

## **Human Rights Issues in Icelandic Society** **Regarding Freedom of Religion and Conscience.**

**This report is submitted by Siðmennt, the Icelandic Ethical Humanist Association January 2011 and was written by Hope Knútsson, president of Siðmennt.**

### **Separation of Church and State**

**Iceland still has a state religion. The Icelandic constitution gives special privileges and protection to one religious denomination, the Evangelical Lutheran church, despite the fact that there are at least 30 other religious organizations in Iceland and one secular life stance organization. The Icelandic government collects church taxes and distributes funds to registered religious organizations. The state church receives billions of krónur above and beyond the standard amount that other religious groups get.**

**According to one of Iceland's leading human rights lawyers, Oddný Mjöll Arnardóttir who is also a law professor, the Icelandic constitution does not offer people with a secular life stance the same protection as people with a religious life stance. In an article called "Trúfrelsi, sannfæringarfrelsi og jafnrétti í íslensku stjórnarskránni" she stated that the Icelandic constitution offers poorer protection of human rights in this area than the various human rights declarations which Iceland has signed.**

**The role of the state regarding religion and life stance affairs should be to protect the rights of all citizens to hold and behave according to whatever life stance they so choose. Government should be neutral and independent regarding religion. Individuals' life stances, be they religious or secular, are a private matter and it is not the domain of the state to discriminate against people based on their life stance. In a verdict by the Human Rights Court in Strassborg on December 13<sup>th</sup>, 2001 in the case Metropolitan Church of Bessarabia against Moldavia, it is stated that it is the duty of the state to be neutral in its relations with different religions and other life stance groups. The judgment was based on Article 9 of the European Declaration of Human Rights regarding freedom of thought, conscience, and religion.**

**Non-religious life stance organizations like Siðmennt (Humanists) are not supported financially and do not have equal legal status to religious life stance organizations despite being in existence for 20 years and offering similar services to religions. The fact that these**

**organizations do not have equal legal and funding status is a human rights violation.**

**The Icelandic constitution needs to be changed. There are two contradictory articles in the constitution. One grants privileges to one religion above and beyond all others while the other guarantees religious freedom. This allows the government to discriminate against other religions and life stances, which is also a violation of the equality rule of the constitution.**

**Article 62 says that the Evangelical Lutheran Church shall be the state church of Iceland and the government shall therefore support and protect it.**

**Article 65 says that everyone shall be equal under the law and be guaranteed human rights regardless of gender, religion, opinions, ethnic origin, race, economic status, or other position.**

**The Icelandic constitution is now under review. A constitutional assembly was elected in November 2010 to initiate the process of revising the constitution and was supposed to start meeting in February 2011 but the Icelandic Supreme Court declared the election to be null and void because of some irregularities in the election process. Its future remains uncertain at the time of this writing, (January 2011). If the constitutional assembly gets reinstated then an opportunity will exist for Iceland to correct the human rights contradictions in its constitution, although there is no guarantee that this will happen since many of the elected members are sympathizers for the national church. One can understand the historical context in which a state church was established in the 19<sup>th</sup> century when Icelanders adopted their constitution. However, there is no rationale for such an arrangement in a democratic, diverse, and secular society built on freedom and human rights in the 21<sup>st</sup> century. Modern societies in today's world cannot at the same time have a state religion.**

#### **The situation in the rest of Europe**

**The other Nordic countries are heading towards separation of church and state. Sweden took the lead and disestablished its state church more than a decade ago. Norway is working towards separation. There are movements towards separation in Denmark and Finland. France separated church and state in 1905. Italy, Germany, Holland and Belgium do not have a state church. After the fall of Communism in the 1990's all the newly independent states in Eastern Europe chose separation of church and state. The trend in Europe towards secularism has also meant that the connection between religion and public institutions (such as schools) is being or has already been broken.**

### **Public opinion in Iceland**

Surveys done nearly annually since 1993 of the opinion of the Icelandic population regarding church/state relations have shown consistently that the majority of Icelanders are in favor of separation. The figures were always between 60 and 65% until 2009 when those in favor were 74%. In 2010 the figure was 71%. It should be noted that among members of the state church, 70% are in favor of separation.

### **Religious indoctrination in public schools**

State church priests and deacons, with some exceptions and varying intensity, come into public nursery and primary school classrooms and indoctrinate children. It is often done without parental knowledge or permission or under the pretense that it is not indoctrination. School children are taken to churches and participate in religious rituals. Children in some classrooms participate in public prayers. The representatives of the Gideon Association come into classrooms and distribute bibles to all children, whether they are Christian or not and in some instances conduct public prayers. Children often participate in religious plays. All of these activities are defined by international human rights organizations as religious indoctrination.

The clergy are most often called into schools to do crisis intervention after accidents or deaths, even though there are more qualified professionals such as psychologists and social workers who are not brought in as often. Icelandic theology students are not required to take any courses in pastoral counseling, crisis intervention, or therapeutic methods during their education. Some do take elective courses in these areas but none are required. On the other hand psychologists and other mental health professionals undergo at least 5 years of education and clinical practice in therapeutic methods.

### **Siðmennt collects examples of indoctrination and discrimination against non-believers in Icelandic public schools.**

The education law in Iceland explicitly states that schools are institutions for education, not indoctrination. Siðmennt has collected many examples from individuals documenting the discrimination they and their children have endured from some teachers and school authorities who do not understand the meaning of freedom of religion or secular education. Parents have been contacting us for 20 years with such complaints and in recent years the newly established Human Rights Council of the City of Reykjavik has received similar complaints. We have posted some of these descriptions on our website [www.sidmennt.is](http://www.sidmennt.is) . We can supply English translations of the 16 examples on our website.

**Religious confirmation trips disrupt 2 days of teaching every year.**  
The majority of primary schools arrange 2 day trips or sometimes longer, in close cooperation with the state church for 13 year olds who are going to be confirmed in the state church. These trips are taken during school time, teaching is canceled and kids who are not getting confirmed in the state church are almost always left with no teaching or alternative activity.

**Christian ethics and heritage written into school law and curriculum.**  
For 32 years, from 1974 till 2006 the law about nursery and primary schools included a phrase requiring that the curriculum be founded on Christian ethics. In 2006 the Minister of Education introduced a bill in Parliament to replace that phrase with a list of specific universal human values. Some conservative MPs stirred up a firestorm about the change. The "compromise" that was reached replaces Christian ethics with the list of universal values but added the phrase Christian heritage. In addition, the curriculum states that the moral values of Icelandic society originate in Christianity – period! By excluding other sources such as philosophical ones the Icelandic educational authorities allow lies by omission in this important official document.

#### **Parliamentary Mass**

The opening session of the Icelandic Parliament starts every year with a Mass in the National Cathedral conducted by state clergy. It is not compulsory that all MPs attend but it is a rare occurrence if any dare to break with this tradition even though many are not religious believers. Parliament is supposed to represent ALL Icelanders, not just Christian ones. Iceland is a secular state, not a theocracy. It is inappropriate to conduct a sectarian religious ritual on this occasion.

#### **Church taxes**

The Icelandic government collects a church tax from all its citizens even if they are not members of any church! People who are in religious organizations that are not officially registered or secular life stance organizations are forced to pay this tax but get nothing in return for it.