

PE1487/N

Religious Observance in Schools (PE1487)
Response from the Scottish Council of Jewish Communities

The Scottish Council of Jewish Communities (SCoJeC) welcomes the opportunity to provide evidence in relation to PE1487. Faith communities make a valuable contribution to Scottish society, including in schools, we would not wish this to be lost or diluted in any way.

The difference between Religious Observance and Religious Education

Religious observance should not be confused with religious education. Religious education plays an important part in raising awareness about different faith communities. The unknown may often be a source of fear or object of vilification, so appropriate, accurate, and effective teaching about Scotland's diverse communities is essential to the development of good community relations.

The term "religious observance" can be understood in a number of ways. According to the plain meaning of the words it includes acts of formal worship within a particular faith tradition, such as Mass in Roman Catholic schools and Christmas carol services in non-denominational schools, as well as any activity that is specific to a particular religion and would not be practised by members of other faith communities. Examples of these include Jewish pupils eating kosher food, Sikh boys wearing a turban, Muslim pupils fasting during Ramadan, and Christian pupils singing Christmas and Easter hymns. Since these and other observances of religious requirements are, by definition, faith specific, we are concerned that the relevant Scottish Government guidance is misleading when it states "*It is of central importance that **all pupils and staff can participate with integrity in forms of religious observance without compromise to their personal faith.***"¹ (our emphasis). It is also unclear whether this means all forms of religious observance, or merely some.

Underlying this concern is the fact that the Scottish Government guidance reinterprets the term "religious observance" in a way that disregards its normal meaning, as "*community acts which aim to promote the spiritual development of all members of the school's community and express and celebrate the shared values of the school community*". This is not a matter of chance: the definition was adopted in 2004 precisely in order to circumvent the statutory requirement for genuine religious observance without the need to amend primary legislation. The problem, as with all creative reinterpretations, is that the words are then left ambiguous between the original literal meaning and the neologism. So "religious observance" as redefined according to that deliberately nebulous definition, might be an acceptable all-school activity, but genuine religious observance – faith-specific worship, dietary rules, and dress code, for example – is not.

¹ <http://www.scotland.gov.uk/Resource/Doc/920/0113848.pdf>

That said, it is common ground that compulsory participation in other faiths' observance is unacceptable, and pupils and parents from minority faith communities must not be pressurised to participate in faith-specific worship. Letters such as the following, forwarded to us by a parent, can only result in feelings of alienation:

"... we hold the Great Assembly in Holy Trinity Church for all S3 to S6 pupils. Participating in a service in Holy Trinity Church is an ancient tradition in the school. ... Irrespective of any question of personal belief, Easter is part of our cultural inheritance and the theme of renewal is of universal significance."

The final phrase and the fact that the letter goes on to affirm that this "*celebrate[s] the many strengths*" of the school, just emphasis how far it is from grasping the nature of cultural and religious diversity.

Religious observance as part of the mainstream curriculum

In many (if not most) non-denominational schools, non-Christian pupils often feel excluded, for example when music and drama classes during the winter term are spent in rehearsing for carol concerts and nativity plays. During our recent Scottish Government funded *Being Jewish in Scotland*² project, which explored the experiences of Jewish people living throughout Scotland, a number of people expressed their discomfort about this issue. One participant, for example, told us:

"I always have a bit of a dilemma because I'm quite musical. Most of the year I'm in the choir and in the orchestra, and then it gets to Christmas and I have to think, do I sing and just miss out the key words, do I sing and say beforehand to myself "this doesn't count"? Our school is very big on diversity. Our motto is 'we value the diversity that exists', but the diversity doesn't seem to have quite reached the music department. It doesn't occur, when they're thinking of songs, to think of songs that everyone can sing happily. They don't even think about it." (F, under 21, Central Belt)

It is of the nature of religion (and non-religious belief systems) that each thinks its own understanding to be correct, and therefore that others are wrong; however much room each faith makes for good relations with others, different answers to questions such as "how many gods are there?" are contradictory. Conveying that should be central to religious education and also the fact that dissent does not preclude respect. It is therefore important that any religious observance in the school should not contradict that message, and it is unacceptable that, as another participant in *Being Jewish in Scotland* told us:

"My daughter was told at Easter time that she killed Jesus. ... I sat in an Easter ceremony ... and one of the children read "The Jews wanted Jesus dead." ... She was upset." (F, 40s, rural)

² http://www.scojec.org/news/2012/12vii_bjis/bjis.html

Schools must give greater thought to the impact that religious ceremonies can have on children of different faiths or none, and avoid offensive falsehoods and misrepresentations and derogatory language that cause such hurt.

Religious Assemblies

We do not have any objection to Christian assemblies in schools, including non-denominational schools, provided that pupils of other faiths and of no faith are catered for sensitively and separately, and parents are fully informed about the alternative arrangements. This is not, unfortunately, always the case. As one participant in our *Being Jewish in Scotland* project told us:

"[I had] tensions with my children's schools because I was not content for them to engage in Christian worship – the reaction combined incomprehension and annoyance at the inconvenience. "We all worship the same god really". No, we don't; that's part of the point." (M, 50s, North-East)

Where there is a sizeable minority of any faith community within any school, denominational or otherwise, those pupils should be provided with the opportunity to hold parallel assemblies, but schools must make appropriate provision for pupils for whom this is not the case, as well as for those who do not belong to any faith community. We share the petitioners' concern that "*children [not attending assemblies] have been left unattended in corridors with little that is meaningful to do.*"³

Another cause for concern is the common practice of incorporating both religious service and school prize-giving into a single event, with the result that many of the pupils supposedly being honoured, and their parents, feel uncomfortable or even alienated.

Opt-in or Opt-out?

1) Non-denominational Schools

Part of the problem is that many supposedly non-denominational schools in fact function as if they were Christian, generally Protestant, denominational schools; in those cases, for the reasons outlined above, the real issue is neither one of permitting pupils to opt out nor of requiring them to opt in, but of ensuring that all all-school activities in non-denominational schools are genuinely non-denominational. However, in view of the number of pupils and parents from minority faith communities who report feeling excluded and alienated, we agree with the petitioner that there is a strong case to be made for reversing the current situation so that pupils in non-denominational schools are required to opt in to religious observance activities.

³ Official Report, Public Petitions Committee, 3 September 2013, col 1586
<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=8474&mode=pdf>

At very least it must be made clear that religious observance is not a compulsory part of the school experience, and appropriate provision must be made for pupils who do not participate, in order that they are not made to feel excluded.

However, adequate provision must then also be made for those who do opt in, and not only for the majority faith. A non-denominational school must be able to accommodate pupils who wish to eat only kosher or halal food, fast during Ramadan, observe religious festivals, or wear a hijab or a kirpan, and, where required, should also facilitate faith-specific worship and, faith-based counseling. A possible model is that of hospital chaplaincy (aka “spiritual care”) in which honorary chaplains are appointed from all relevant faith communities. Education is at least as important, so that even if geographic considerations may present practical obstacles at a local level, resources should be found by central government.

2) Denominational schools

The situation with regard to denominational schools is different. When parents make a conscious decision to send their children to a denominational rather than a non-denominational school, they do so with the foreknowledge that its activities will include the religious observances of that faith. In this case they have, effectively, already opted in, and it would not be reasonable for them then to demand that the school change its ethos and practices. We would, therefore, argue in favour of maintaining the status quo for these schools.

Note: The Scottish Council of Jewish Communities (SCoJeC) is the representative body of all the Jewish communities in Scotland. SCoJeC advances public understanding about the Jewish religion, culture and community, by providing information and assistance to educational, health, and welfare organisations, representing the Jewish community in Scotland to Government and other statutory and official bodies, and liaising with Ministers, MSPs, Churches, Trades Unions, and others on matters affecting the Jewish community. SCoJeC also provides a support network for the smaller communities and individuals and families who live outwith any Jewish community, and assists organisations within the Scottish Jewish community to comply with various regulatory requirements. SCoJeC also promotes dialogue and understanding between the Jewish community and other communities in Scotland, and works in partnership with other organisations and stakeholders to promote equality, good relations, and understanding among community groups. (Scottish Charitable Incorporated Organisation SC029438)

In preparing this response we have consulted widely among members of the Scottish Jewish community.