

Religious Education in Post-Communist European Romania

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1. Outline¹

Title: The official title of Religious Education (RE) in Romania is simply “Religion”.

Profile: Confessional.

Number of hours: One hour per week.

Status: In theory, RE is optional. In practice, it is arguably compulsory with opt-out.

Model: Education into religion. It contains elements of education about other religions, religious denominations, and non-religious worldviews.

Curriculum: Religion is part of the basic curriculum, section on “Human and Society,” for primary and secondary levels. In Romania, compulsory education starts at grade 0, when children are 6 and ends at grade 10, when they are 16.

Who can organize Religion classes: Any of the 18 legally recognized denominations. In Romania, the law makes a clear distinction between religious associations and religious denominations, also called *culte* (see sub-section on the relation between church and state for further information on how the state distinguishes between associations and *culte*.)

Opt-out right: Parents or legal guardians can choose out of the 18 denominations, or they can opt out. Ethics classes are very rarely provided, depending entirely on the school, and history of religion classes are virtually non-existing.

Grades: Grades are given (from 1 to 10), same as for other school subjects; religion counts for the general average. Those that do not opt for Religion can have their average calculated without it.

Teachers: Trained at faculties of theology, according to their confession. In the rural context, RE is sometimes taught by local priests. The profile of lay Religion teachers is often young people under 40. In order to be accepted at university, prospective students must bring a recommendation from the priest/bishop of the parish he/she belongs to.

Teacher employer: RE teachers are paid by the state. In May 2014, following a Protocol signed between the Romanian Orthodox Church and state representatives, the equivalent of *missio canonica* was introduced, whereby a RE teacher can lose their job due to immoral behaviour or grave conflict of theology.¹

Textbooks: They are developed by individuals according to Ministry guidelines, given the blessing of the Patriarchate or of their own religious confessions, and must be approved by the Ministry of Education

Aims: The aims of RE have changed over the past decade, mainly due to membership in the European Union and the engagement of the state to uphold and promote democratic values and human rights. Therefore, the aims of RE must be in accordance with the

¹ This general overview of Religious Education in public schools in Romania was first presented at the “Intercultural Education and the religious dimension” Klingenthal Colloquy in October 2014. We are grateful to Peter Schreiner for the invitation to the colloquy and for allowing the time to make it more reader-friendly.

general aims of education based on competences, the principles of life-long learning, the formation of intercultural, interpersonal, social and civic competences, etc. At the same time, each confession is allowed to pursue their own confessional/catechetical goals. For example, the aims of the Romanian Orthodox church formally include the formation of “personalities in accordance with Christian values, through the integration of religious knowledge in the process of structuring moral-Christian attitudes, and through the application of faith teachings in one’s own life and in the life of the community.”ⁱⁱⁱ

2. General presentation - Romania

Historical context

Romania is an Eastern European country that joined the European Union in 2007, at the same time as Bulgaria. Historically, it is a young nation-state and its current geographical configuration is less than 70 years old.

Like many of its neighbouring countries, Romania was until 1989 behind the Iron Curtain, although it never was part of the USSR. The events of 1989 brought about the end of Nicolae Ceaușescu’s dictatorial leadership and of his life. He and his wife, Elena Ceaușescu, were executed on the 25th December 1989, after a speedy trial and sentencing.

The new horizons of freedom, however, were both a gift and a challenge for the population that had been struggling to come to terms with what democracy and a democratic state stand for. Most Romanians accepted and welcomed the idea of joining the EU, but the principles, laws and procedures that were the core of democratic states were sometimes difficult to grasp and often difficult to embrace, despite a general fascination with democracy. To this day, corruption, lack of transparency, intolerance, gender inequality, etc. are enduring problems in the Romanian society.

Ethnic diversity

Romania hosts people of many nationalities and ethnicities: Romanians, Hungarians, Roma, Russians, Armenians, Serbians, Germans, Ukrainians, Jewish, etc.. The figure below compares the numerical evolution of several ethnicities. It contains one set of figures from the *interbellum* period (1930), two from the communist period (1956; 1977), and three from the post-communist period (1992; 2002; 2011). All of them are national censuses.

Year ⁱⁱⁱ	Romanians	Hungarians	Ukrainians	Roma	Germans	Russians	Turks	Total pop.
1930	11,118,170 = 77,8%	1,423,459 = 9,96%	45,875 = 0,32%	242,656 =1,69%	633,488 = 4,43%	50,725 = 0,35%	26,080 0,18%	14,280,729
1956	14,996,114 = 85,74%	1,587,675 = 9,07%	60,479 = 0,34%	104,216 =0,59%	384,708 = 2,19%	38,731 = 0,22%	14,329 0,08%	17,489,450
1977	18,999,565 = 88,12%	1,173,928 = 5,44%	55,510 = 0,25%	227,398 =1,05%	359,109 =1,66%	32,696 =0,15%	23,422 0,10%	21,559,910
1992	20,408,542 = 89,47%	1,624,959 = 7,12%	64,472 = 0,28%	401,087 =1,75%	119,462 =0,52%	38,606 = 0,16%	29,832 0,13%	22,810,035

2002	19,399,587 = 89,47%	1,431,807 = 6,60%	61,098 = 0,28%	535,149 = 2,46%	59,764 = 0,27%	35,791 = 0,16%	32,098 0,14%	21,680,974
2011^{iv}	16,870,000 = 88,6%	1,238,000 = 6,5%	51,700 = 0,27%	619,000 = 3,2%	36,900 = 0,19%	20,500 = 0,10%	28,200 0,14%	19,043,767

Fig.1. Ethnicities in Romania

Religious diversity

Following the demise of communism in December 1989, Romania witnessed a surge in religiosity that has, by all accounts, continued to remain steady in the past twenty-five years. The 1992 census registered that 86,8% out of the 22,8 million inhabitants were Orthodox, 5,09% Roman Catholic, 3,5% Reformed, and 0,97% Pentecostal. Barely 0,05% were atheists and 0,1% declared that they had no religion.

According to the latest census, in 2011, more than 97% of the population living in Romania declared itself Christian, with 86,4% belonging to the Romanian Orthodox Church, 4,6% Roman Catholic, 3,2% Reformed, and 1,9% Pentecostal. The percentage of atheists has slightly grown to 0,11% while the percentage of people who declare that they have no religion has stayed the same, namely 0,1%. There are other religious denominations in Romania that do not reach 1% of the population individually. Some of them are long established, such as Greek-Catholic (0,8%), Baptist (0,6%), Muslim (0,34%), Mosaic (0,02%), whereas others are of more recent introduction, such as Jehova's Witnesses (0,26%), The Church of Latter Day Saints, charismatic and neo-charismatic, and others. I used the term "established" because the Romanian law makes a fundamental difference between religious denominations that have been recognized by the state as *culte* and those that have not, difference that is explained below.

The Relation between Church and State

From a numerical point of view, the most prominent church in Romania is the Romanian Orthodox Church (ROC), with more than 86% of the population declaring themselves Orthodox. How many of these self-professed believers are also practising believers is an entirely different matter. Nevertheless, due to the historical closeness between ROC and the Romanian state, as well as due to the fact that Romanians declare to trust the Church significantly more than any other institution (including the Army, the Parliament, the Government, etc.) it is sometimes the case that the state comes under pressure from the ROC for enhanced privileges or status.

After the 1989 Revolution, several legislative drafts, meant to ensure freedom of religion were proposed from 1993 to 2005, but each was rejected. The objections often rose from both the other religious denominations that were fearful of an enhanced influence of ROC and from representatives of the Government who wished to preserve the secular nature of the Romanian state. The first such draft, elaborated in 1991 and submitted in 1993, created a strong controversy among the other religious denominations. Another draft, circulated in two variants and submitted in 1999, designated ROC as the "National Church" and attempted to impose an unrealistic set of conditions that religious denominations had to fulfill in order

to be legally recognized as *culte* (namely to count at least 5% of the population – condition which many already established *culte* did not fulfill). After much debate, both variants were rejected. In 2005, another pair of drafts was circulated concomitantly, although only one made it to the Parliament. It was only on December 28th 2006, a few days away from the accession to the European Union that Law 489/2006 (also known as “the Law on Religious Denominations” or literally “the Law of the *Culte*”) was promulgated by the President, thus making Romania the last of the ex-communist states to adopt a clear legislation concerning religious freedom.^v

Law 489/2006 states that the Romanian state is neutral towards religious *culte*, while at the same time establishing a model of cooperation between church and state. By *culte* we refer to those religious denominations or confessions that have been legally registered as such, and have thus gone beyond the status of mere religious associations or religious communities. This cooperation is characterized by the funding of legally recognized *culte*, according to their need and the number of its members. The conditions for religious associations to become *culte* (and thus to benefit from state funding) are the following: (1) they must prove to have been present and active in Romania for at least 12 consecutive years and (2) they must prove that their number of adherents is at least 0,1% of the population (thus at least 19,000 members, according to the 2011 census).^{vi} These conditions do not apply to the denominations already officially recognized as *culte*.

Thus, this model relies on the two-tier intervention of the state in the affairs of religious denominations, situation which has often been criticized by international human rights organizations.^{vii} This law also has implications for RE, since it stipulates that only legally recognized religious institutions can teach RE in public schools, thus making it impossible for children belonging to non-*culte* to be instructed in the school setting in their own religious tradition.

3. Religious education in Romania

The general system of education in Romania

After the 1989 Revolution, the school system underwent many transformations in terms of format, duration of obligatory studies, and curriculum. Often, there was no one common vision between the various Ministers of Education, Research and Innovation. In the past 25 years, Romania has had 17 Ministers of Education, six of them in 2012.

According to the latest Law on Education 1/2011, pre-school level ends when children reach grade 0 (around 6 years old), which is compulsory, as it is seen as a preparation for primary school years. Primary level ends at 10 years old, when secondary level begins. Nowadays, compulsory education extends to grade 10 (around the age of 16). In upper secondary, pupils can choose to continue their general education in preparation for university, or they can choose a technical profile, a military, theological, sports, arts or a vocational one.

Religious education before EU accession

Any overview of RE in Romania for the past decades must take into account the communist period, where the state prohibited any religious instruction in schools. This is important not

only because of the implications for those generations of pupils, but also because of the prevailing lack of teacher training in this field. No religious education meant no demand for teachers of RE; therefore, the theological seminaries did not train their students in the art of teaching religion in an age appropriate manner (thus depriving the graduates of the pedagogical and didactical skills and tools needed for such an assignment). In fact, this was a major concern when, a few short months after the demise of communism, religious education was again introduced in schools.

Barely a few months into 1990, children in public schools could benefit from bi-monthly lessons of religious education (RE). The character of RE in Romania immediately after the demise of communism was confessional and it continues to be so nowadays. We can say that this is one of the very few traits of RE that has not changed in the past 25 years. Ever since that rushed decision to reintroduce RE in public schools, there has been intense debate and controversy about its role, nature, purpose, and status. Many of the issues of concern regarded the measure in which the religious education policies managed to respect the requirements of the international frameworks in guaranteeing both the negative and the positive right to freedom of conscience, belief and thought.

Some scholars were of the opinion that the introduction of RE in public schools was the greatest accomplishment of religious institutions after the revolution.^{viii} It came after the Secretary of State for Religious Denominations, Nicolae Stoicescu, joined by the Holy Synod of ROC “pledged their support for the introduction of religious education in public schools at all pre-university levels.”^{ix} When it started out, RE was taught as an optional subject, and no grades were given. According to the current ROC Patriarch, Daniel Ciobotea, the purpose of religion in school was to offer an alternative not only to “the ‘atheistic humanism’ of communist times,” but also to a “nihilistic humanism.”^x However, it was soon obvious that religious institutions were struggling with the task at hand, both in terms of teaching materials and in terms of teaching staff. In the absence of trained teachers, it befell mainly on priests and clerical staff to act as religious instructors, which placed them under severe strain, both time-wise and skills-wise.

Such a situation was allowed to continue due to the fact that, as researchers Lavinia Stan and Lucian Turcescu argued, “the Ministry of Education was too disorganized and overwhelmed by public demands for reform to be able to redesign the already existing programs efficiently, let alone manage new projects like religious education”^{xi} This context had a number of important consequences whose effect and echo is still potent nowadays. Shortly before the new academic year 1990-1991 began, a Protocol was signed between the Ministry of Education and the Orthodox Church that officially installed moral-religious education as part of the school curriculum.

On 24th July 1995, a new Education Law was adopted (Law 84/1995). The educational ideal built on “humanist traditions, on democratic values and on the aspirations of the Romanian society” would “contribute to the keeping of national identity.”^{xii} Article 9 deals specifically with religious education. It initially said: “Mandatory school curricula include religion as a school subject. The study of religion is mandatory in primary school and optional in secondary school, the optional subject being ethics. The study of religion is also optional, depending on the religion and denomination of each student.”^{xiii}

However, when the law was brought to the Parliament, 57 deputies were struck by the mandatory character of religious education, which they thought contravened with the right to freedom of conscience, religion and belief, as well as with the Romanian Constitution of 1991.^{xiv} Thus Article 9 was brought before the Constitutional Court that ruled that the article was, in fact, constitutional. As Stan and Turcescu noted, “[t]he Court interpreted the word ‘mandatory’ in the sense that religion should be present mandatorily as a subject of study in primary schools, but the choice to study or not to study it was optional. In other words, primary schools should be prepared to offer religion as a subject of study, but students, with the consent of their parents or legal guardians, may choose not to study it.”^{xv}

This decision of the Court came under criticism from national and international associations (such as the Association for the Defense of Human Rights in Romania and the Helsinki Committee – APADOR-CH). It was seen as a compromise due to the pressures of the ROC to make religious education mandatory. In fact, in December 1996, the Holy Synod sent a petition that had been signed by over a million citizens that asked that Article 9 be modified as follows: “the primary, secondary, high school and vocational school curricula include religion as a basic subject of study. Participation in religion classes is done in accordance with [each student’s] religious affiliation” thus denying even the right to opt-out.^{xvi}

No changes were made either direction, until the Emergency Ordinance 36/1997 which changed Article 9 to:

- (1) Religion is part of the school curriculum in primary, secondary, high, and professional schools.
- (2) The student, with the consent of the parents or legal guardian, chooses to study religion in a particular denomination. The student may choose not to enroll in religion classes if parents or the student’s legal guardian request this in writing. In the latter case, the grade point average is computed without religion grades. The computation method is similar for students who, because of objective reasons, do not have the possibility to attend religion classes.^{xvii}

Again, debates arose concerning the compatibility of the first paragraph with the second paragraph, which were not solved by the 151/1999 Law that placed religion as part of the “common curriculum.”^{xviii} The “common curriculum” or “the basic curriculum” is opposed to the “optional curriculum” or the facultative one, making religion compulsory, yet providing the right to opt out if the parent of the child so wishes. However, if that is the case, the legal guardian or the child herself, after reaching 16, must solicit in writing to be exempted from religion.

Law 489/2006 (discussed above) included a section on the teaching of religion in schools. Art. 32 (1) gives the right to religious *culte* (and only to them) to teach religion in schools. If the school cannot provide teachers of a particular denomination, that child is allowed to bring a certificate from the *cult* they belong to (par.4), containing their grades.^{xix}

RE after EU accession

A New Law of National Education was at least two years in the making, before being adopted in January 2011. What is very important about this law is that it states important aspects pertaining to its vision, mission, educational ideal, and principles that reflect European goals and aims of education. Article 2 states:

(2) The mission assumed by the law is to form, through education, a mental infrastructure of the Romanian society, in agreement with the new demands, derived from the status of Romania as a member state of the EU and from functioning in the context of globalization [...]

(3) The educational ideal of the Romanian school is the free, integral and harmonious development of the human individuality, and the formation of an autonomous personality, and of embracing of a system of values that are necessary for personal development, for developing an entrepreneurial spirit, for active citizen participation in society, for social inclusion [...]^{xx}

In this new context, religious education is again mentioned as being part of the “basic curriculum,” and all pupils who belong to legally recognized *culțe* have “the constitutional right to participate in religion classes, according to his or her own confession.”

Article two reiterates the right to opt out, if the parent, the guardian or the pupil (once he or she becomes major) specifically ask that in a written letter addressed to the school principal. In this case, the general average will not include the grade for religion.

Issues of Religious Education in Romania

The process of introducing RE in public schools in Romania has often been contested in relation to human rights on several points:

- Selective rights given exclusively to *culțe*. Only they can organize RE in schools.
- Indoctrination and hate-speech. Several human rights NGOs have provided examples of cases where children were (1) made to partake in religious acts that ran contrary to their own beliefs; (2) publicly shamed for their religious or non-religious belief; (3) taught that other religions/ denominations are less than acceptable.^{xxi}
- An on-going confusion about the status of religious education in schools. Is it optional/ facultative/ compulsory?

Other issues

- The approval and presence in school of some RE textbooks that contained fear-inducing associations (such as “Ionut was run over by a car **because** he told a lie” or “Which commandment would a person break if they wore another sign than the holy cross around their neck?”).^{xxii}
- Although the official aims of RE have been stated above, here is an example of the unofficial aims, at they were expressed by Patriarch Daniel, head of the Romanian Orthodox Church, in his speech to inspectors of religious education in 2011:

“Christian education does not prepare only citizens for the earthly homeland, but also citizens of the heavenly homeland. [...] Therefore, teachers of religion together with parents at home that gave birth to children, that baptized them, and that educated them in the Christian faith, are preparing citizens of the Kingdom of Heaven, and the number of saints in the Kingdom of Heaven depends on the faithful parents and faithful teachers. It is not just about patriotism, it is about a work so holy and great with eternal echo which cannot be evaluated according to worldly criteria. [...] Religion class is an apostleship, a holy mission, apostolic, meaning a calling from God to form souls in communion with God and in communion with all the generations of saints of all times. Therefore, this formation of young people, of children in the Christian faith is so important that we don’t believe that in Romania, there has been or ever will be a greater investment than the transmission of faith as an eternal value.”^{xxiii}

Recent developments (from 2014)

- In May 2014, a Protocol was signed by the Ministry for National Education, the Romanian Patriarchy and the Secretariat for Religious *Culte*. Among others, the Protocol stipulated the following:

Art. 1. The units of pre-university education have the legal obligation to insure the respect of religious convictions, values and symbols.

Art. 4. (1) The official assignment of Orthodox RE teaching staff in the preuniversity school units is made with the written consent (blessing) of the bishop.

Art. 4. (3) The withdrawal of the bishop’s written consent (blessing) is done for serious mistakes against the doctrine or the moral of the cult.^{xxiv}

Also, this Protocol stipulates that representatives of the Romanian Patriarchy can participate as invited guests to activities of inspection within the schools.

- On October 17th 2014, the Chamber of Deputies tacitly approved a Law Project concerning religion in schools that sought to provide a real alternative for confessional religious education in the form of a course on “Ethics and Civic Education.”

Deputy Remus Cernea, who submitted this Law Project at the beginning of the year explained that confessional RE in schools should not be quasi-mandatory, as it is now, but facultative. He also stated that pupils should not receive marks or grades for this subject, only qualificatives that should not count for the general average.^{xxv}

However, even if the law has been approved, the Parliament will have the final say. Already, a strong debate can be foreseen, as the Ministry of Education has not given a positive vote for this law project.

- On November 12th 2014, the Constitutional Court in Romania (CCR) decided that art. 9 (2) of Law 84/1995, and art. 18 (2) of Educational Law 1/2011 do not respect the Constitution. This article has already been contested (see above), but declared valid in the past. Due to the decision of the CCR, parents, guardians or pupils who

have the legal age, and who wish to participate in RE must ask in writing for the pupil to study RE.

Conclusions

The reintroduction of RE in Romania after the demise of communism saw to the establishment of a confessional model with strong catechetical overtones. From the point of view of the legislation, the state was often under pressure from religious authorities to make RE mandatory, at least at primary school level. The long-lasting ambiguity concerning the status of RE can be interpreted as an attempt to pacify the demands of a secular state that should promote human rights and democratic values, and the demands of traditional religious institutions.

As Romania ends its seventh year as an EU member, the need for a re-evaluation of the role, nature and purpose of RE is becoming more apparent.

ⁱ See Protocol, available at [./Downloads/Protocol%20MEN%20-%20Patriarhie%20-%20SSC\(1\).pdf](http://Downloads/Protocol%20MEN%20-%20Patriarhie%20-%20SSC(1).pdf) (accessed 18 November 2014).

ⁱⁱ See “Programa scolara – Religie cultul ortodox,” available at http://patriarhia.ro/images/pdf/Invatamant_pdf/Programa_V-VIII_aprobata_prin_Om_5097_09.09.2009.pdf (accessed 18 November 2014).

ⁱⁱⁱ See results of comparison at <http://www.insse.ro/cms/files/RPL2002INS/vol4/tabele/t1.pdf> (accessed 7 October 2014).

^{iv} See results of 2011 census, available at <http://www.9am.ro/stiri-revista-presei/Social/222932/recensamant-2011-structura-etnica-a-populatiei.html> (accessed 7 October 2014).

^v For further details, see Natalia Vlas “Who could challenge democracy? The Law on Religious Freedom – an expression of Romanian Democracy?” in *Europolis. Journal of Political Analysis and Theory*, vol.VI, December 2012.

^{vi} See article 18 of Law 489/2006, available at <http://www.crestinism-ortodox.ro/TEXTE/LegeaCultelor-Nr489-2006.pdf> (accessed 18 November 2014).

^{vii} See Natalia Vlas, “Who could challenge democracy?”, 2012.

^{viii} Lavinia Stan, Lucian Turcescu, *Church, State and Democracy in Expanding Europe*, Oxford University Press, 2011.

^{ix} Lavinia Stan, Lucian Turcescu, “Religious Education in Romania” in *Communist and Post-Communist Studies*, 38/ 2005, 384.

^x Liga Pro-Europa, ”Norme si practici in educatia religioasa din scolile publice” available at http://www.proeuropa.ro/norme_si_practici.html (accesses 24 September 2014).

^{xi} Stan and Turcescu, ”Religious Education...”, 384.

^{xii} See the text of Law 84/1995 at http://www.cdep.ro/pls/legis/legis_pck.htm_act_text?id=21091 (accessed 19 November 2014).

^{xiii} Stan and Turcescu, ”Religious education”, p. 388.

^{xiv} Stan and Turcescu, ”Religious education”, p. 389.

^{xv} Stan and Turcescu, ”Religious education”, p. 389.

^{xvi} Stan and Turcescu, ”Religious education”, p. 390.

^{xvii} See Emergency Ordinance 36/1997, available at <http://www.legex.ro/OUG-36-1997-11452.aspx> (accessed 6 October 2014),

^{xviii} See Law 151/1999, available at <http://www.legex.ro/Legea-151-1999-18224.aspx> (accessed 7 October 2014).

^{xix} See Law 489/2006, available at <http://www.crestinism-ortodox.ro/TEXTE/LegeaCultelor-Nr489-2006.pdf> (accessed 7 October 2014).

^{xx} See Education Law 1/2011, available at <http://www.edu.ro/index.php/legaldocs/14847> (accessed 7 October 2014).

^{xxi} See the Report made by Liga Europa “Norms and Practices in Religious Education in Public Schools in Romania” available at http://www.proeuropa.ro/norme_si_practici3.html#cazuri, (accessed 19 November 2014).

^{xxii} See ”Lectie dintr-un manual controversat de religie”, available at <http://www.hotnews.ro/stiri-esential-16427224-lectie-dintr-manual-controversat-religie-daca-minti-atunci-vei-calcat-masina.html> (accessed 19 November 2014).

^{xxiii} Daniel Ciobotea,

http://basilica.ro/stiri/preafericitul_parinte_patriarh_daniel_a_deschis_lucrarile_consftuirii_nationale_anuale_a_inspectorilor_de_religie_1611.html (accessed 7 October 2014).

^{xxiv} See Protocol, available at [./Downloads/Protocol%20MEN%20-%20Patriarhie%20-%20SSC.pdf](http://Downloads/Protocol%20MEN%20-%20Patriarhie%20-%20SSC.pdf) (accessed 18 November 2014).

^{xxv} See Anca Murgoci, “Religia scoasa din scoli” available at http://www.dcnews.ro/religia-scoasa-din-coli-religia-inlocuita-cu-etica-i-cultura-civica_456767.html (accessed 18 November 2014).