of elite schools (highly selective and competitive) and non-elite schools (see Messing 2008: 462-63). Roma students who tend to not perform well academically thus not only do not end up in elite schools but find themselves instead in the worst of the non-elite schools, commensurate with this lower level of academic achievement. Further exacerbating the problem is the practice of separating out students with special educational needs (a practice used quite liberally in the past with disastrous effects) (Greenberg 2010: 936; O’Nions 2010: 3-4).

Again, such practices do not explicitly target the Roma, but it is nevertheless the Roma who are ending up in these classes (such practices are also favoured by teachers who prefer to teach the Roma separately) (Vidra and Fox 2011: 8-9, 13). This practice of creating separate classes for students with sometimes severe learning disabilities is also used in Romania with similar consequences for Roma segregation (Ana *et al.* 2011: 6, 9). Whilst these problems are perhaps not as entrenched as in Hungary, Greek schools also strive to maintain high academic standards by admitting the strongest students who again happen not to be Roma (Triandafyllidou 2011: 18-20). In Bulgaria, it’s not academic achievement *per se*, but linguistic competency in Bulgarian (for which Roma students have comparatively low levels) that becomes a factor that contributes to and reinforces their separation. In these cases the Roma are not targeted for discriminatory practices as Roma. But the outcome is the same: the Roma end up in different schools (or classrooms) from majority children.

The causes of segregation are remarkably similar across the region. Patterns of residential segregation among the Roma in all countries except Poland contribute greatly to educational segregation when school selection is based (formally or informally) on considerations of geographic proximity. At the same time, segregation is the unintended consequence of various other educational policies. For these and related reasons, Roma pupils continue to suffer from segregation in educational institutions across all the countries being examined.

4.3 The solution: integration

4.3.1 A normative consensus for integration

There is consensus across the entire mainstream political spectrum in all five countries that integration (sometimes referred to as desegregation) is the antidote to segregation. Usually this integration is understood in socio-economic terms: integration in educational institutions is needed to ensure that the Roma acquire the knowledge and skills necessary to successfully integrate them beyond school into the wider realm of work and society. “[D]esegregation of Roma children” in Bulgaria “has no alternative. Desegregation is essential for their integration into the society” (Kosseva and Hajdinjak 2011: 16). “[T]he only solution” for which there is a widespread consensus in Bulgaria “is an active intervention of the state and

the local authorities to improve the social and economic situation of the Roma community” (Kosseva and Hajdinjak 2011: 20). In Hungary, a focus on socio-economic integration for all marginalised segments of the population (irrespective of ethnicity) was also deemed the best approach: “Policymakers preferred socio-economic forms of categorisation to avoid ethnic stigmatisation” (Vidra and Fox 2011: 13; see also 17). Similar emphases on socio-economic forms of integration can be found in Greece and Romania as well (Triandafyllidou 2011: 10, 13-14; Ana *et al.* 2011: 9-10).

In some instances, however, integration has more cultural connotations, with the implication that the Roma need to adopt the majority values, norms, and customs acquired in school if they are to become full members of society. In this sense, socio-economic integration can carry connotations of cultural assimilation. Such culturalist assumptions were perhaps most pronounced in Poland (with its smaller Roma minority), where a “special emphasis was put on the necessity of bridging socio-cultural differences existing between Roma children and their peers... which was to enable these minority students to catch up with others” (Buchowski and Chlewińska 2011: 17).

Often times this sort of emphasis on cultural integration had more racialised or even racist inflections. Interview data from across the region (including from those countries that officially adopted more socio-economic forms of integration) contains numerous examples of the subtle ways in which policymakers and stakeholders convey their belief in the superiority of the majority culture together with the inferiority of Roma culture (see, eg, Buchowski and Chlewińska 2011: 4-5, 26, 37). In these instances, integrationist policies become coloured with a civilising mission: the benevolent and beneficent majority country shoulders the responsibility of delivering the Roma from their barbarous condition.

The rhetoric and policy of integration in such cases bears a strong resemblance to the logic of nationalism, not just with its dominant (and dominating majority culture), but also with its one-size-fits-all educational infrastructure designed to standardise and homogenise its pupils (Buchowski and Chlewińska 2011: 16, 26, 37; see also Kosseva and Hajdinjak 2011: 8-9, 33-34; Triandafyllidou 2011: 5, 28). Thus whilst official rhetoric focuses on socio-economic integration, the assumptions that underlie and often inform that rhetoric are not uncommonly culturalist.

4.3.2 The failures of integration

Despite these differences in how integration is best understood (in socio-economic or ethno-cultural terms) there remains a broad consensus that the problem of segregation can only be addressed through policies aimed at integrating the Roma. Such policies have accordingly been devised and implemented across the region. A policy of desegregation is followed in Bulgaria, where Roma students are bussed away from their areas of residential concentration to go to schools with majority students (Kosseva and Hajdinjak 2011: 18); in Hungary, a voluntary scheme was devised with financial incentives for local schools to participate (Vidra and Fox 2011: 13-14); in Romania, legislation was passed as a first step toward prohibiting segregationist practices in schools as being unfairly discriminatory (Ana *et al.* 2011: 9-10); in Greece, the Roma have been targeted by specific programmes aimed at facilitating their integration into educational institutions (Triandafyllidou 2011: 10, 13-14); and in Poland, similar policies have been developed which are aimed at integrating Roma pupils into Polish majority classrooms (Buchowski and Chlewińska 2011: 16-17).

The one thing these policies have in common is that they have all met with greater or lesser degrees of failure (see Greenberg 2010: 998-99). Despite policies to the contrary, informal practices of segregation

and ethnic selection continue to predominate throughout the region undermining integrationist efforts and producing segregated outcomes (Triandafyllidou 2011: 3-4, 17; Buchowski and Chlewińska 2011: 17-18; Ana *et al.* 2011: 6, 10; Vidra and Fox 2011: 13-14, 19-21; Kosseva and Hajdinjak 2011: 11, 14-15). Indeed, in some cases, ill conceived or ineffectively implemented integrationist policies have possibly contributed to the problem of segregation.

The reasons for the failures of integration are numerous and varied, but here again there is a striking degree of overlap between the countries being examined. The first problem is that despite a normative consensus that integration offers the only reasonable solution to this problem, there remains widespread public (and in some cases political) opposition to integration. There is thus a significant divide between an official discourse and policy of integration and a public preference for continued segregation (see, eg, Ana *et al.* 2011: 6, 16, 26). This public opposition to integration manifests itself at many levels. Teachers oppose integration on the grounds that Roma children are disruptive in the classroom, thus causing discipline issues (Smith 1997: 248-54). They argue that this does not only make it difficult to teach the pupils but it compromises the overall quality of education for them (particularly majority students) (see, eg, Triandafyllidou 2011: 4; see also Vidra and Fox 2011: 10; Ana *et al.* 2011: 25; Buchowski and Chlewińska 2011: 24). Teachers are in a loose alliance with parents in this regard.

Concerned with the quality of education that their own children receive, parents of majority pupils are prone to resisting integrationist efforts for many of the same reasons as teachers (see, eg, Kosseva and Hajdinjak 2011: 15; Vidra and Fox 2011: 15). The inclusion of too many Roma students in the classroom can trigger a cascading white flight effect, where a classroom with a few Roma students soon becomes an exclusively Roma classroom (Kosseva and Hajdinjak 2011: 15, 22). For different reasons, some Roma parents are also opposed to various integrationist policies. In Bulgaria, for instance, Roma parents have resisted desegregationist bussing on the grounds that their children are required to travel significant distances at great cost (in terms of time and money) for the families in question (Kosseva and Hajdinjak 2011: 15, 18).

There is also extensive political opposition to the educational integration of the Roma. The rise of the radical right across much of East Europe has been happy to give a political and public voice to many of the anxieties and frustrations expressed by this informal alliance of parents and teachers (see Mudde 2006: 170-75; Fox and Vermeersch 2010: 343-51). In mainstream politics, however, integration officially remains the *status quo*. Politicians connected to mainstream parties are in agreement that integration poses the best solution to the problem of segregation. This is evidenced by the fact that even sceptics take as their starting point a defence of their scepticism: they frame their scepticism against this normative consensus of integration. Indeed, in Hungary the current reversal of earlier integrationist policies (with therefore segregationist implications) is nevertheless promoted in official rhetoric as continued integration (Vidra and Fox 2011: 14-15). This is evidence in Hungary, as elsewhere, that the normative consensus that integration is the politically correct alternative must not be upset.

But whilst almost all mainstream politicians formally recognise integration as the best possible solution to the problem, very few are willing to champion or even openly support integrationist policies. Sometimes this is because of competing priorities related to questions of integration. In Greece, for instance, the question of the integration of ethnic Greek return migrants from the former Soviet Union (the so-called Pontic Greeks) dominates the agenda (Triandafyllidou 2011: 9, 12). In Poland and Bulgaria as has already been seen, issues of integrating the Roma have to compete with and ultimately be reconciled with a more pressing concern with questions of majority nationalism (Buchowski and Chlewińska 2011: 16,

26, 37; see also Kosseva and Hajdinjak 2011: 8-9, 33-34; Triandafyllidou 2011: 5, 28). Issues like these crowd out the Roma question. In the best of scenarios, the Roma question is still typically viewed as a political liability. Indeed, in electoral politics, support for Roma is not the best strategy for vote getting: politicians of any stripe would be advised against carrying the banner of Roma integration too enthusiastically where there is such widespread public opposition.

It is thus not surprising that integration measures that are implemented face an uphill struggle if they are to have any chance of success. Public opposition (often vehemently expressed) combined with (and indeed informing) a lack of political will give integration policies little chance of success (Uzunova 2010: 304; Gil-Robles 2006: 6). In some cases, politicians undermine these policies through a combination of indifference, neglect, and muted opposition. Or worse: Roma activists in Bulgaria complain that national and local politicians deliberately sabotage efforts at integration (Kosseva and Hajdinjak 2011: 17). In Poland, the job of integrating the Roma into schools fell to the Ministry of the Interior (not the Ministry of Education), thus signalling, intentionally or unintentionally, that the Roma problem is a matter of internal security (Buchowski and Chlewińska 2011: 16). Like in Bulgaria, official attempts at integration in Poland have thus been met with opposition even from Roma activists, who have responded by ignoring official policy and going it alone in formulating their own strategies for dealing with the matter. These sorts of institutional struggles between governmental and non-governmental institutions effectively undermine the authority of the state in matters of educational policy (Buchowski and Chlewińska 2011: 16, 18-20).

Or take the example of Hungary. In 2002, the Liberal Party (the minority partner in a socialist-liberal coalition government) was given control of the Ministry of Education and tasked with coming up with a policy for integrating Roma in the country's educational institutions. This resulted in the voluntary scheme with financial incentives described above. The Liberal minister who devised the policy faced resistance, however, not only from the opposition and his coalition partners but from his own party as well. Four years later when the coalition was re-elected the Liberals turned over the Ministry of Education to the Socialists, effectively eliminating any political support for the coalition's own legislation. This sort of political infighting takes place of course in full view of a public that is already deeply sceptical of attempts at integration (Vidra and Fox 2011: 14). Political neglect, opposition, and even outright sabotage thus conspire to effectively undermine attempts at integration (Uzunova 2010: 304; OSI 2007: 118; Gil-Robles 2006: 6).

And those integration measures that do make it into the books do not receive any guarantee of being successfully implemented. In Romania, the "notification" that outlawed segregationist practices was interpreted "as a mere recommendation, not as an order", and was therefore completely ineffectual (Ana *et al.* 2011: 9-10). In Hungary, the voluntary scheme set up by the Liberals was routinely (and incorrectly) interpreted as a programme of "forced" integration for the entire country. This couldn't have been farther from the truth. But left unchallenged, it fuelled public anxieties about Roma invading schools against the will of the majority (Vidra and Fox 2011: 13-14, 19-20). The inability to effectively communicate these policies to the public contributed to their ineffectiveness.

Communication problems are further exacerbated in many countries by the decentralised nature of education (OSI 2007: 378-79). Policies that are devised nationally must be implemented locally. But local educational institutions simultaneously enjoy certain discretion and even autonomy in applying these measures in ways that take account of the particular interests and concerns of the local community (see, eg, Buchowski and Chlewińska 2011: 8; Triandafyllidou 2011: 7). More often than not in questions of Roma education this means acknowledging and indeed even submitting to anti-Roma attitudes and pressures openly expressed by organised coalitions of parents, teachers, and even school administrators.

Decentralisation in education thus makes it difficult to apply a uniform policy of any sort across an entire country (even when such a policy exists); this problem is multiplied when the policy in question concerns the integration of the Roma (see, eg, Buchowski and Chlewińska 2011: 7). In the Polish case, this contributes to a “bureaucratic schizophrenia” (Buchowski and Chlewińska 2011: 25). Policies containing progressive and liberal notions of integration that are meticulously worked out by forward-thinking national politicians are thus simply ignored and opposed at the local level (see, eg, Vidra and Fox 2011: 9). National politicians for their part are either powerless or simply lack the will to follow through with the implementation of the integration measures they devise (see, eg, Kosseva and Hajdinjak 2011: 23-24).

Pervading all of these reasons for these policy failures is racism. In all of the countries examined, the Roma are the object of scorn and contempt (Uzunova 2010: 301-03). They are viewed as racially inferior not just by the majority of the population (including teachers, parents, and local school administrators) but by many mainstream politicians as well (Goldston 2002: 155-56). Racism significantly undermines the chances these various policy measures have for successful implementation. It circulates in various guises, often muted or even explicitly denied, but always informing and reinforcing the logic of continued segregation. Racism does not only undermine efforts aimed at integration; it simultaneously provides a convenient explanation for the failures of integration: the Roma, it is said, simply do not want to integrate, or are incapable of integrating (Kosseva and Hajdinjak 2011: 23-24; see also Triandafyllidou 2011: 13). The failures of integration thus rest on the shoulders of the Roma.

This sort of racism works in two directions. First, as we have just glimpsed, it carries assumptions of cultural inferiority for the Roma, consigning them to an inherently (and irrevocably) lower status vis-à-vis the majority population (see, eg, Buchowski and Chlewińska 2011: 7; Kosseva and Hajdinjak 2011: 14, 22-23, 33). There are thus certain features of Roma culture that are viewed as deficient, like having children at a young age and excessive absenteeism (see, eg, Buchowski and Chlewińska 2011: 19). In Greece, the Roma are feared for carrying diseases (supposedly because they haven’t been vaccinated); this in turn poses a health risk to other students and teachers (Triandafyllidou 2011: 18). These cultural and innate deficiencies in Roma in turn are held to explain their poor educational performance (Buchowski and Chlewińska 2011: 22-23); discourses framed in terms of “school quality” thus “disguise[] strong ethnic prejudice” (Triandafyllidou 2011: 20, 23, 28). The fact that this inferiority is innate also means that it cannot be overcome; it thus provides a convenient excuse for continued *de facto* segregation. From this perspective, the Roma are to blame for their educational problems; they indeed are the scapegoats for segregation. This relieves the majority of the responsibility for fixing the problem.

Second, racism toward the Roma simultaneously carries assumptions of the cultural superiority of the majority, or, in a word, nationalism (see Hegedűs and Forrai 1999: 45-46). This can result in at least two policy strategies. First, as is the case in Poland, the majority nation adopts a paternalistic stance vis-à-vis its beleaguered and pitiful Roma minority. It thus becomes the majority nation’s civilising mission to deliver the Roma from their impoverishment and bring them up to the civilised level of the majority nation. Such a strategy has the added advantage of making the majority nation look magnanimous for its patronising efforts to redeem the unredeemable Roma (Buchowski and Chlewińska 2011: 22, 26).

The second policy strategy that follows from this majority racism is to argue that the majority nation has an obligation to preserve the cultural distinctiveness of the Roma (see, eg, Vidra and Fox 2011: 19; Triandafyllidou 2011: 17; Buchowski and Chlewińska 2011: 15-16). Here discourses redolent of multiculturalism are rather disingenuously invoked to justify policies of segregation. This is a sort of “reversed respect” (Vidra and Fox 2011: 19). “I am convinced that segregated education should be maintained

until the conditions are good enough for integration”, explained one Hungarian government officer. “They should get to know their own Gypsy culture first”, he continued, “and then the other’s culture.” Or as another put it, the government will only integrate the Roma if the Roma want to be integrated (Vidra and Fox 2011: 15, 19). Here again the majority nation implicitly claims its own magnanimity not for civilising the Roma but for providing the institutional space for its minority brethren’s culture to grow and flourish.

These sorts of racism create a paradox. On the one hand, there is an official discourse (and policy) that supports integration. Indeed, an assumption of the majority culture’s superiority means that there is another assumption that the Roma should assimilate and integrate (though the burden of responsibility for integration ultimately lies with the Roma). But racism makes that integration logically impossible. Racism posits that the cultural inferiority of the Roma, understood in essentialist and essentialising terms, is an unmoveable barrier to integration. The Roma should integrate, but their essential inferiority means that they can’t integrate. “Acceptance and toleration of Roma are a precondition for their inclusion into the society” in Bulgaria. “[B]ut at the same time, only their participation in all spheres of public life can reduce the distances and rejection” (Kosseva and Hajdinjak 2011: 14).

4.3.3 De facto segregation

The result of these policy failures is the continued *de facto* segregation of the Roma. In certain cases, limited segregationist policies are explicitly pursued partly in recognition of the failures of integration and partly as a somewhat roundabout path to integration (Kosseva and Hajdinjak 2011: 14). One response to Roma segregation in Romanian schools was to hire a number of Roma teachers to teach at these schools. Although viewed by some as a slight improvement over the *status quo*, it was simultaneously recognised as a stopgap measure that did not reflect the integrationist educational philosophy of the Romanian state (Ana *et al.* 2011: 10). In Poland, local NGOs exasperated with the ineptitude of the Polish government to effectively implement its integrationist strategies for the Roma decided to simply go it alone by establishing and running after school programmes for the Roma. Such programmes, designed exclusively for the Roma, were by definition segregationist. But they were viewed as an improvement over the ineffectiveness of the government’s integrationist plans. Indeed, even state officials responsible for integration were happy to see these NGOs “defy” their integration agenda because in doing so they effectively relieved the state of further responsibility for dealing with the Roma problem (Buchowski and Chlewińska 2011: 17-20, 37-38).

In most cases, however, the return of segregation is due not to a new generation of policies with segregationist intentions but the inaction and ineptitude of the state combined with and reinforced by racially motivated popular opposition – the same factors that contributed to segregation in the first place. In Bulgaria, for instance, Roma children who were bussed to integrated schools as part of a policy of desegregation quickly end up in separate classes in these so-called integrated schools (Kosseva and Hajdinjak 2011: 18-19). There is thus an official policy of integration in Bulgaria, as in other countries, but the continued reality of segregation (Kosseva and Hajdinjak 2011: 7, 11, 34). Segregation remains the norm in Hungary as well for many of the same reasons. Some apologists in Hungary point out that segregation can also be the unintended consequence of other factors, such as residential segregation (Vidra and Fox 2011: 18-19). This is indeed true: the causes of segregation are varied and complex. But this only means that the response to segregation has to take into account these varied and complex causes if it is to be effective. The evidence suggests that this is not happening. The types of segregation change, as do their institutional loci, but segregation itself does not disappear. To the contrary, informal segregation and ethnic selection (see for example, Triandafyllidou 2011: 3-4, 17) continue to effectively trump official attempts at integration.

4.4 The implications: tolerance

What are the consequences of these segregationist practices and dynamics for questions of tolerance? Dobbernack and Modood (2011: 31-32) distinguish between three different conceptual responses to questions of public diversity:

1. *Non-toleration*: Individuals, groups and practices who seek or for whom/which claims of toleration are being made but to whom/which toleration is not granted, and the reasons given in favour of or against toleration;
2. *Toleration*: Individuals, groups and practices who seek or for whom/which claims of toleration are being made and to whom/which toleration is granted, and the reasons given in favour of or against toleration;
3. *Recognition, respect as equal and admission as normal*: Individuals, groups and practices who seek or for whom/which it is claimed that toleration is not enough and other normative concepts, namely those that focus on majority-minority relations and the reform of institutions and citizenship, are or should be more relevant. They also include claims and processes towards the reconsideration of difference as a “normal” feature of social life. Such concepts include equality, respect, recognition, accommodation and so on, and the reasons given in favour of or against these propositions.

It is of course always difficult to make a messy empirical reality fit neatly into an abstracted and distilled conceptual framework. Indeed, a good deal of empirical variation can be seen from the overview of Roma education in the five countries discussed above (an overview which itself sought to generalise and flatten differences for the sake of comparison). These differences range from clearly intolerant policies and practices of ethnic selection and segregation that openly defy government programmes aimed at integration (see, eg, Triandafyllidou 2011: 18-20; Vidra and Fox 2011: 17-18; Kosseva and Hajdinjak 2011: 7, 11, 34) to a smaller selection of policies designed to endorse and embrace Roma cultural distinctiveness in ways that could easily be graded as “recognition” (see, eg, Vidra and Fox 2011: 9; Buchowski and Chlewińska 2011: 17-20; Ana *et al.* 2011: 10). Capturing this sort of variation is thus compounded by a number of factors that complicate the big picture of tolerance across the countries being examined.

Nevertheless here again the similarities between these cases are at least as striking as the differences. Most of the examples considered in the overview would fall somewhere between non-tolerance and tolerance (see, eg, Kosseva and Hajdinjak 2011: 15). But this is tolerance understood in minimalist terms: it doesn’t mean the ethnic majority likes the Roma (or even finds any redeeming qualities in them); they don’t. Rather it means the ethnic majority simply – and typically begrudgingly – tolerates them. “The presence of... Roma minority children is considered a bad thing for a school (school quality going down, troublemakers)” in Greece as elsewhere “but is tolerated because segregation is against the law (Triandafyllidou 2011: 24; see also Buchowski and Chlewińska 2011: 8-9, 36).

There are not only different responses *to* Roma diversity but also different perspectives *on* Roma diversity. Official discourse and policy is generally tolerant, whilst public attitudes continue to lean more toward intolerance. Officially, then, tolerance is the norm: it is extolled rhetorically and it informs public policy. Indeed, majority policymakers and other stakeholders from nearly all countries embraced their benevolent tolerance as a national trait: “strategies of coping with “the Roma problem”” in Poland “are accompanied by vigorous declarations of tolerance as a “natural” feature of every Pole, especially of teachers”

(Buchowski and Chlewińska 2011: 26; see also Kosseva and Hajdinjak 2011: 9-10). These lofty visions of tolerance find little expression or application in actual policy. Indeed, in most cases tolerance is not a description of a present reality but an aspiration for a future utopia. “[I]t is clear that the main goal [policymakers] seek to achieve through desegregation and integrated teaching” in Hungary “is tolerance: tolerating the Roma, their presence in the classrooms and in the society at large” (Vidra and Fox 2011: 17).

It is an aspiration that remains unrealised at the popular level. An informal though strategic alliance between parents and teachers conspires to undermine any official efforts at promoting tolerance. In some cases, efforts aimed at promoting tolerance have the opposite effect: “desegregation attempts” in Bulgaria, for instance, “have not raised the levels of tolerance towards Roma. Quite often, the results have actually had the reverse effect and have provoked manifestations of intolerance, leading to secondary segregation” (Kosseva and Hajdinjak 2011: 8).

The problem is that this intolerance is both cause and consequence of a deeper problem: racism. Racist views about the Roma that are tenaciously held by wide swaths of the population effectively undercut policy measures aimed at promoting tolerance (see, eg, Kosseva and Hajdinjak 2011: 10). Racism is by definition intolerant; racism pervades the Roma question (and its responses) in all countries being examined; the response to the Roma can thus be seen as intolerant. From violent conflict between Roma and Bulgarian youth (Kosseva and Hajdinjak 2011: 15) to the recent and dramatic rise of the radical right in Hungary (Vidra and Fox 2011: 15), racism in its many forms continues to clearly and effectively trump tolerance. The “introduction of tolerance and respect in school life and their enforcement in daily interactions does not look particularly optimistic” in Poland or elsewhere for that matter (Buchowski and Chlewińska 2011: 8). “The thought that Romani culture contains valuable elements, or has enriching potential for existing norms is inconceivable. Roma are distinct and distant, which implies a notion of cultural racism (Buchowski and Chlewińska 2011: 37).

This racism toward the Roma minority also interacts with and is buttressed by the nationalism of the majority. In Greece, “the predominant attitude towards diversity is one of tolerance that goes hand in hand with the unquestioned acceptance of the majority religion, the majority language, the majority ethnicity in Greek school life. This is well in line with the dominant discourse on national identity in Greece and the dominant tradition of only accommodating diversity (if at all) at the individual but not at the collective level” (Triandafyllidou 2011: 28). Nationalism carries with it strong assimilationist assumptions: it is incumbent upon the Roma to integrate and indeed assimilate into the national majority’s superior culture and civilisation (even though racism makes this logically impossible). “Officials believe that it is not their duty to pay respect to Roma’s culture and practices, but the Roma who should accept the reality of the education system in Poland and respect the majority’s assumptions” (Buchowski and Chlewińska 2011: 26; see also Kosseva and Hajdinjak 2011: 10). “[T]here is a majority culture and religion that provides for the blueprint as regards cultural and religious matters in school life [that] leads... to pressures for cultural and religious assimilation” (Triandafyllidou 2011: 28-29). Seen from this perspective, the prospects for a more robust version of tolerance across the region are thus bleak. Tolerance is in direct competition with racism and nationalism, and it’s losing the battle.

In sum, a weak official rhetoric of tolerance has to contend with popular attitudes that are at once intolerant and racist (Gil-Robles 2006: 5-6). The struggle to promote tolerance is also perhaps conceptually challenged by tolerance’s main policy expression in the region: integration. There is a normative consensus across the region that the only way to address the problem of segregation is through a concerted policy of integration. Integration in this sense is a strategy aimed at achieving toleration, but not more.

Integration is intended to attenuate the detrimental effects of racism so that the majority society can tolerate (but not necessarily recognise or respect) the Roma. But conceptually, integration sits uncomfortably at best with tolerance, and especially recognition. This is because integration is ultimately based on the elimination of differences, whereas tolerance and particularly recognition demand their acceptance.

There is thus a mismatch or tension between policies aimed at integration and an official discourse that promotes tolerance. Integrationist policies are not necessarily the best approach to encourage tolerance; to the contrary, they could be said to endorse *intolerance*. By integrating marginalised Roma populations into the fold of the majority nation, the differences that separate them are meant to be reduced or even eliminated. Such policy goals are thus inconsistent with a more live-and-let-live philosophy, let alone one that seeks to embrace and/or institutionalise difference. They do not tolerate difference.

Part of the confusion stems from the nomenclature used to describe these problems and the solutions proposed to remedy them. “Segregation” is a bad thing, a problem; “integration”, in contrast, is a good thing, the solution that remedies segregation. “Assimilation”, however, is another problem, one that is also frowned upon; it is unambiguously a bad thing. “Recognition”, though, is a solution, the antidote to assimilation. But these are all value laden terms. Stripped of those values, they are all in essence communicating direction: assimilation and integration are about the reduction of difference, whereas segregation and recognition are about the augmentation of difference (see Table 1). Everything’s fine if “recognition” is proposed and pursued as the solution to the problem of “assimilation”. This is the preferred language for talking about the sorts of post-immigration diversity found throughout much of Europe. But these are not the terms used in the debate over Roma education; rather, the favoured terms are integration as a remedy to segregation. What are the implications for tolerance, then, when the problem is segregation and the solution is integration? According to the table, the implications are not good: the proposed solution of integration is intolerant insofar as it aims to minimise difference.

Table 1

	The problem	The solution	(Difference)
Non-tolerance	Assimilation	Integration	(less)
Tolerance			
Respect	Segregation	Recognition	(more)

Of course this tension between tolerance and integration may be somewhat attenuated if it is further interrogated. Tolerance is typically understood (at least implicitly) in cultural terms: the difference to be tolerated is cultural difference. Integration in the cases considered above in contrast is typically understood and framed in socio-economic terms. With these refinements, the relationship between tolerance and integration is not necessarily mismatched, but rather sequential: egregious socio-economic disparities between the Roma and the majority population must first be redressed *before* any discussion of cultural recognition (or even tolerance) can find a place on the agenda.

This interpretation would provide a way out of this conceptual conundrum, but in practice in the case of Roma educational segregation there is only limited empirical evidence to support it. Indeed, in most cases, the various integration programmes thus far are laden to varying degrees with connotations (usu-

ally implicit, but sometimes explicit) of cultural integration, or, to put it differently, cultural assimilation. Few majority policymakers in the countries considered would mourn for the loss of Roma culture as a consequence (unintended or not) of integrationist policies, and some would be quite happy with such an outcome. Integration may indeed be the logical first step for addressing the Roma question. But it may also be the last: it is not necessarily the first step toward a subsequent goal of some form of cultural recognition. Racism thus rears its ugly head again. Integration programmes masquerading as the vanguard for a new era of tolerance are shackled by a past and present of popular racism; they instead become a convenient guise for assimilation and intolerance.

This tension between integration and tolerance is thus not easy to resolve. Attempting to map integration solutions onto a tolerance scale has led to all manner of conceptual confusion. Perhaps the problem is more fundamental: is the question of Roma educational segregation one that actually should be considered in terms of tolerance? Are these the right criteria against which policy agendas to tackle Roma segregation should be evaluated? Do the Roma have a claim to tolerance? Or do they have a claim to justice and equal rights in education? Or is the Roma question a question of human rights? Or social rights? Or is it a question of socio-economic inclusion? Of course these claims may indeed overlap in practice: demands for equal rights might even be premised upon principles of toleration. But they may also be kept separate, whereby demands for equal rights in education are presented as more fundamental and therefore not dependent upon claims for tolerance. From this perspective, resolving the equal rights problem may be an effective strategy for promoting tolerance, albeit as an unintended consequence.

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5. Religious schools and tolerance

Veit Bader and Marcel Maussen

5.1 Introduction

In the context of increasing religious and cultural pluralisation of European societies the role and functioning of religious schools is an important issue in discussions about the structure of education systems. Public and political debates focus on whether and how religious schools merit “toleration” or “recognition”, and/or whether some of their educational and organizational practices are perhaps “intolerable”. This comparative chapter considers the broader debate on religious schools and tolerance by selectively drawing on the experience of six country cases.

Educational systems vary widely with regard to the recognition and financing of religious schools, and different relative “market shares” of governmental and non-governmental schools. Similar variation occurs in freedoms of these schools as well as the types and degrees of public scrutiny and control. For example, there can be (limited) freedom to shape the curriculum and to select teaching materials, to govern diversity in the school context, to recruit teachers and staff, and to select and admit pupils. In order to situate the public debates and issues around religious schools we therefore begin by setting the stage and highlight some of the commonalities and differences, the structural problems, the ways they are framed and dealt with in these six countries, against the broader background of experiences in “Western” liberal democracies (section 5.2). We then explore, in a comparative perspective, the questions and issues that are raised and framed in our selected countries and the respective case studies (section 5.3). We conclude with a tentative attempt to reach more general conclusions with regard to the role of religious schools in plural societies in Europe and the debates on tolerance and diversity.

This comparative chapter builds on the insights developed in the studies on the embodiment of tolerance in discourses and practices in schools in Denmark, the Netherlands, Sweden, Ireland, Italy and Spain. Even though all these reports dealt in one way or another with the issue of “religious schools”, the focus of the respective case studies was somewhat different. The Danish and Swedish studies focus on the debate on “free” or “independent” schools, especially in the light of debates on Islamic schools. The Dutch report compares the debates on the existence and associational freedoms of Christian Orthodox (Reformed) schools and Islamic schools. The Irish study concentrates on the ending of ancillary grants for fee-paying Protestant schools. The Italian case study focuses on a contentious local debate around the closing down of an Egyptian school in Milan. The Spanish report investigates public policies and discussions around the logics of segregation in education in Barcelona, especially with regard to schools that are “under contract” (*concertadas*) with the state.

5.2 Religious schools: institutional arrangements

It seems to be generally agreed amongst legal scholars that international human rights law, the ECHR and the ECtHR as well as most liberal-democratic constitutions and courts oblige states to permit *freedoms of education* in all their consequences for religious schools (Vermeulen 2004: 38; Glenn and Groof 2002a: 245ff.). Even states that have been characterized by an *actual* monopoly for governmental schools, such as Sweden, Norway, Bulgaria, Italy, and most Swiss cantons have increasingly acknowledged the right to freedom of education (interpreted as the right of parents to choose a particular type of school for their children). The right to create and operate faith-based schools is seen as a crucial aspect of freedom of education. Contrary to the US, however, in all European countries “home schooling” is actually almost “non-existent” even if it would be allowed “in principle” in Denmark (Olsen and Ahlgren 2011: 6). As a matter of fact, religious schools exist in all West European liberal democratic states.

Before entering the analysis of contentious debates and policies with regard to religious schools we need an idea of the institutional variety across European countries, and in particular of the countries included in this comparative chapter. We do not intend to give a full-scale historical or synchronic map of all educational systems but only sketch the most important existing options in order to locate our cases in a comparative perspective.

5.2.1. Governmental and non-governmental schools: legal status and “market share”

The legal status of non-governmental religious schools varies. In a country such as Britain, Voluntary Aided (VA) and Voluntary Controlled (VC) Church of England Schools schools (most of them Anglican, some Roman-Catholic, only very few others) are treated as “public” or “state schools”, in many countries they are classified as “private schools” (such as in the US but also in Denmark (“free primary schools” are “private schools”), in Sweden (“independent schools”), and in Italy. In the majority of countries their legal status is a “status aparte”, neither fully public nor private but somewhere “in-between” (such as “special” or “*bijzonder*” (in the Netherlands), as “with contract” (*concertadas*) (in Spain, different from “private schools” that don’t receive public money), or as “national schools” (also called “denominational” or “faith schools”) in Ireland. For us, this is the reason to choose as neutral and precise a term as possible.

We therefore distinguish between governmental and non-governmental schools. Governmental schools are understood to be owned, run, and financed by (a flexible combination of) governmental (federal, state, municipal) authorities. Non-governmental religious schools are owned and run by (central or local) religious organisations or associations whether (partly or fully) publicly financed or not.

In order to have an idea of the importance of religious schools within different countries we need to look not only at their legal status, but also at the number of pupils attending these schools and their “market share” compared to other types of schools. A very rough comparison of the “market share” of student enrolment in non-governmental, religious schools or the relative numbers of religious schools, based on

the recent country templates in Wolf and Macedo 2004 and Glenn and Groof (2002) shows the following picture, ranging from high to low (excluding our six countries).^[10]

The market share of religious schools is high in Belgium: 68.8 % of all pupils in Flanders are in subsidized “free” schools, 14.6 in Flemish community schools, and 16.5 in municipal or provincial government schools (Groof 2004:159; together roughly 70% of all Kindergarden-through-12th grade students are in nongovernmental schools).

It is considerably lower but still high in Australia, with more than 30% (19.8% in Catholic, 11% in other) nongovernmental schools, showing a remarkable increase in the last decade (Glenn and Groof 2002: 9ff.). Austria and Canada (Glenn and Groof 2002a: 142ff.): Catholic schools: 21% in Saskatchewan, 23% in Alberta, 30% in Ontario (marginal “separate” Protestant schools). In France: 20 % in non-governmental (predominantly Catholic) schools, 65% in assigned governmental and 15% in other than assigned governmental schools (Meuret 2004: 238, 249). In England/Wales roughly 30% of all schools are nongovernmental schools providing for 7.5 million pupils. In the United States more than 80% of all pupils are in governmental schools (McConnell 2002: 94).

The market share of religious schools is lowest in Germany: only 5.8% of all students are in private (primary and secondary) schools (highest in Bavaria: 8.9%). In the Scandinavian countries: Finland has 9% in “private, grant-aided schools” and 91% in governmental schools (Glenn/Groof 2002: 235ff. for more details). In Norway in primary and lower secondary schools 98,5% is public and 1.5% private; in upper secondary schools 95% is public and 5% private; in higher education 90% is public. (Glenn and Groof 2002: 401). In Switzerland, only about 5 % of the pupils attend independent schools (Glenn and Groof 2002: 529).

Our selected countries are spread along the continuum including both very high and very low percentages:

Extremely High in Ireland: of the total number of primary schools roughly 95% are “national” or “denominational schools” (89.65 Catholic, 5.49 Church of Ireland). In secondary education “Voluntary Secondary Schools” (largely Catholic) educate approximately 54% of second level students, “Vocational and Community Colleges” (owned and run by local VECs) educate approximately 30.4 %, and “Community and Comprehensive Schools” educate approximately 15.6% of all pupils. The 77 “Community Schools” in Ireland, less than 10% of the total number, are the nearest to being called governmental schools in secondary education.

Very high in the Netherlands: in 2003 in primary education 32% of all schools were governmental, whereas 33% was Roman Catholic, 27% Protestant, and 8% other (mainly pedagogical) schools. In secondary education: 27% of all schools are governmental, 28% Roman Catholic, 26% Protestant, and 19% other (Vermeulen 2004: 35ff.); in 2009 the percentages for primary education were 32.1% public and 67.9 non-governmental (29.9% Roman Catholic, 25.7 Protestant-Christian, 3.4% Reformed

10 This is, depending on existing information and evidence, a very rough estimate indeed because, obviously, it makes a difference whether one takes percentages of students or of the number of schools. In the Netherlands, e.g., many non-governmental schools (particularly Montessori, Islamic and Reformed schools) have much less than average number of students so that the percentage of non-governmental schools is higher than the percentage of students. Still, the overall estimates give a good indication of the relative importance of the “non-governmental” sector.

amongst them and 7.3 pedagogical); and in secondary schools: 29.6 public, 24% Roman Catholic, 19.1 Protestant Christian, 2% Reformed, 14% pedagogical and 9.4% collaborative schools (Versteegt and Maussen 2011: 7).

In Spain the number of *concertadas* (with contract) schools is increasing. In 2010 it was around 30% of all students, (especially strong in Madrid and Barcelona (more than 50%). The majority of them (around 65%) are Catholic schools (Zapata-Barrero and Burchianti 2011: 8)

In Denmark in primary schools the number of students in public schools decreased by 3% from 2005 to 2008 (81%), the number in free primary schools rose by 6% (13%) (Olsen and Ahlgren 2011: 8). According to Glenn and Groof in 2001 the distribution of *friskoler* has been: 210 Grundtvigian schools, 112 realskoler, 50 socialist lilleskoler, 70 religious schools (35 Protestant, 20 Islamic), 19 Waldorf schools.

In Italy 8% of the primary schools, 5% of the middle and 7% of the upper secondary schools are private schools (Ribolzi 2004: 275) In 2007/08 18% of all Italian schools are private. More than half of these private schools are Catholic (in 2008/09 57%) and most of them are nursery schools (Ambrosini and Caneva 2011: 4).

At the lowest end we find Sweden: according to Glenn and Groof (2002: 516) only 4% independent compulsory and upper secondary students in 518 *fristønde skolor*. In 2011 there were 714 independent schools on primary and 41 on secondary level (about 10 percent in confessional independent schools, roughly 8000 pupils at primary level). In 2009 there were 9 Muslim schools at the primary level (Hertzberg 2011: 8 and 13).

5.2.2 Public financing

It is highly contested whether religious schools should be publicly funded and, if so, how (see discussion in Bader 2007, chapter 10.5).^[11] Empirically, the overwhelming majority of states with liberal-democratic constitutions, one way or the other, do publicly finance non-governmental religious schools. Public financing of non-governmental schools in existing educational regimes is perplexingly complex and diverse, depending on *who* is financing *how* (i.e. directly and/or indirectly; by contract), *when*, and *what*.^[12]

As with governmental schools, in most states the public funding of nongovernmental religious schools is divided in various degrees between federal, state, local or municipal authorities, which may or may not have an independent tax-base. Governmental authorities are financing religious schools either directly

11 Two sets of reasons may be the most convincing ones: Firstly, in all cases in which majority religious schools are recognized and publicly financed *equality before the law* requires a fair and even-handed treatment of all religious schools (Bader 2007:160); and secondly, if states depend, as the above mapping exercise demonstrates for many, considerably on religious schools to live up to their obligations to provide education for all (for whatever historical or recent reasons), i.e. if religious schools meaningfully *help to realize mandatory public services*, fairness requires that they should be equally publicly funded.

12 See the country studies in Macedo and Wolf 2004 and the comparative analysis and its results by Glenn and Groof 2002:578ff., 584ff, chart 2 and 2002a, ch. 9.

(by fixed or flexible subsidies for facilities, number of enrolled students and so on) and/or indirectly by granting schools certain tax-exemptions or by paying vouchers and/or grants for students or tax-credits to parents. Financing can be constitutionally and legally obligatory and enforceable by court action or at the discretion of administrations. It can be lump-sum or expense related, it can be contractual (France, Portugal, Spain, partly New Zealand and Iceland), it can be withheld under specified conditions, it can be directly to schools or to networks or associations of providers as for the “systemic schools” in Australia. It is usually restricted to “non-profit” schools. It can be *ex ante* and/or *ex post*, it can be conditional on property and capital of school owners or not, and it commonly is conditional on school type. Finally, many different costs can be financed (by different authorities, to different degrees, under divergent conditions): capital costs for construction of school building (premises), costs for maintenance, operational costs and costs for administrative/supportive staff, for teaching staff (and additional training courses etc.), for inspection, for schoolbooks, school-meals, uniforms, transportation, and for many extra-curricular activities.^[13]

The upshot of the complexity and intransparency of public financing of religious schools within states and among states is that it is difficult to exactly calculate the comparative overall-amount of public money for nongovernmental religious schools in relation to governmental schools. Roughly the following picture of groups of countries emerges (Glenn and Groof 2002: 584ff., 597, chart 2; 2002a: 252ff.): Some states (Austria, Belgium, Netherlands, England/Wales) cover virtually all costs (*full funding*), the Scandinavian model (Denmark, Finland, Sweden) is characterized by *large subsidization*. *Partial funding* is known in many other countries as well (e.g. Australia, Germany, Hungary and countries where public funding depends on contracts as in France or Spain). In the Canadian federal system “some provinces fund only secular public schools (New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland, Quebec), some use public revenue to fully fund a Catholic schools system whose students pay no tuition (Alberta, Saskatchewan, and Ontario). Finally a few countries still do not allow that nongovernmental schools receive public money (*no funding*: Greece, Bulgaria, most Swiss cantons). The United States recently (Zelman ruling of the Constitutional Court in 2002) allowed indirect public funding via vouchers.

Most systems combine direct subsidies for schools, teachers and staff *and* for the number of enrolled students with indirect subsidies for students and parents (like vouchers or tax-credits). This mixed approach has – apart from apparent moral advantages – also prudential and realist advantages compared with for example voucher-funding only. It allows more stability and predictability to run schools without making them insensitive to considerable changes in student-enrolment, and it allows better public control of what schools actually do for instance with supplementary funding for “poor, minority, and immigrant” students. As a consequence of this, one could conclude that public financing of religious schools is an “emerging international legal norm” (Glenn and Groof 2002: 578). This is expressed in most detail in the *Lüster Resolution* of March 1984 of the European Parliament representing “the high-water mark, to date, in the international recognition of an *effective* right to education freedom, supported by its appropriate share of public resources” (Glenn and Groof 2002).

13 “Depending on the legislation in different countries, public subsidies may cover the full cost or more selective personnel wages and pensions, the functioning costs, equipment, building, loans or grants for capital expenditure, fees, fiscal advantages, and supplemental services for pupils. Fernández and Nordmann concluded that Australia, Belgium, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, the Netherlands, Pakistan, South Korea and Sweden subsidized essentially the entire costs of non-state schools, while Germany, New Zealand, Norway, Poland, Portugal, Russia, Slovenia, Spain, Thailand, and the United Kingdom paid salaries and operating expenses but no facility costs” (Glenn and Groof 2002a: 253).

The variety in degrees and types of public funding of religious schools is also represented in our six countries.^[14]

In the Netherlands there is “statutory equality” of governmental and non-governmental schools and both are funded according to identical and equivalent criteria. Sometimes non-governmental schools receive even more funding than public schools, due to inflexibility of the system of financing.

In Denmark in 1979 free primary schools were subsidized with state funds by almost 85% (almost without conditions), since then this has declined to 73% (Olsen and Ahlgren 2011: 14).^[15]

Ireland has a complex system of state funding in primary education. The Department of Education pays salaries directly to teachers (but schools are their legal employers) and gives grants directly to schools to meet their day-to-day running costs. In the past, costs of buildings were provided by churches, who remain owners of the schools. The state has paid for building of schools since 1999. State payment normally does not cover all running costs; students make what is called a “voluntary contribution” to running costs. The state does not pay for uniforms, books, materials, school meals, etc, except in the case of some grants, based on need. School transport costs for those living outside a radius of a school are also paid by the state.^[16] Art 42.4 of the Irish Constitution stipulates: “The State shall provide for free primary education and shall endeavour to supplement and give reasonable aid to private and corporate educational initiative, and, when the public good requires it, provide other educational facilities or institutions with due regard, however, for the rights of parents, especially in the matter of religious and moral formation”. Up to recently, this article has been interpreted to mean that the state primarily supports bodies providing education, rather than being involved in providing it itself. In the case of secondary education, the state pays teachers’ salaries in nongovernmental (voluntary) secondary schools, most of which do not have fee income. The state pays capitation grants and additional grants for disadvantaged students, but pupils have to pay for books and examination fees, school uniforms (covered by various schemes to help low-income families).^[17]

In Spain there is since 2006 no legal difference between public and *concertadas* schools in terms of financing. Schools that are “with contract” receive equal funding compared with public schools for the costs of teachers’ salaries (including all taxes and contributions to the social security system), costs of administrative personnel, costs for the maintenance and upkeep of facilities, and costs of teachers replacement. All autonomous communities can add other financing to this general framework. In Catalonia, for example, there is additional funding for the salaries of professional when the school caters to disabled children of the “reception classes” for immigrants. Despite this equality by law, the majority of investments to create and develop *concertadas* schools are reimbursed ex post by the public administration, which makes it difficult for this private school sector to develop. On the other hand, it appears that often *concertadas* schools do not respect the legal obligation to eliminate tuition fees and provide full gratuity of education.

14 We have no detailed information on the situation in Sweden on this aspect.

15 The Danish *taximeter system* comprises four grants: a basic grant (lump sum), a teaching, an administration/operations, and a building grant to cover rent, interest, debt servicing and maintenance based on the actual levels of verified number of enrolled pupils. (Glenn and Groof 2002:190).

16 Communication from Iseult Honohan and Nathalie Rougier.

17 Communication from Iseult Honohan and Nathalie Rougier.

In Italy there was, for a long time, no public funding of religious schools. However, Italy is now providing indirect funding (school vouchers for families since 1994 by judgement no. 454/94 of the Constitutional Court) and also direct funding from some local and regional governments for nursery and primary schools and for projects to improve secondary schools (decrees D.M. 261/98 and D.M. 279/99). Only from 2000 on (by Law 62) private schools could ask to be officially recognized and be treated equal to public schools regarding their tax regime and their right to receive funding (Ambrosini and Caneva 2011: 1) if they satisfy specific requirements (qualified teachers, educational approach in line with Italian Constitution, non-discrimination in selection of pupils, suitable building). In 2010 public funds for private schools were about 522 million Euro. In 2011 the decreased to 496 million Euro but the funds for public schools have also been cut.

5.2.3 Types and degrees of public regulation

The empirical variety of public regulation and control of non-governmental religious schools (and its counterpart: their associational freedoms) is considerable with regard to the selection of staff and of students, the forms of organization and internal governance of ethno-religious diversity, the content of the curriculum and even classes and lessons, the selection of teaching material, didactics, examination, recognition of diplomas, and public inspection. Systems of governance range from strongly centralized and specified nearly full regulation and control with little or no autonomy in nearly all regards (in France, in Italy before 2000), to minimal regulation and control.^[18] It is also important to note, that fairly high degrees of associational autonomy in specific regards, for example the associational freedom to recruit teachers or to select and admit pupils, can go hand in hand with nearly no autonomy in other regards, for example the associational freedom to shape the curriculum and select teaching material. The latter is the case, for example, in the Netherlands (see Vermeulen 2004: 46ff., 67).

In our six countries, Denmark represents the highest overall amount of associational freedoms. In Denmark the constitutional right to freedom of education (Art. 76) implies five principles (1) ideological freedom, (2) pedagogical freedom, (3) economic independence, (4) staff recruitment, and (5) freedom of the pupil. The Danish educational system is fairly radically decentralized and guarantees “quite a lot of autonomy” to schools and puts a strong emphasis on “the rights of parents (not the state) to have their children educated according to their preferred ideological outlook” (Olsen and Ahlgren 2011: 6).

Compared with Denmark, the Netherlands also has a strong constitutional guarantee of educational freedom (article 23 of the Dutch Constitution) which guarantees the rights of groups and individuals to create and operate primary and secondary schools, within certain limits, and the freedom of parents to choose a school for their children (Versteeg and Maussen 2011: 12). Non-governmental, denominational schools (*bijzondere scholen*) are subject to the same general education regulations and quality standards and they should employ certified teachers, but they are allowed to select teachers and pupils on the basis of their religious and philosophical views, to decide on curriculum in relation to the religious identity of the school, and to impose rules with regard to dress and behaviour in the school context. However, the Dutch educational system is also fairly centralised and all schools have to respect qualitative standards set by the Ministry of Education, including for example the subjects to be studied, the attainment targets

18 See Glenn and Groof 2002: 596 ff.: Charts for Rating the National Systems with regard to Freedom, Equal Treatment, and Autonomy. See Bader 2007, chapter 10.6.

of examination syllabuses, the content of national examinations, the number of teaching periods per year, etcetera (Versteegt and Maussen 2011: 13).

In Ireland the Department of Education sets down a broad regulatory framework within which schools in receipt of State funding are required to operate. The regulatory framework includes the curriculum to be followed by schools, the governance structures for individual schools and the timeframe within which schools are required to operate. While Ireland has a centrally devised curriculum, there is a strong emphasis on school and classroom planning. Schools have considerable autonomy in deciding on the teaching methods and assessment methods to be used. However, national externally set and marked examinations, run by the State Examinations Commission, apply to all students at the end of lower second level education and on completion of upper second level education. The Inspectorate is responsible for the evaluation of first and second level schools and centres for education in accordance with Section 13 of the Education Act of 1998.

Sweden has a schooling system that is decentralized: “a number of general goals and guidelines are formulated on the national, central level, and then the municipalities and the local schools are given the responsibility to design and work out the activity which has to arrive at the national goals; it is a goal-based system with a high degree of local responsibility” (Hertzberg 2011: 6).

The Spanish education system is marked by a tension between, on the one hand, territorial and national diversity regarding education policies and, on the other hand, a strong self-perception of the country’s religious homogeneity (Zapata-Barrero and Burchianti 2011: 4). Importantly, during the pre-democratic period (before 1978) education “was at the service of the regime, strongly centralised at the State level and delegated in great part to the administration of the Catholic Church” (ibidem: 5). Since 1978 attempts have been made to give more autonomy to the regions with regard to education and to roll back the influence of the Catholic Church in public education. The freedom to choose a school according to the interests and beliefs of the families is a core principle of the Spanish education system, but regional governments can impose constraints and priorities for admission. The Catalan government, for example, has created schooling zones from which parents are in principle compelled to choose their school, which is valid both for public and *concertadas*-schools (ibidem: 23)

The radical reform of the educational system in Italy, carried through in 2000, introduced more autonomy of schools with regards to their organization: “the Ministry of Education set out general national guidelines and established the core curriculum, but every school could develop its own programme and curricula, could decide on how to distribute the total number of school hours, how to provide in-service teacher training and how to set up teaching programmes for groups of students” (Ambrosini and Caneva 2011: 8).

5.2.4 Public scrutiny and associational freedoms

In general terms one may argue that schools that do not ask for or accept public money should only be minimally controlled, whereas schools that are publicly financed are legitimately subject to more exten-

sive forms of control and accountability.^[19] The main impact of the “public trust theory”, in our view, lies in rules requiring schools to be non-profit organizations (actually imposed in all countries) and in legitimate control of financial affairs: Private schools may spoil their own money if they so wish, but publicly financed schools are accountable and should respect standards of efficiency and effectiveness. However, the differences between private and publicly financed schools are less evident with regard to the selection of teachers and students. Private religious schools, which are not publicly funded, still are subject to basic non-discrimination legislation, for example they cannot discriminate on the basis of race and ethnicity, in employment and student selection. All religious schools, publicly financed or not, may argue for mission-based and circumscribed exemptions. The differences between public and private schools are even weaker regarding matters of content and pedagogy: all schools have to teach “non-discrimination and non-oppression” and, obviously, if they want their exams to be recognized, the minimal cognitive content of the curriculum. In the end, the moral intuition that public funding of schools also makes a huge difference in terms of content-control, seems correct only *prima facie*. The empirical case studies and country reports show a broad variety of ways to balance associational freedoms of schools, liberal principles (including non-discrimination), worthwhile collective goals (social cohesion, equal opportunities) and norms of public scrutiny, and different institutionalised forms of governance of religious schools. Also it is clear that these issues are deeply contested..

In Denmark the emphasis on the rights of parents in education and the tradition of free schools has over the past 13 years been challenged by policies imposing more conditions for the reception of state funds on free primary schools and by more close monitoring of these schools by the state (Olsen and Ahlgren 2011: 6). Besides concerns about academic standards and mandatory civic education, in the case of Islamic schools state monitoring is also connected with government anti-radicalization programs (ibidem, p.13).

In the Netherlands the issue of autonomy of religious schools is widely debated, especially with regard to orthodox Christian (Reformed) schools and Islamic schools. An important aspect of these debates concerns the ways associational freedoms of schools should be balanced with other constitutional principles (such as non-discrimination) or worthwhile collective goals (such as good education or social cohesion). The Dutch report explores four aspects of associational freedoms of religious schools and the ways these are being contested. First, the right of schools to select and admit pupils based on the school’s religious identity. At present there is a political debate about a proposal to introduce a so-called “duty to accept” (*acceptatieplicht*) on non-governmental schools. Second, schools have the freedom to select and recruit personnel. Religious affiliation may be a reason for selecting (or refusing to select) a specific teacher, but more fiercely contested are other selection criteria related to gender norms (e.g. being divorced, living together unmarried) or sexual orientation. Third, religious schools can make a choice with respect to their curriculum, for example in the case of teaching evolution theory or teaching about sexuality and gender norms. Fourth, religious schools can make rules related to dress codes and other forms of behaviour of teachers and pupils. Reformed schools may oblige female teacher and pupils to wear skirts, and Islamic schools may oblige female teachers and pupils to wear a headscarf. Even though there is still wide support to uphold a “dual system” (i.e. statutory equality of governmental and religious schools) there is thus a wide public debate on the scope of freedom of education and of associational freedoms of these schools.

19 In England/Wales, for example, all schools except independent schools are included in inspection regimes (Harris 2004:102-107; Leenknecht 1997:107ff), in Belgium only if a school asks for community support and for “recognition of certificates” (Groof 2004: 166). *Vrije scholen* in the Netherlands are also exempted from regulation, control and inspection.

In Sweden the question of parental versus state influence became more important in the 1990s and educational reforms gave municipalities more influence over primary and secondary educations. Furthermore, as the report observes: “parents were given the right to decide which school their children should attend, and a voucher system was introduced giving parents the right to choose between public and private (so-called independent) schools” (Hertzberg 2011: 7).

In Ireland the particular character of the school makes a vital contribution to shaping the curriculum in classrooms. Adaptation of the curriculum to suit the individual school is achieved through the preparation and continuous updating of a school plan. The selection of text books and classroom resources to support the implementation of the curriculum is made by schools, rather than by the Department of Education and Science or the National Council for Curriculum and Assessment.^[20] Schools in general appoint their own teachers, and have a somewhat controversial exemption from the conditions of equality legislation and discrimination on grounds of religion. They can also select among pupils on grounds of religion. But state challenges other grounds for exclusion. Under section 7(3) of the Equal Status Act 2000 schools can discriminate by giving preference in admissions to children of a particular denomination, or by refusing to admit a child where such refusal is essential to maintain the ethos of the school.^[21] Under the Employment Equality Act 1998 certain religious, educational and medical institutions may give “more favourable treatment on the religion ground to an employee or prospective employee where it is reasonable to do so in order to maintain the religious ethos of the institution” or take “action which is necessary to prevent an employee or a prospective employee from undermining the religious ethos of the institution” All primary schools are obliged to publish a school plan that describes their ethos, admissions policy and objectives. The admissions policy of most primary schools is fairly straightforward - they give priority to children from their local area, which, for denominational schools, is usually the local parish. Where there is an accommodation problem, the school must give priority on the basis of their admissions policy, sometimes called an enrolment policy. This is drawn up by the board of management and should be available to parents on request. Schools run by the minority religions usually give priority to their co-religionists. The admissions policy for multi-denominational and non-denominational schools and Gaelscoileanna (schools in which Irish is the teaching and working language) is decided by each school. The admissions policy must comply with section 7 of the Equal Status Act 2000. If a school refuses to enrol their child parents may appeal the decision to the school’s board of management. If this does not succeed they may appeal the decision to the Department of Education. For secondary schools, the board of management of each school must devise its own admissions policy and make this information available to parents. Parents should know the criteria used in selecting or rejecting children for enrolment. Schools are allowed to follow their religious and educational philosophy when developing an admissions policy. They cannot however refuse admittance to a student unless that refusal is in accordance with their stated policy and does not discriminate under the Equal Status Acts 2000. Parents can appeal a decision to refuse enrolment to the Department of Education. When choosing a primary school, parents may also need to know about the admissions policies of secondary schools as some secondary schools give priority to the students from certain primary schools. ^[22]

In Spain the education system is characterized by a diversity that mirrors the autonomy of different regions, and by consequence it is a very decentralised system. It is more accurate to speak of three different educa-

20 From NCCA Website – http://www.ncca.ie/en/Curriculum_and_Assessment/. See communication from Iseult Honohan and Nathalie Rougier.

21 See: <http://www.irishstatutebook.ie/2000/en/act/pub/0008/print.html#sec7>

22 Communication from Iseult Honohan and Nathalie Rougier.

tional systems in Catalonia, the Basque Country and the rest of Spain (Zapata-Barrero and Burchianti 2011: 6). Especially with regard to schools with a contract with the state (*concertadas*) there is a need to balance between school autonomy and public scrutiny: “the signature of a contract (*concierto*) between the State and the school which grants the status of *escuela concertada* includes rights for the school (essentially the right to public funding for the salary of professors and of administrative personnel and other costs deriving from the teaching of subjects and grades which are subject to the agreement) and some obligations too, such as the gratuity of the teaching part (...) the respect of all beliefs of the pupils as well as some obligations for the admission of pupils following the model of admission existing for public schools” (ibidem: 16-17).

In Italy the greater autonomy of schools, a result of the Berlinguer reform of 2000, provides the opportunity for schools to organize curricula and use funding quite freely. This autonomy allows schools to “adapt curricula to the presence of foreign students”, but it also produces differences between schools and some schools are “more welcoming and open-minded to foreign students” (Ambrosini and Caneva 2011: 11).

Given the empirical diversity in the ways educational systems balance between associational freedoms and forms of institutionalized public scrutiny and control of religious schools, it is useful to elaborate on the various options and their respective moral and practical trade-offs. Finding reasonable balances then crucially depends on finding the least invasive or obtrusive but still effective ways and means of public regulation and control. Regulation and control of accreditation ranges from the pole of detailed specification in advance of maximum conditions in terms of numbers of expected/enrolled students, facilities, geographical spread, qualification of teaching staff, trustworthiness of provider, mission, curriculum guide, etc. (approached by Russia and, to a lesser degree by France and Germany) to more lenient rules and practices and shorter periods between recognition and public financing. In some countries accredited schools are controlled regularly (e.g. in England/Wales once in 6 years) in others only after a “notice of complaint”, and withdrawal of financing or accreditation is more or less imminent and open to judicial appeal. Fairness, in our view, requires low thresholds in terms of numbers of students and short waiting periods before financing is granted because high numbers and long periods tend to exclude or discriminate against smaller and new religious minorities or alternative candidates and directly or indirectly privileges established providers.

Input regulation and control can be detailed and specified in all possible regards. In addition to general curriculum-guides or frameworks, accepted in most countries, some require curriculum plans specifying in detail not only subjects^[23] but also courses, minimum number of lessons or hours, schedules or even prescribe textbooks and teacher guides. The more detailed these regulations and controls are, the less autonomy for teachers and schools generally, for religious schools in particular. In addition, the requirement to document all kinds of aspects of educational activities and to give account for a great number of internal decisions results in extra man hours and costs, which is especially problematical for smaller schools. Opposition against this tendency is mounting even inside governmental schools.

Alternatives are “outcome driven approaches” or output regulation and control favoured by “pro-choice” authors as “smart regulation”. They require final attainment targets following from general curriculum guides or frameworks but leave schools and teachers – also in governmental but particularly in nongov-

23 Hotly contested cases are music and drama in orthodox religious schools (Jewish, Christian, Islamic), sex education either explicitly or in “personal, social and health teaching”, and, obviously, evolution theory vs. creationism or intelligent design. See Versteeg and Maussen 2011.

ernmental schools – “free to express its distinctive character and its method of teaching and to a considerable extent in the content of teaching, as well as in other aspects of school life” (Groof 2004: 172). In order to make outcomes comparable and to test whether cognitive and non-cognitive achievements live up to minimum standards, they also require *common*, state or nation-wide examinations^[24] at least at the end of primary, secondary and high-school education. The kinds of exams differ widely (oral, written, from Multiple Choice to open essays, course-work) and legitimately so regarding different subjects. Yet, one should be aware of two combined dangers. First, one can use common exams as a backdoor strategy to impose statism and professionalist secularism on all schools. This danger can be prevented effectively only by integration of the different educational providers in standard-setting and preparing common exams. Second, one should also be aware of the combined pressure from the side of “free-choice-parents” and governmental authorities to introduce testing in all schools and classes all the time starting from pre-schooling: teaching to the test from the cradle to the grave.^[25]

Particularly in examinations in civic education, essays are preferable because they avoid the “negative outcome of standardized testing” (Campbell 2004: 209) but they also can only test cognitive outcomes. The “pedagogical climate” of a school, its “atmosphere, ethos or culture”, the character of interactions in classes, school, and school environment as well as the actual learning of civic/democratic virtues could be controlled, if at all, only by throughput control or external inspection in classes or schools (Eisgruber 2002:70, 82). Some countries, for example France, go very far in this regard (at least in theory), others are much more reluctant.^[26] Throughput control, particularly unannounced state-inspection, is clearly the most effective control if “we” really want to know what is actually going on in classrooms and schools but it is also the most invasive one.^[27] Our desire to know and to control (the ceaseless “quest for control”) generally stimulates the tendency towards massive overregulation but particularly if it is driven by dramatized “fringe” cases and by the logic of moral and political panic, of distrust and its escalating dynamics. If at all, it should be confined to cases of “clear and present danger”.^[28]

In a comparative perspective, in sum, we have many, combined moral and pedagogic reasons to prefer regimes of regulation and control, which are mainly output-oriented and “humble” but maybe not so “de-

24 Hotly contested in federal education regimes like Germany or the U.S. The Dutch regime is fully centralized in this, as in all other regards (see Versteegt and Maussen 2011: 13 et pass.). Also in Finland, where schools and teachers have an extremely high degree of autonomy, they are “disciplined” by national exams.

25 This should not be misunderstood as an argument against obligations for schools to provide information on (i) admission of students; (ii) curriculum and pedagogy, (iii) student achievements, (iv) expenditure and financial information (Witte 2004: 363f). Both in Denmark and in Sweden, public ranking of schools is proscribed.

26 See for the excessively comprehensive and centralized rules: Meuret 2004: 247ff. Norway seems still to be free of any inspection (Glenn and Groof 2002: 593) and also of standard testing until the end of compulsory education (401ff.) and Finland is free of any inspection (and, by the way, all other types of regulations: it completely trusts highly educated and qualified (and highly paid) teachers). In Sweden and Denmark there is also no national inspectorate, quality control is left up to parents “who can select the person who will supervise their compliance” and either may appoint an external evaluator or ask the municipal council to assume this role, based on self-assessments (Glenn and Groof 2002: 197, 200, 579).

27 In the case of Islamic schools in Denmark and the Netherlands, there is now more political support for government inspection of “civic education” and the teaching of “democratic values”.

28 In Denmark, e.g. only in “extraordinary circumstance” or “extreme cases” direct inspection and supervision take place (Glenn and Groof 2002:198).

volved” (Witte 2004: 362). In all regards, it is crucial that all standards and procedures of regulation and control, even if minimal, are as “objective” (Glenn and Groof 2002) – or in our language: as relationally neutral and even-handed – as possible. Instead of counterfactually assuming that government educational authorities and teaching professions are “neutral” by definition, institutions and processes of defining general curriculum frameworks, final achievement targets and also exams should try to guarantee that the divergent perspectives be included. This is particularly relevant if one realizes that worldviews or perspectives are not only important when it comes to religious instruction. It is remarkable that only very few countries have tried to set up fair and even-handed institutions and procedures for standard-setting and control. Most trust that fairly intransparent institutions and committees composed of state-officials and co-opted teachers and scientists (as the Inspectorate of Education (*Onderwijsinspectie*) and Education Council (*Onderwijsraad*) in the Netherlands) would be best in realizing “independence and objectivity”. Belgium and Denmark are the exception. Belgium knows a “longstanding tradition of consultation with educational networks and stakeholders” (Groof 2004:171). The Flemish Education-Council (*Onderwijsraad*) is composed of “representatives of networks (i.e. recognized umbrella-organizations of religious or philosophical and communal providers), trade-unions, parents, students, economic and social experts, ministry officials”. Parent and student-associations are supported by government. The Educational Inspectorate (*Onderwijsinspectie*) is composed of 50% from the official governmental networks and 50% from the subsidized private educational networks, and this “equal representation in the inspectorate corps is intended to guarantee objectivity” (ibidem: 177). In Denmark also, nongovernmental schools participate in selecting inspectors (Glenn and Groof 2002: 593, see Olsen and Ahlgren 2011). Both are working examples of associational standard setting and control as proposed by associative democracy (Bader 2007: 283ff.).

5.3 Religious schools: key issues, basic tensions and public debates in six countries

All institutional arrangements and all educational systems have to deal with the following main tensions: (1) The right to freedom of education interpreted as parental choice can conflict with the (proto-) freedoms of pupils, increasingly gaining in “autonomy”.^[29] (2) The tension between educational/pedagogical freedoms of religious schools and principles and rights of non-discrimination (e.g. in the selection of teachers and students). (3) The tension between associational freedoms of religious schools to select students and principles and rights of equal educational opportunities for all. (4) The tension between educational/pedagogical freedoms of religious schools and demanding requirements of teaching and learning democratic citizenship and democratic virtues. (5) The possible and actual tensions between far going decentralization or autonomy of schools/teachers (in general, for religious schools in particular) and educational performance, as one version of difficult trade-offs and balancing in the organization of educational systems in general.^[30] Obviously, the way these tensions are framed and the way in which problems are perceived, does not only depend on such structural tensions but also, maybe mainly on the history and the recent development of the institutional arrangements in different countries.

29 See the brief treatment in Bader 2011.

30 Clearly it is not “autonomy of schools or teachers” in itself that is responsible for low performance, as is clear from Finland, where very high degrees of autonomy go hand in hand with comparatively high standards of performance (and, in addition, comparatively low costs). The “public secret” of the “Finnish success” is: highly qualified teachers (and the “trust” they gain combined with “respect”). This can be compared with the situation in Denmark, where there is high school autonomy but comparatively poor performance while amongst the most costly (Olsen and Ahlgren 2011).

Although the various empirical studies had a different focus on public debates and contestation around (different types of) religious schools, it is possible to detect three major themes related to issues of tolerance, cultural pluralism and equality. In the first place, there is a debate ongoing in a number of countries on the legitimacy of having religious schools, especially in relation to socio-economic, cultural and religious segregation *and* especially in relation to the more recently established Islamic schools. In the second place, there is debate on the scope of associational freedoms of religious schools. Third, there is a debate on the issue of public financing of religious schools. Even though these themes emerge in nearly all case studies we highlight only those countries where they were most prominent.

5.3.1 Religious schools and “segregation”

In Sweden the selected use of school choice is said to have augmented social and ethnic segregation (Hertzberg 2011: 8). The independent school system that was introduced in 1992 created opportunities for the founding of Islamic schools and in 2009 there were 9 of such schools. However, since about ten years there is a media debate on the existence of Islamic schools. These schools are “allegedly divisive, both culturally and socially, and the quality of their instructions is supposed to be inadequate, in relation to the standards explicated in the national curriculum and syllabi” (Hertzberg 2011: 23). Few calls for the shutting down of these schools have been voiced however, and Muslim denominational schools are tolerated but not liked. Yet, “the provision of a judicial and institutional space for religious minorities to establish denominational schools is part of politics of recognition” (idem).

In Denmark the arguments brought forward in the debate on Islamic free schools can be divided in two discourses. On the one hand, there is a discourse of nationalist intolerance, which “argues that the establishment of Islamic free schools undermines fundamental Danish values and traditions” (Olsen and Ahlgren 2011: 26). On the other hand, there is a discourse of liberal intolerance, concentrated around the need to divide between public and private, the need to educate “liberal people” and the protection of cultural cohesion and liberal values. Those who defend Islamic free schools argue their case in light of “the Danish free school tradition, on notions of tolerance and the democratic rights of minorities as well as on pragmatic arguments about maintaining peace” (idem). Despite the intense public debate, the effects of increased state monitoring of free, and especially of Islamic, schools has not resulted in the closing down of a great number of schools (ibidem: p.32). Still, interviews with people from the free school sector reveal that there is a perception of a lack of trust in Islamic free schools and a feeling of discrimination. A similar feeling of non-acceptance, discrimination and being under extreme scrutiny was found among directors of Islamic schools in the Netherlands.

The Italian case study analysed the public and political debate around an Egyptian school in Milan which was closed down by the municipality in 2005. The debate is illustrative of the wider Italian debate on private foreign and faith schools, and about cultural and religious pluralism. Whereas the mass media and politicians described the school as religious (calling it a *Madrassa*), the Islamic community in Milan described the school as an “Arab school” that served primarily to teach Egyptian students so that they could go back home knowing Arabic and having a valid qualification (Ambrosini and Caneva 2011: 35). The local debate in Milan was illustrative of struggles over claims of minorities and pluralism, in which it is both necessary to protect the right of minorities to build their own schools and to oblige these schools to adhere to national regulations and educational programmes (ibidem, p.36).

In the Spanish study on logics of segregation in Barcelona the focus was on the role attributed to the associational autonomy of schools “with contract” with regard to selection of pupils. These freedoms

are said to contribute to concentration of immigrant children in public schools. The discourses about the segregation processes affecting immigrant children build upon different rationales, frames and ways to remedy this inequality. Distinct discourses were found with respect to the interests of children and their families, the interests of the school and the interest of society as a whole (Zapata-Barrero and Burchianti 2011: 17). In Spain segregation dynamics raise questions of tolerance toward diversity (ibidem, p.23). The Spanish study demonstrates a structural dilemma, which is also visible in other countries, namely the need to balance between freedom of choice of families in matters of education and equal opportunities for all children (ibidem, p.24). In Ireland, by contrast, there is “no evidence of school segregation in relation to immigrant students relative to international comparisons, as most immigrant students are quite broadly dispersed, and in schools with a low proportion of immigrant students (Hohan and Rougier 2011: 10).

5.3.2 Religious schools: associational freedoms

The Dutch case study was concentrated around the debate on the legitimacy and scope of associational freedoms of religious schools. Two main conclusions could be derived with respect to the ways Islamic and Reformed schools make use of their associational freedoms. First, the identity of the school, the interpretation of associational freedoms and the school’s policy is negotiated between school management (principal and teachers), school board and parents. Sometimes parents want the school to be stricter in implementing religious dogma, and at other times parents are unwilling to accept religiously motivated rules imposed by the school. Important contextual factors influencing these negotiations are: the need for the school to have sufficient pupils, the image of the school, the interpretation of educational goals, the media debate, and the criteria set by the Ministry of education as well as the scrutiny exercised by the Inspectorate of Education. Second, it seems that Reformed schools are stricter in the sense that their religious identity informs the schools’ policy with regard to admission of pupils, selection of staff, curriculum and handling of diversity (dress codes etc.). Islamic schools are less strict. Aside from the choices made by school management with regard to the school’s policy, there are also more structural reasons why Islamic schools are less strict than Reformed schools. They have predominantly non-Muslim teachers and management, there are no special text books for Islamic schools on general subjects (history, biology etc.) and, overall, there is less support in Dutch society for a strict application of Islamic religious rules in the school context. In a sense it is misleading to speak of Islamic schools in the Netherlands as orthodox religious schools.

Similar issues arise around Islamic schools in Denmark and Sweden. In Sweden the scope for a distinctly Islamic or Muslim curriculum is quite limited (Hertzberg 2011: 15). In the Netherlands, Sweden and Denmark there are voices and directives seeking to monitor religious schools, primarily Islamic schools, for example via compulsory civic education (in Denmark since 2005, in the Netherlands since 2006) or in the context of anti-radicalization policies.

5.3.3 Religious schools and public funding

The issue of public funding was of direct concern in the Irish case study, which analyzed the public debate about a decision made in 2008 to remove ancillary grants for fee-paying Protestant schools and to increase their pupil-teacher ratio. The special arrangement for Protestant secondary schools that existed

from 1967 onwards then was considered as part of the free education scheme and was seen as a way of allowing the Protestant population to maintain affordable education provisions in accordance with their religious ethos (Honohan and Rougier 2011: 19). This debate could be analyzed as involving three major *topoi*: (1) whether the special scheme was illustrative of minority rights or whether it was a form of elite privileges; (2) that the decision to abolish the existing scheme was a kind of retaliation by the Minister of Education because of an earlier conflict with Protestant schools about the redeployment of teachers; and (3) that it was essentially a controversy about different ways of dealing with recognition of and support for diversity in Ireland.

5.4 Concluding observations and messages for policy makers

Tolerance and religious schools: issues

One important finding was the way the issue of religious schools in the six countries is predominantly situated in the debate on immigration and Islam, notably in Denmark, Sweden and the Netherlands, and to a lesser extent in Italy and Spain, but hardly in Ireland. In Ireland the establishment of two Islamic schools has not been a real issue and both receive funding in a similar way as other religious schools (Honohan and Rougier 2011: 7-8). A common feature is also the difference between the more established, historical and “native” religious minorities and immigrant minorities. The former usually have distinctive “privileges” or “rights” that are based on history and tradition (for example the Dutch Reformed, Jews in Sweden and Protestants in Ireland). New minorities, notably Muslims, have entered the scene and also make use of their constitutional rights to freedom and equality, which results in renewed debates on tolerance, pluralism and freedom of education. It turns out that Muslim claims for recognition are constitutionally and legally well founded and the demand to found and operate Islamic schools have generally been accommodated.

Yet, when we look at the debate it seems that what is being offered to Islamic schools is merely to be “tolerated”. Students, teachers, parents and management of these schools feel they do not encounter genuine “recognition” (for example in Sweden, Denmark and the Netherlands). On the other hand, one can also argue that the existence of a “juridical and institutional space for religious minorities to establish denominational schools” is in itself part of policies of recognition (Hertzberg 2011: 37). However it may be, it is clear that when we look at public debate there are important differences between “native”, established religious minorities and newcomers with respect to their satisfaction with existing institutional and legal regimes. Underlying these differences are important power-asymmetries, for example in relation to levels of professionalization and organisation, and given the negative stereotypes that are associated with particular minorities (especially Islam). However, in some countries, there is also a public questioning around the “privileges” of “native groups”, such as the Dutch Reformed (in the Netherlands) and Protestants (in Ireland). Contentious debates on “special” regimes for religious minorities may thus result in a broader questioning of the educational system as a whole.

A second common theme across all case studies was that religious schools are nearly always discussed in relation to the issue of (cultural and ethnic) “segregation” and of socio-economic inequalities (especially those related to immigration). Religious schools are said to be illustrative of minorities’ strategies of “isolation” or “self-segregation” (Italy), as institutions that are illustrative of “backwardness”, “gender discriminatory ideologies and practices” or “religious fundamentalism” (the Netherlands) or as “socially and

culturally divisive and lacking in educational performance” (Sweden). In nearly all countries the contrast space to this danger of segregation is discursively structured around the concept of “integration”, which is seen as a crucial goal of education. Additional arguments against religious schools are found, not surprisingly, by invoking the “neutrality of the state” and “secularism” (notably in Italy, but also in Denmark, the Netherlands and Sweden).

However, we hasten to add that despite the fact that similar issues and concerns arise in the different countries, they need to be situated in a national context marked by social and political differences (also related to different histories of migration) and against the background of different institutional environments that have their own histories.

Strategies of accommodation of religious schools

We were able to identify broader sets of strategies with regard to religious schools that result from, on the one hand, constitutional and/or European regulations with regard to religious freedom, freedom of education and liberal non-discrimination and, on the other hand, a whole set of public concerns and policy goals. First, as we noted, all educational systems guarantee freedom of education, allow for the existence of religious schools, give these schools (different forms and degrees of) associational freedoms, and in one way or another publicly finance faith-based education. Nonetheless, there are important voices in public, political and policy debate that advocate curtailing certain aspects of associational freedoms of religious schools. In the Netherlands the Education Council (*Onderwijsraad*) is preparing an advice on the future of article 23 that forms the constitutional basis for educational freedom (Versteegt and Maussen 2011: 22). In Denmark proposals to more strictly regulate non-governmental schools can be seen as a “break with the free school tradition” (Olsen and Ahlgren 2011: 35). In Ireland the debate on ancillary grants for protestant schools also led to a questioning about whether “identical treatment for all or special accommodation for minorities are appropriate ways to deal with diversity” (Honohan and Rougier 2011: 48). In Italy there is a debate on whether it is possible to “satisfy the demands of all minorities” and how it relates to the universalism that is stated to be a central part of the education system (Ambrosini and Caneva 2011: 36).

Second, all countries are pursuing different forms of “policies of desegregation” (at different institutional levels: national, regional, municipal, city district) and often these kind of policies are complicated by freedoms of (religious) schools and parents in terms of selection and admission of pupils.^[31] Another set of policies that risks reducing associational freedoms of religious schools are the policies aiming to stimulate “civic virtues”, impose “civic education” and attempts to subject religious schools that are deemed “problematical” to more intense systems of monitoring (with regard to internal management, educational performance and possible radical religious messages). We cannot judge in general terms whether or not such policies are “justified”, “proportional” or “effective”. Yet, it is clear that of all religious schools Islamic schools are most subject both to public debate and to these more extensive forms of regulation, notably in the Netherlands, Denmark and Sweden.

Third, in most of the countries discussed here we found that religious minorities have developed similar coping strategies with regard to an environment that is (increasingly) critical if not hostile. Muslims seem

31 We should add that for many different reasons “desegregation policies” in education have limited effect (Bader 2007).

to opt for fairly moderate (if not submissive) strategies of acceptance and seek to demonstrate their ability to provide good education in order for their schools to be seen as “normal” schools and no longer to be seen as essentially “foreign” (for example in the Netherlands). It seems that in the present day context, some religious minorities aim to secure the fact that they are being “tolerated”, rather than trying to achieve more genuine “recognition”.

Tensions and trade-offs

It should be clear from this chapter that inevitably tensions arise with regard to education, pluralism and tolerance. These have to be acknowledged in order to find reasonable, context-specific solutions, but from the outset it should be clear, in our view, that no one institutional and policy-model fits all countries or contexts. Phrased in terms of possible “policy-messages” this means: instead of looking for “the optimal” arrangement or “best practices” we have to look for “satisfying” solutions, i.e. minimal, morally permissible versus impermissible solutions or, more demanding: better or worse solutions given these contextual constraints (Bader 2007: 263, 288f, see also Vogt 1997: 213ff). Also, we need to add that the case studies that were discussed in this comparative chapter have mostly focussed on “public debate” and therefore it is difficult to reach any clear conclusions with regard to practice and policy. Still, we think it is useful to mention three broader concerns.

First, states should primarily be concerned about respect for minimal moral and legal requirements. The value of tolerance is deeply enshrined in European and national institutional arrangements, especially in the domain of education. Even though there are important worthwhile collective goals at stake in education, notably in relation to social equality and segregation, the institutional guarantees of pluralism should be upheld. Also there is a danger that increasing public scrutiny and monitoring of all aspects of the functioning of religious schools (e.g. requirements with regard to effective teaching of democratic ethos of students, requirements with regard to curriculum etc.) reduce the freedom of these schools to effectively pursue alternative approaches in pedagogy and philosophy, and thus to contribute to the overall diversity of the education system as a whole (notably in Denmark (Olsen and Ahlgren 2011: 38), but also in the Netherlands and Sweden).

Second, it is clear that in dealing with diversity in education there are conflicting principles and rights at stake. There is no context-independent hierarchy. We cannot simply declare, for example, that non-discrimination should always be considered more important than associational freedoms of schools, or that policies of “desegregation” should always take priority over educational freedoms. We need to learn from the reasonable weighing and balancing in specific contexts. A sensible balancing of the liberal principles of non-discrimination and of collective freedoms and associational freedoms is necessary in order to uphold a truly pluralistic society in which there remains room for more orthodox religious groups. Another possibility, depending on the societal situation, is to give priority to equality of education to counter strong tendencies of socio-economic and ethnic segregation, as advocated by the Spanish researchers (Zapata-Barrero and Burchianti 2011: 39).

Third, there is not one ideal or best institutional model or practice, and revisions of (aspects of) educational systems or policies should most certainly not be built upon idealized views of other country’s “models”. Still, there are possibilities to learn from one another by exploring the way trade-offs are being made and for what reasons. Also, as is rightfully highlighted in the Irish report, educational systems may well be shaped by the past and constrained by the (social, economic) context, but they are not totally rigid

and static and have proven “quite capable of accommodating rapid change” (Honohan and Rougier 2011: 49). Thus European educational systems may incrementally “learn to cope” with present day challenges raised by old and new forms of pluralism, by the multiple and often conflicting goals of “education”, and the need to balance different principles, policy goals and interests in societal contexts marked by inequalities and power-asymmetries.

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ANNEX 1: Research questions per cluster of case studies

Cluster 1: Curriculum, educational culture and teaching tolerance

- What specific diversity challenges have arisen around the school curriculum?
- In what ways is the idea of accommodating diversity in the curriculum developed and how is it advocated and contested?
- If specific teaching programs have been introduced to accommodate minority groups, how are these evaluated?
- In what sense are existing curricula seen to be biased (towards the majority, towards a specific religious group) and is this considered to be a problem?
- What values should the school/state endorse through the curriculum and how does this relate to the (non-)accommodation of minority demands?
- In what ways are choices with regard to the curriculum made in the relationships between state institutions, schools, teachers, parents and other actors?
- Are there discrepancies between ideas about “teaching tolerance” at the level of policy makers and the state and among practitioners (school directors, teachers, pupils)?
- How is tolerance thematized when it is seen as something that can/should be taught in schools (as a virtue, a mindset) and how is this related to other concepts (intolerance, respect, recognition, prejudice, citizenship)?
- What is the emphasis in teaching programs to enhance tolerance (e.g. cognitive, attitudes, virtues, social skills)? How is this implemented in the respective school/country and how is it evaluated by interviewees?
- Have there been important shifts in recent years regarding the understanding of what “teaching tolerance/respect” means and regarding the strategies that are considered to be appropriate for tolerance/respect to be taught?
- How do schools seek to find a balance between various goals of education, including the specific relations of authority and care between teachers and pupils, the necessity of creating a safe and emphatic educational environment within the school/classroom, the school as a social community, respecting demands of parents and pupils, the (gradual) development of pupils into (more or less) autonomous adolescents/adults, etcetera.

Cluster 2: Accommodation of diversity in everyday school life

- In what ways is the accommodation of diversity and or ethno-religious practices framed in the context of education (e.g. granting exemptions, giving special treatment to individuals/groups, granting religious freedom)?
- In what ways is the accommodation of diversity problematized and/or legitimized? Are there differences between (religious, ethnic) groups in this respect?
- How are boundaries constructed between what is intolerable/tolerable/in need of recognition with respect to practices and/or identities with schools?
- What (normative/legal) principles or values are mentioned as being challenged by the (non-)accommodation of these practices in school (e.g. neutrality, equality, “educational environment” within the school, immigrant integration)?
- How do schools seek to find a balance between various goals of education, including the specific relations of authority and care between teachers and pupils, the necessity of creating a safe and emphatic educational environment within the school/class room, the school as a social community, respecting demands of parents and pupils, the (gradual) development of pupils into (more or less) autonomous adolescents/adults, etcetera?
- In what ways are choices with regard to school policy (on a variety of issues) made in the relationships between state institutions, schools, teachers, parents and other actors?
- In what ways is the presence of religious symbols in schools problematized? Are there differences between different actors or institutional levels (teachers, public debate, politicians)?
- Are there differences between (established/immigrant; majority/minority; Christian/non-Christian) religions in this respect?
- What kind of solutions/guidelines have been introduced? By whom? How are these legitimized and evaluated by various actors, also in the perspective of national discourses on diversity, tolerance and education?
- What (normative/legal) principles or values are mentioned as being challenged by the presence of religious symbols in school (e.g. neutrality, gender equality, “educational environment” within the school)? How are religious symbols framed as intolerable, tolerable or in need of positive recognition in this respect?
- What reasons are given to accommodate (or not) religious symbols in schools in relation to autonomy/choice of the pupils, (free exercise) rights and neutrality of the school?
- If issues/conflicts emerge, how are these dealt with in the school context? What strategies do interviewees see as (in)adequate, (un)reasonable, (un)justified or (in)effective and for what reasons?
- In what ways are choices with regard to school policy on religious symbols made in the relationships between state institutions, schools, teachers, parents and other actors?

Cluster 3: Roma segregation in educational institutions

- What are the structural forms of segregation (separate schools and parallel classes)?
- In what ways is “segregation” seen as a solution and/or as a problem with regard to ethnic differences in education?
- What measures are taken to address segregation of children in schools? Who initiates these measures and how are they legitimized and evaluated? How is the problem being addressed?
- What are challenges for teachers, management and pupils (and others) in segregated and/or mixed schools?
- Are there quota systems in primary/secondary schools?

Cluster 4: Religious schools

- In what ways is the existence of faith-based schools legitimized and/or problematized? Has this changed over the past years? What are differences between religions in this respect?
- What are the historical roots of educational arrangements and what are differences between the position of (old and new) minorities in that respect?
- How is the “associational autonomy” of schools legitimized and/or problematized with regard to:
 - The freedom to shape the curriculum and to select teaching aids in accordance with religious principles.
 - The freedom to govern diversity in the school context, for example with regard to language, clothing, symbols, composition of classes (e.g. gender segregation) or specific practices.
 - The freedom to recruit specific teachers and other staff.
 - The freedom to select and admit pupils.
- In what ways are choices with regard to school policy (on a variety of issues) made in the relationships between state institutions, schools, teachers, parents and other actors?
- How do issues such as state-subsidies for faith-based schools and public scrutiny figure in the debate? What are minimum requirements for publicly funded and private schools?
- How are trade-offs and tensions between values/principles dealt with, including:
 - The tension between freedoms of parents and proto-freedoms of children.
- The tension between educational freedoms of schools and liberal non-discrimination (e.g. of teachers or pupils).
- The tension between educational freedoms and equal educational opportunities for all.
- The tensions between educational freedoms and more demanding requirements of democratic citizenship and democratic virtues.

ANNEX 2: National Case Studies of Challenges to Tolerance in School Life. Country reports

(In)tolerance of Difference in Bulgarian Schools: Discourses and Practices

Maya Kosseva, Marko Hajdinjak

International Center for Minority Studies and Intercultural Relations (IMIR) Sofia, Bulgaria

<http://cadmus.eui.eu/handle/1814/19791>

(In)Tolerance and Accommodation of Difference in Danish Public and Private Schools

Vincent Olsen, Sofie Marie

Ahlgren Aarhus University

<http://cadmus.eui.eu/handle/1814/19796>

Tolerance in Discourses and Practices Addressing Cultural and Religious Diversity in French Schools

Professor Riva Kastoryano, Dr. Angéline, Riva, Escafré-Dublet

CERI-Sciences Po

<http://cadmus.eui.eu/handle/1814/19792>

(In)tolerance of Difference in Greek Schools: The case of migrant and Roma children

Anna Triandafyllidou

European University Institute

<http://cadmus.eui.eu/handle/1814/19793>

The Embodiment of (In)Tolerance in Discourses and Practices Addressing Cultural Diversity in Schools In Hungary: The case of Roma

Zsuzsanna Vidra, Jon Fox

Central European University, Center for Policy Studies, University of Bristol, Centre for the Study of Ethnicity and Citizenship

<http://cadmus.eui.eu/handle/1814/19797>

The Embodiment of Tolerance in Discourses and Practices Addressing Cultural Diversity in Irish schools

Iseult Honohan, Nathalie Rougier

University College Dublin

<http://cadmus.eui.eu/handle/1814/19800>

The Embodiment of Tolerance in Discourses and Practices Addressing Cultural Diversity in Italian Schools

Maurizio Ambrosini, Elena Caneva

University of Mila
<http://cadmus.eui.eu/handle/1814/19794>

The Netherlands: Challenging diversity in education and school life

Inge Versteegt, Marcel Maussen
Amsterdam Institute for Social Science Research, University of Amsterdam
<http://cadmus.eui.eu/handle/1814/19798>

Tolerance of Diversity in Polish Schools: The Case of Roma children and ethics classes

Michał Buchowski, Katarzyna Chlewińska, Adam Mickiewicz
University of Poznań
<http://cadmus.eui.eu/handle/1814/19801>

The Embodiment of Tolerance in Discourses and Practices Addressing Cultural Diversity in Romanian Schools

Cristina M. Ana, Gabriel Andreescu, Irina-Madalina Doroftei, Petre-Georgian Matei
Romanian Academic Society
<http://cadmus.eui.eu/handle/1814/19795>

Tolerance to cultural diversity in Spanish schools. Discourses and practices

Ricard Zapata-Barrero, Flora Burchianti
GRITIM, Universitat Pompeu Fabra
<http://cadmus.eui.eu/handle/1814/19870>

(In)tolerance and Recognition of Difference in Swedish schools. The case of Islamic denominational schools and practices of veiling

Fredrik Hertzberg
Department of Education, Stockholm University
<http://cadmus.eui.eu/handle/1814/19803>

Embodiment of Tolerance in Discourses and Practices Addressing Cultural Diversity in Schools: Alevi Claims on the Compulsory Courses on Religious Culture and Morality, and Headscarf Issue in Higher Education

Ayhan Kaya, Ece Harmaneri
Istanbul Bilgi University
<http://cadmus.eui.eu/handle/1814/19799>

United Kingdom: Challenging diversity in education and school life

Jan Dobbernack, Tariq Modood
Centre for the Study of Ethnicity and Citizenship, University of Bristol
<http://cadmus.eui.eu/handle/1814/19802>