

## EXPLAINING DIFFERENCES IN THE DEVELOPMENT OF DENOMINATIONAL SCHOOLS

### The Cases of Slovenia, Hungary and Poland

**Abstract.** *The article tries to explain differences and similarities seen in the development of denominational schools in the special environment of post-socialist countries by considering state policies on denominational schools and other relevant factors such as the level of religiosity, the role of the church in public schools and the heterogeneity of the religious population. It shows that different state policies on denominational schools have on one side influenced the extent of the development of denominational schools, which is evident from the cases of Slovenia and Hungary and partly from the case of Poland but, on the other side, the case of Poland shows that we cannot explain the extent of the growth of denominational schools merely on the basis of state educational policies. Two particularly important factors for the development of denominational schools are the heterogeneity of the religious population and the character of public schools in terms of religious neutrality. The article concludes by discussing political influences on the development of denominational schools.*

**Key words:** *denominational schools, state educational policies, development, Slovenia, Hungary, Poland*

## Introduction

After the socio-political changes at the beginning of the 1990s there was a 'boom' in the development of third sector organisations in all post-socialist countries. This development was especially extensive as regards denominational third sector organisations in all fields of social welfare (Szeman and Harsanyi, 2000; Kolarič et al., 2002; DeHoog; Racanska, 2001). Third sector organisations that provide services are, besides the fields of social services and healthcare, especially active in the area of education. Here we should emphasise the important role of denominational third sector organisations

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in these fields. Their role is especially significant in the education field since denominational educational institutions in countries with the most extensive development of private education, such as the Netherlands, Belgium and Ireland, represent the majority of the private educational sector. In addition, these states have the most developed third sector as regards the level of the sector's employment (Salamon and Anheier, 1998). Similarly, as argued by James (1989, 1993) most founders of third sector organisations in the education field are ideological organisations, especially religious organisations. Proselytising religions such as Christianity have historically used schools as a mechanism for shaping values, socialising old members and attracting new ones; the Church has traditionally run its own school system with these objectives in mind. The non-profit form is used since these founders are interested in maximising membership of their faith rather than making a profit (James, 1993: 577). Along the same lines, Kolarič et al. (2002) argue that the Church seeks to be particularly active in the area of education, which is of the utmost importance for the Church to reassure its legitimacy.

Therefore, the subject of our analysis is the development of denominational schools<sup>1</sup> as comprising the largest part of the private educational sector in post-socialist societies (a comparative analysis of Slovenia, Hungary and Poland) on the primary and secondary education levels<sup>2</sup>. This does not mean that the development of denominational institutions on other education levels is not important; however, in the field of primary and secondary education it seems the most evident to what extent the state in its educational policies is 'counting' on third sector organisations, especially denominational organisations. The experiences of other European countries show that there is no single answer to this question (Eurydice, 2000). Private schools and particularly denominational schools play very different roles in various countries that stems from the very old and complex issue of reconciling the roles of the state and the church in the education field (Goodings and Lauwerys, 1996). From this point of view, it is very interesting to examine the development of denominational schools in post-socialist countries where it only recently began once again. Many authors (Borowik, 1999; Smrke, 1996, 1999) state that in these countries the claims of the church in the public sphere and especially in education are particularly strong, which is also seen in the 'heated' public discussions concerning the introduction of confessional religious education in public schools.

<sup>1</sup> The term private school refers to educational institutions established by private legal entities, including the Church. The term denominational school refers to schools established by the Roman Catholic Church as the dominant church in all three countries. Private schools are defined as third sector organisations and the understanding of their role in education and their development will be placed within the theories of third sector development.

<sup>2</sup> In accordance with the international classification of education (ISCED 1976) the following levels of education will be taken into account: ISCED 1, 2 and 3.

Hence, the chief aim of this article is to explain differences and similarities seen in denominational schools' development in the special environment of post-socialist countries by considering state policies on denominational schools and other relevant factors such as the level of religiosity, the role of the church in public schools and the heterogeneity of the religious population.

### State educational policy on denominational schools

In order to understand the development of denominational schools it is first necessary to look at government policies. In all three countries denominational schools are included in the legislation on private education, however, with one important difference. In Slovenia denominational schools are considered private since they are privately founded and do not belong to the public education network. On the contrary, in Hungary and Poland they are private only in so far as they are privately founded, yet they form part of the public education network. Therefore, while in all three countries the position of denominational schools will be discussed within the framework of private education, we should keep this important difference in mind.

After the changes in the political system all three countries passed new legislation which once again enabled the founding of private and denominational schools. All three countries consider the right of parents to choose education for their children in accordance with their religious beliefs as a positive right, which means that denominational schools are extensively publicly financed. However, an in-depth analysis of educational legislation reveals important differences among the mentioned countries in state educational policies on denominational schools and how they are embedded in the education system.

#### *Slovenia*

In Slovenia in a terminological sense the educational legislation does not distinguish between denominational and other private schools. Nevertheless, the position of denominational schools is separately defined in line with the principle of the autonomy of the school space. Denominational schools are not part of the public education network and their status distinguishes them from those private schools which operate on the basis of concession agreements<sup>3</sup> and their programmes do not differ from the pro-

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<sup>3</sup> A concession agreement is a contract between the state (at national or local level) and a private profit or non-profit service provider in which the extent and type of services to be provided by the private actor and the costs to the state are agreed (Kolarič et al., 2002: 144). In English terminology, the term 'contracting out' is sometimes applied. In this article the term concession is used since it is the official termi-

grammes of public schools. The Organisation and Financing of Education Act (1996, 2007, 2008) clearly specifies two types of private educational institutions: those with a concession (granted by the state) and those without a concession (established by private initiative). Private schools with a concession belong to the public school network, while the term 'private schools' defines those without a concession and includes denominational schools. These two types of regulation of private schools differ not only in that the concession demands the same programme be implemented as in public schools but also according to the type and level of public financing. Prior to this legislation being enforced in 1996 the status of private schools, including denominational schools, was not clearly defined. Denominational schools were regulated in the same way as other private schools and could be given a concession. The legislative changes of 1996 came about as a concession 'represents a state initiative' (MES, 1995: 236) and not a private one. According to the new legislation, a concession is only given where private schools perform the role of supplementary institutions to the public ones and only differ from them in terms of who is their founder.

Since these legislative changes of 1996 a concession can no longer be granted to denominational schools. This solution is due to the fact that the curricula of denominational schools contain confessional religious education, which in Slovenian public education is explicitly prohibited by Article 72 of the Organisation and Financing of Education Act (1996, 2007, 2008). This means that in public schools and those entitled to a concession which are regulated in a similar way as public institutions, it is forbidden to offer religious education or confessional instruction with the aim of teaching religion and, where a particular religious community may be in a position to exert an influence over the contents, teaching materials and qualifications of the teaching staff, religious worship is also forbidden<sup>4</sup>. Afterwards, this regulation of the prohibition of confessional religious education in private schools with a concession was amended. According to a 2002 ruling of the Constitutional Court that stated that the prohibition on confessional religious education in private schools with a concession is not in compliance with the Constitution, Article 72 was relaxed and now states that confessional religious education is forbidden in public schools while it is allowed in private schools with a concession, but not as part of the regular curriculum and in such a way that it does not interrupt the regular school curricula<sup>5</sup>. However, this still means that denominational schools cannot be granted a

nology in the Slovenian education legislation. In the case of education, concession agreements are entered into with only private non-profit providers since publicly financed profit-oriented educational activity is prohibited.

<sup>4</sup> Article 72 of the Organisation and Financing of Education Act (1996, 2007, 2008).

<sup>5</sup> Act on Changes and Completions of the Organisation and Financing of Education Act (2002, Art. 2).

concession since their regular curriculum includes confessional religious education as a compulsory subject.

Denominational schools that satisfy the statutory financing requirements are entitled to receive budgetary funds and are funded on the basis of the law itself. According to the legislation, denominational schools are entitled to funding for each student in the total amount of 85 percent of funds provided by the state or by the municipality for salaries and indirect labour-related costs per pupil of a public school<sup>6</sup>.

It is important to note that denominational schools that were awarded concessions prior to the law being adopted in 1996 are still financed in accordance with the concession agreements<sup>7</sup> drawn up at that time. Under these agreements, denominational schools are entitled to 100 percent of the funds allocated to salaries and operating expenses in corresponding public schools. Denominational schools established after the new law came into force were, in the first three-year transition period following enforcement of the act, entitled to 100 percent of the funds per pupil paid to public institutions. After a three-year period they were only financed up to 85 percent. This regulation was to facilitate the first years of their operation (MES, 1995: 234). All those established after 1999 were only entitled to 85 percent of the funds. In 2007 the changes in the legislation once again ensured the 100 percent financing of private schools for a three-year period following enforcement of this act.<sup>8</sup>

In addition to the aforementioned, until 2008 the legislation restricted the public financing of private schools where the level of enrolment in a private school might jeopardise the existence of the only public school in the same locality<sup>9</sup>. In line with the amendments to the legislation in 2008, this article was deleted and now only states that school-age children have the right to attend public school in their local environment irrespective of the existence of a private primary school.<sup>10</sup>

It should be mentioned that in the period when a right-wing political elite governed Slovenia (2004-2008) there were 'heated' public debates about changes in educational legislation regarding the public financing of denominational schools and private education in general. In accordance with the suggested amendments to the legislation private and denominational schools should have been entitled to the same public financing as public schools, the whole system of financing of education should have been changed into a system primarily depending on the number of pupils,

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<sup>6</sup> Article 86 of the Organisation and Financing of Education Act (1996, 2007, 2008).

<sup>7</sup> Article 138 of the Organisation and Financing of Education Act (1996, 2007, 2008).

<sup>8</sup> Article 138 of the Organisation and Financing of Education Act (2007).

<sup>9</sup> Article 87 of the Organisation and Financing of Education Act (1996).

<sup>10</sup> Article 87 of the Organisation and Financing of Education Act (2008).

making the financing of education similar to the Hungarian system. These suggested amendments to the educational law were not put into force, as regards the financing of private education only the abovementioned changes were introduced in 2007 and 2008 in favour of the development of private education. Further, the possibility of public financing on the basis of the law itself was extended to private vocational and technical schools which, according to the 1996 legislation, could only be publicly financed on the basis of concession agreements, meaning that denominational vocational and technical schools could not be publicly financed.

### *Hungary*

In Hungary, denominational schools form part of the public education network. Nevertheless, they enjoy the benefits of autonomous operation as they are legally independent institutions separated from the education system of local government but their financing and educational activities are controlled by the state and are regulated by the Public Education Act (OKI, 2001). They are independent when founded, when selecting the type of maintainer or type of management and when developing their own pedagogical programme and local curricula. Denominational schools are not bound to the principle of confessional neutrality like the educational institutions of public entities (Schanda, 2002: 23).

The denominational schools in Hungary assume two roles: complementary and supplementary (OKI, 2001). Denominational schools practising alternative approaches following particular ideologies and programmes perform a complementary role. They are allowed to participate in carrying out the educational duties of the government as partners. When carrying out the task of the local government, they may sign a public education agreement with the local or regional government (or with the minister, if the institutions undertake regional or national tasks) and perform the supplementary role. This is due to the important characteristics of the Hungarian administrative system, namely that the obligation to provide services does not mean that the local government has to maintain a school (OKI, 2001). The law allows the local representative bodies to co-operate with other maintainers such as the Church. On the basis of a Constitutional Court ruling of 1993 the only restriction is that school-aged children should have in their local communities the right to attend a religiously neutral school. In accordance with the educational law from 1993 and the denationalisation claims of the Church it occurred in some small local communities that the only public school was transformed into a denominational school and the pupils no longer had the possibility to attend a religiously neutral school. On the basis of complaints by parents and teachers in 1993 the Consti-

tutional Court ruled that the state (or the local community) should ensure the right to attend a religiously neutral school to everyone who does not want to attend a denominational school<sup>11</sup> However, this does not mean that a religiously neutral school should exist in a local community. The decision how to fulfil this right is left up to the local community. Children who do not want to attend a denominational school as the only school in a particular local community can attend a neutral school in another local community. Some local communities solved this problem by separating a school into two parts, one for the public school and the other for the denominational school (Nagy, 1997; Fedor, 2005).

The operation of denominational schools is financed both by the state budget and the service provider. The state provides a normative grant for all service providers, local government, state organisations, denominational or other private institutions on an equal basis and to an equal extent (OKI, 2001). Hence, private schools –where their institutions fulfil their basic legal obligations and local government continues their registration – are automatically given the same normative state grants as the schools from the local government. Further, the 1999 Amendment to the Public Education Act considerably transformed the system of subsidies for schools maintained by organisations other than local government or the state. The majority of expenses are covered by the budget in a sector-independent manner (OKI, 2001). The situation is even better for Catholic denominational schools that are, in accordance with a ruling of the Constitutional Court and under an agreement between the Holy See and the Hungarian government from 1998 reimbursed for the total average amount (above the normative state grant) spent on public education by local governments in the previous year (OKI, 2001). As stated in the Constitutional Court Decision (1997) positive discrimination in the funding of Catholic Church-owned schools is needed in order to enforce fundamental rights defined in the Constitution. Local government or the state can further supplement this subsidy if the denominational school fulfils state or local government educational functions based on a public educational agreement. If so, the education provided for the pupils at the denominational institution is free of charge (OKI, 2001). Another important feature is a characteristic of education financing which makes the support of institutions primarily dependent on the number of pupils. This aspect emphasises competition between schools, whether public or private, as a key element of the system (OKI, 2001).

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<sup>11</sup> Constitutional Court Decision 4/1993.



*Poland*

In accordance with the Law on the Education System (1991) there are two types of schools in Poland: public (state) schools and non-public schools. Non-public schools can be civic (social), denominational or private. The schools were called 'social' or 'civic' on the basis of efforts made regarding their establishment by members of local social groups, mostly teachers and parents (Eurydice, 2005). There is no terminological distinction in the legislation among these types of schools, with the term non-public schools being used for all of them, meaning those that were not established by the state or local government.

Denominational schools are relatively autonomous as regards their curriculum and can have their own curriculum that needs to be approved by the Minister of Education. They can have their own textbooks which are also used in some public schools (Putkiewicz and Wilkomirska, 2004). Denominational schools may acquire the status of public schools and as such become part of the public educational network. For acquiring the status of a public school there are no differences between denominational and other private schools since the law does not require religious neutrality to acquire the status of a public school. At this point it should be emphasised that in Poland even public schools are not religiously neutral since the Law on the Education System (1991) states that catholic values and teachings should be taken into account in public education. In order to acquire the status of a public school private and denominational schools should implement curricula based on the core curriculum and should fulfil almost all the conditions that apply to public schools. However, they are autonomous in determining the enrolment criteria and can charge school fees (Jung-Miklaszewska, 2003: 8). Denominational and private schools with the status of a public school are eligible for public financing. Further, denominational and private schools with the status of a public school can fulfil the general obligation of the provision of education in a local community. In this case, private and denominational schools substitute public schools.

Hence in Poland there are two types of private schools: those with the status of a public school and those without it. Private schools with the status of a public school play, similarly as in Hungary, two roles: they can complement or substitute public schools. In regard to this, there are no differences between denominational and other private schools.

The educational legislation from 1991 enabled private and denominational schools to play, besides the role of complementary institutions, the role of supplementary institutions to the public schools if they fulfilled the obligation of schooling in a particular local community.

Later on the Law on Implementation of the Reform of the Education



System (1999) brought some important changes with regard to the position of private and denominational schools in the Polish education system. With this reform the ownership or management of public primary and secondary schools could be transferred to local governments or third sector organisations, including Church organisations. The school reform of 1999 distinguishes the regulatory and supervision function, which is under the auspices of the state or self-governing local communities, from the actual service provision function (Les et al., 2000: 22). The whole responsibility for the education system rests on public authorities, while the production of educational services can be provided either by public or private suppliers, including the Church (Eurydice, 2002). Hence, the Law does not state that the government obligation to provide educational services implies that these should be publicly founded. Les et al. (2000: 22) state that on the basis of the high expenses involved in the maintenance of public schools some local governments, mainly in rural areas, decided to delegate schools to private non-profit providers.

The supplementary role was further enhanced in the school reform of 2000. Until the amendments to the educational legislation in 2000 private and denominational schools in cases where they were not also fulfilling the public educational duty in a local community were only entitled to 50 percent of the public funds spent by the local government per pupil in a public school. Yet, since this educational reform even in cases where they do not fulfil this role they are entitled to 100 percent of funds with regard to per pupil expenses in a public school. The changes in the level and system of the public financing of private and denominational schools with the status of a public school in the reformed Polish educational legislation have brought about a more liberal regulation of the education system, similar to the Hungarian one.

According to the law, private schools without the status of a public school can also receive subsidies from local government budgets<sup>12</sup>. The decision on the public financing of these schools lies in the hands of local governments.

It should be mentioned that in Poland, unlike in Hungary, where the share of public financing of denominational schools is determined in an agreement between the Hungarian government and the Holy See, the Concordat between the Holy See and the Republic of Poland, which was signed in 1993 and only ratified in 1998, does not determine the share of public financing of Church schools. It is only mentioned there that the state or local community should financially support Church schools, according to the circumstances and criteria determined in relevant legislation<sup>13</sup>.

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<sup>12</sup> Article 90 of the Law of the Education System (1991) with amendments.

## The development of denominational schools

After examining the different government educational policies for the development of denominational educational institutions, it is interesting to look at how this has influenced their development.

The development of denominational schools will be shown by two types of data<sup>14</sup>. First, we examine data on the share of denominational schools in primary and secondary education. However, this does not provide us with a full picture of the process of the development of denominational schools since, despite the large number of institutions, there might only be a small share of pupils in these schools so therefore we will complement this data with data on the number of pupils attending these schools, which is also one of the most commonly used indicators for the development of private education applied in international databases (see Eurydice, 2000).

On the basis of these data we will try to provide a comparative picture of the development of denominational schools in the case-study countries<sup>15</sup>. In general, the Church prevails among the founders of private primary and general secondary schools, while vocational and technical schools are mostly established by different economic associations, enterprises and foundations (Medveš, 1996). Interest in establishing vocational and technical schools is hence more dispersed than with general schools, which are mostly founded by the Church.

Before presenting the comparative analysis of the development of denominational schools among the mentioned countries, we should emphasise that in Slovenia denominational schools constitute the majority of the private provision of education, while in Poland they constitute the minority in private education provision. In this way Poland represents an exception among European countries, where denominational schools usually represent the biggest share of the structure of private education (see Rakar, 2007).

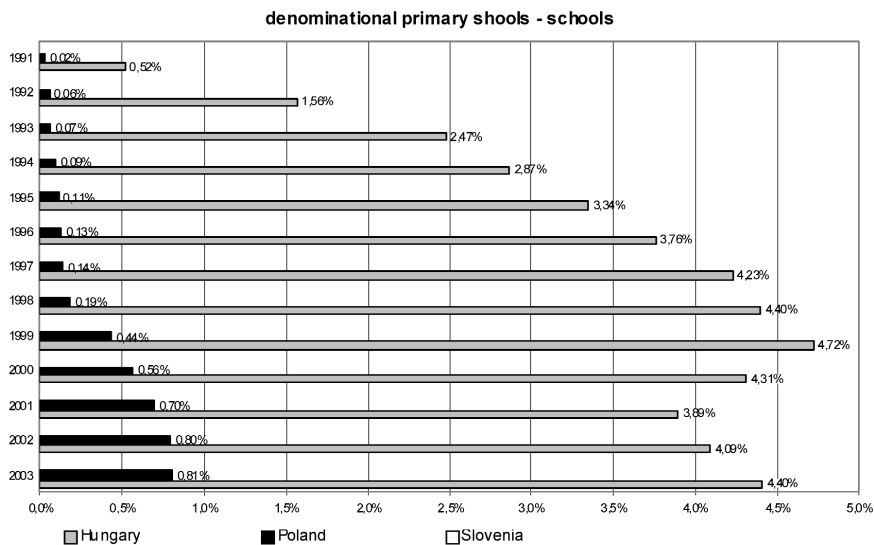
First, we will look at the development of denominational schools on the primary education level.

<sup>13</sup> Article 14 of the Concordat between the Holy See and the Republic of Poland (1998).

<sup>14</sup> We should point out that the data for Slovenia about the share of pupils in denominational schools on the level of secondary education refers to all private schools and not only denominational schools since data for denominational schools alone was unavailable. Nevertheless, we included this data since denominational schools in Slovenia represent the vast majority of private schools. In the case of Hungary the data include all denominational schools; however, the majority of denominational schools belong to the Roman Catholic Church followed by a large number of Reformed Church institutions. We are aware of the fact that the data are not fully comparable but these were the only available data.

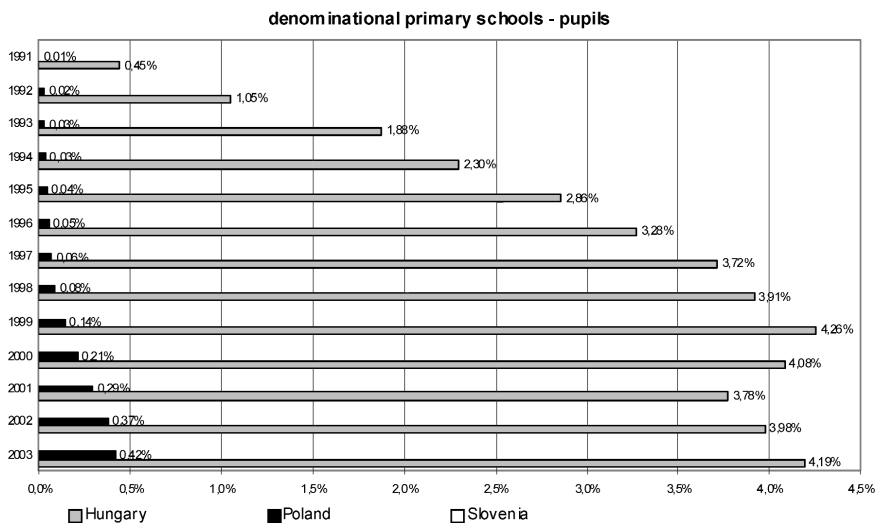
<sup>15</sup> The data were gathered from the national statistical offices: Statistical Office of the Republic of Slovenia ('SORS'), the Hungarian Statistical Office ('KSH') and the Central Statistical Office of Poland ('GUS'). On the basis of their data we calculated the share of denominational schools according to all educational institutions on the relevant educational level.

Figure 1: The share of denominational schools according to all schools on the primary education level in a comparative perspective



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Figure 2: The share of pupils in denominational schools according to all pupils on the primary education level in a comparative perspective



As shown in the above figures, differences among the case-study countries in the development of denominational primary schools are apparent. In Slovenia up until 2008, when the first primary denominational school was

founded, there was no development of denominational schools on this level of education, in Poland the development of primary denominational schools was very small, while in Hungary the development was relatively intensive.

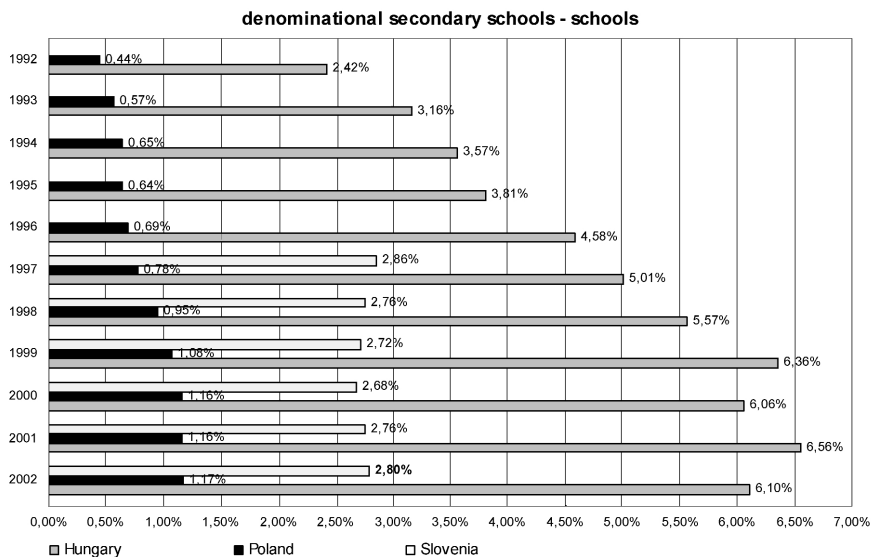
The data for Poland from 1999 on include primary and lower secondary schools which belong to level of primary education. Hence, in accordance with the changes in the Polish educational legislation in 1999 we can notice slightly higher growth in the number of denominational schools due to the introduction of the lower secondary schools that replaced the last four years of the former eight-year primary schools and due to decentralisation of the education system when the ownership of public schools could be transferred to other educational providers, including the Church. Stronger growth of denominational schools in Poland can also be noticed after 2000, which is in accordance with the changes in the educational legislation when denominational schools became entitled to the same level of public financing as public schools. Nevertheless, the share of pupils in denominational schools in Poland remained very low.

On the contrary, after the beginning of the 1990s the liberal regulation of the education system in Hungary resulted in extensive growth in the number of denominational primary schools and their pupils throughout the whole period up to 2000 when the development of denominational primary schools and the number of their pupils stabilised with a relatively high share in comparison to Poland. Also in Hungary the growth in the share of denominational primary schools reflects the changes made to the educational legislation. We can notice the increase especially in the number of institutions in 1993 when denominational schools were granted the same rights as public schools and after 1999 when they became entitled to additional public financing above the normative state grant.

Based on the presented data we can conclude that the development of denominational schools on the primary education level was relatively extensive in Hungary, in Poland it was almost negligible, while in Slovenia it was non-existent until 2008.

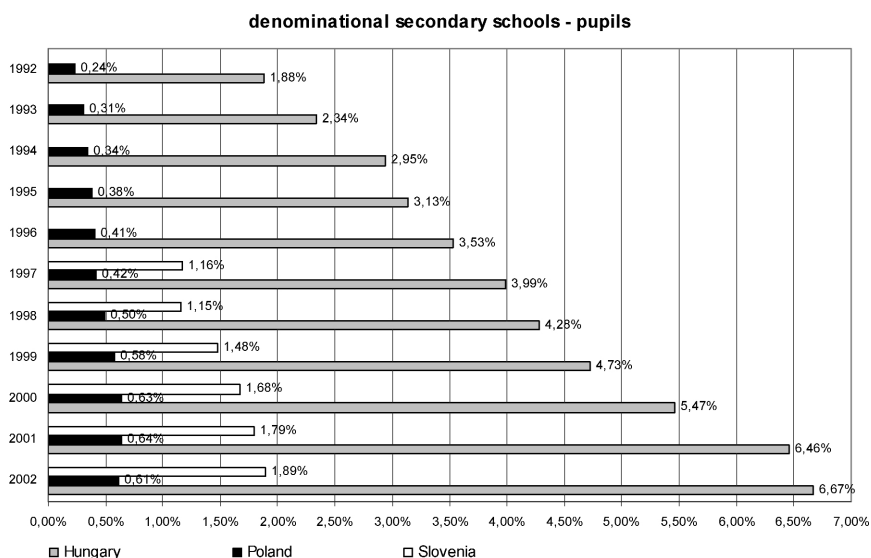
In all three countries the development of denominational schools was more extensive on the secondary education level than on the level of primary education. Data on the development of denominational schools on the secondary education level in a comparative perspective are presented in the following figures.

Figure 3: The share of denominational schools according to all schools on the secondary education level in a comparative perspective<sup>16</sup>



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Figure 4: The share of pupils in denominational schools according to all pupils on the secondary education level in a comparative perspective



<sup>16</sup> For Slovenia the data are only available from 1997 on.

As the above figures show, differences in the development of denominational schools among the case-study countries are also apparent on the level of secondary education. As regards the level of development of denominational schools Hungary again steps out. The data once more show that the development of denominational schools on this level of education was relatively intensive in Hungary, while in Slovenia and especially in Poland the development was relatively small. It is interesting that unlike with the level of primary education, where there was no development of denominational primary schools in Slovenia up to 2008, and in Poland it was relatively small, while the development of denominational schools on the secondary education level was more intensive in Slovenia than in Poland.

Regarding the process of denominational schools development on the secondary education level in all three case-study countries the growth in the number of denominational schools as well as their pupils was most extensive at the beginning of the 1990s<sup>17</sup> when the Church regained the right to establish its own schools. These data are no surprise since the formal obstacles to the establishment of denominational schools were removed and the Church once more began to fulfil its traditional role in the education field. Later on, the process of the development of secondary denominational schools differs among the case-study countries. In Hungary up to 2000 there was constant growth in denominational education in the number of institutions and the number of pupils, after this year the number of institutions stabilised at a relatively high level in comparison to Slovenia and Poland, while the number of pupils is still growing. In Slovenia there was the highest increase in the number of denominational schools in the period before enforcement of the new legislation in 1996, after 1997 the development of institutions stopped while the share of pupils in denominational schools is slowly growing. In Poland there was relatively constant and small growth in the number of denominational secondary schools and their pupils for all of the period since the beginning of the 1990s. In Poland and Hungary the changes made to the educational legislation with regard to the policy on denominational schools are, in terms of the development of denominational schools on this level of education, less apparent than on the primary education level.

On the basis of the presented data we can conclude that different state policies on denominational schools have on one side influenced differences in the development of denominational private education, which is evident from the cases of Slovenia and Hungary and partly from the case of Poland but, on the other side, the case of Poland shows that we cannot

<sup>17</sup> In Slovenia we have four denominational secondary schools, two of which were established in 1991, one in 1993, and only one in 1997.

explain the extent of growth of denominational schools purely on the basis of state educational policies. In the whole transition period state policies for the development of denominational schools were far more favourable in Hungary than in Slovenia or Poland, which consequently led to the more extensive development of denominational schools. However, on the other hand state policies for the development of denominational schools were more favourable in Poland than in Slovenia, which should have led to the more extensive growth of these institutions in Poland than in Slovenia, but the data show the contrary.

To clarify our argument here we should once more stress the key differences in state policies on denominational schools in the case-study countries which reflect whether the state is seriously 'counting' on denominational schools in the provision of education. The key differences between Slovenia and on the other side Hungary and Poland are evident from the described legislative frameworks since in all three countries private schools can perform a complementary as well as a supplementary role in the provision of educational services, yet in Hungary and in Poland both roles can also be performed by denominational schools while in Slovenia, due to the autonomy of the public school space, unlike other private schools denominational schools cannot perform a supplementary role but only a complementary one. Further, another key difference between Slovenia and the other two case-study countries is that the supplementary role of private education in Poland and especially in Hungary is far more encouraged due to the more liberal policy in the field of education that in Hungary was already put in force at the beginning of the 1990s and in Poland in its real sense following the educational reform of 1999, while in Slovenia, despite some attempts of the former ruling right-wing coalition to introduce a similar regulation of private education as in Hungary, a policy of protection of the public sector in education still holds. Referring to the socio-political strategies of the welfare system reform discussed by Kolarič (2009), we can with regard to the examined reforms of the educational system in the case-study countries conclude that in Slovenia the classical welfarism strategy still prevails, whereas in Hungary and Poland a commercialisation and consumerism strategy has been the dominant strategy.

Given the described characteristics of state educational policies on denominational schools we should have expected that the development of denominational schools would be the most extensive in Hungary, which was confirmed by the examined data. On the contrary, the data did not confirm our expectations regarding the development of denominational schools in Poland where we expected the development of denominational schools would have been slightly less extensive than in Hungary, but far larger than in Slovenia, although the data show just the opposite – that in the



development of denominational schools, at least in the case of secondary education, Slovenia is ahead of Poland.

Hence, we may conclude that the reasons for the extent of the development of denominational schools should be searched for in the initiative of the Church and not only in state educational policies on denominational schools. The low level of development of denominational schools is linked to the lower development of private education in general – in Poland there is a lack of initiative of the Church to found its own schools that usually represent the majority within the private education sector. The presented data clearly show that state policies on denominational schools are only one of the determinants of the development of these institutions. Consequently, in order to better understand the development of denominational schools other possible determinants should be taken into account.

### Determinants of the development of denominational schools

In order to explain the differences in the development of denominational schools we will base our analysis on economic approaches to the third sector's development which seek to explain which factors determine the size of the third sector in individual societies.

For our analysis James' theory is especially important. It intends to explain the relative size of the third sector in a society (James, 1987, 1989, 1993). She believes that for an increase in the size of the third sector three basic variables are important.

The first two are demand variables: either excess demand or differentiated demand. Excess demand refers to the existence of individuals who want more of some good, in our case education, than the government is providing. Differentiated demand refers to a variation in tastes for the kind of service desired (in our case, confessional education as opposed to secular public education). From her analysis, Chaves (1998: 54) derives two more general hypotheses: 1) excess demand for public goods will produce private non-profit activity in under-supplied sectors; and 2) differentiated demand will be the driving force behind private non-profit activity in well-supplied sectors.

On the basis of her empirical work on education, James argues that excess demand drives private production in developing countries while differentiated demand drives private production in advanced industrial societies that are characterised by a larger public sector and a correspondingly smaller private sector (James, 1993: 589).

In contrast, she argues that the seemingly random variation across countries within a given educational level and stage of development is due to differentiated demand and non-profit supply, stemming mainly from cultural

heterogeneity, especially religious heterogeneity. On the demand side, differentiated tastes about ideology lead people to opt out of the public system to secure the kind of education they prefer. 'The greater the religious heterogeneity of the population and the more uniform the public educational system, the larger will be the differentiated demand for private education' (James, 1993: 576). According to Chaves (1998: 54), her theoretical innovation lies in the third supply-side variable: a high level of non-profit entrepreneurship in a society will lead to bigger third sectors. Further, a major determinant of non-profit entrepreneurship within a society will be the presence of activist religious organisations. The common presence of religious organisations among the founders of third sector organisations strongly suggests that the private sector will be more important in countries with strong religious organisations competing for followers (James, 1993: 574).

### *Differentiated demand*

We can study the differentiated demand for denominational schools in the case-study countries on the basis of two indicators. The first is the proportion of the religious population. We assume that in countries with a bigger proportion of religious population, there will be a higher demand for denominational schools. This indicator is closely related with the second important indicator, which is the secular character of state/public schools, since despite a high share of a religious population in a particular society, these does not result in the greater development of denominational schools in cases where the Church has a big influence on public education. In such a case, the Church does not need to establish its own schools since it already has an influence on public education. Hence, the less the public school system is secularised the lower will be the development of denominational schools.

### *Proportion of the religious population*

This indicator is examined through the share and structure of the religious population based on data from different public opinion surveys. Besides the share of the religious population, it is important to examine what kind of religiosity is involved since people who consider themselves religious are religious in very different ways. All three countries are predominantly Roman Catholic. According to the public opinion surveys, the percentage of the religious population in the examined countries is as follows:

As shown in Table 1, the majority of people in all three case-study countries consider themselves religious, although Poland is way ahead of the other two countries. In Poland the very high share of the religious population is linked to the specific cultural and historical background of the Polish

nation. In that country there is a high connection between religious belonging and the national identity as a consequence of the special role played by the Church in Polish history under different occupation regimes, particularly the Communist regime. Hence, the Church in Poland is seen as a kind of 'fortress of national identity' (Velikonja, 2003: 250). Some authors state that in Poland we have a phenomenon of 'cultural religiosity' (Demerath III, 2000). While in Slovenia and Hungary there is no such 'cultural religiosity', as reflected in the much smaller share of the religious population. However, it should be stressed that the proportion of the religious population more than 10 % bigger in Slovenia than in Hungary. Yet, in Hungary in the last decade there was an increase in the share of the religious population, while in Slovenia the proportion dropped, similarly in Poland but on a smaller scale.

*Table 1: Share of people who identify themselves as religious (%)<sup>18</sup>*

	1990	1995	1999	Difference between 1990 and 1999 (%)
Slovenia	73.1 %	69.1 %	70.2 %	-2.9
Hungary	56.8 %	55.0 %	57.5 %	+ 0.7
Poland	95.3 %	93.7 %	93.9 %	-1.4

Source: EVS: 1990, 1999, WVS: 1995; quoted in Tomka, 2001:15

However, religiosity is a very complex criterion and can be defined in various ways. People who consider themselves religious are not all religious in the same way and to the same extent. Therefore, we need to regard these figures with caution and further distinguish the religious population. The presented criteria are based on an analysis of public opinion research by Toš<sup>19</sup> (1999). Based on his classification, a ranking of Central and Eastern European countries was derived according to the extent of their religiosity, which for the case-study countries is presented in the following table.

<sup>18</sup> The question was: Do you describe yourself as religious, non-religious or atheist? (Tomka, 2001: 15)

<sup>19</sup> His analysis is based on data collected in seven Central and Eastern European countries by the 'Aufbruch der Kirchen' research (1997). It consists of 15 variables to measure religiosity. They serve as a basis for constructing a complex dimension consisting of three elements (non-religious, autonomously religious, Church religious). This complex dimension is labelled 'intimate religiosity' and was confirmed by examining associations with other dimensions of religiosity and the selected socio-demographic variable.

Table 2: The share of 'intimate religiosity' (%)

	Non-religious	Autonomously religious	Church religious
<b>Slovenia</b>	60.1 %	21.2 %	18.7 %
<b>Hungary</b>	65.5 %	19.7 %	14.9 %
<b>Poland</b>	21.3 %	34.1 %	44.6 %

Source: Toš, 1999: 72

When we take these criteria into account we obtain a different picture. Slovenia and Hungary are highly secularised according to these criteria. In comparison with other post-socialist countries, they appear at the bottom of the scale of 'intimate religiosity'. It should be stressed that also according to these criteria Hungary is more secularised than Slovenia. As regards 'intimate religiosity', Poland again stands out at the top of the scale; however, when taking these criteria into account there is a bigger share of the population that is autonomously religious or non-religious than Church religious. Still, the share of the Church religious in Poland is very high in comparison to other post-socialist countries (Toš, 1999; Rus and Toš, 2005).

### *The role of the Church in public schools*

There are important differences among the case-study countries with regard to the issue of confessional religious education in public schools.

In Slovenia, the educational legislation respects the separation of the Church and the state defined in the Slovenian Constitution and hence forbids confessional religious education in public schools. The Organisation and Financing of Education Act (1996, 2007, 2008) determines 'the autonomy of the school space', which means that confessional religious education in Slovenian public education is explicitly prohibited by Article 72. This article states that in public schools it is forbidden to offer religious education or confessional instruction with the aim of teaching religion and, where a particular religious community may be in a position to exert an influence over the contents, teaching materials and qualifications of the teaching staff, religious worship is also forbidden. Confessional religious education in the public school space is only allowed exceptionally on certain conditions. The Minister of Education can allow confessional religious education in public schools outside the regular curriculum only as an exception on the request of the headmaster in specific circumstances where there is no other appropriate space for such an activity in the local community. Under the reform of primary education in Slovenia, in public sector schools non-confessional education about religions in the subject called 'Religions and Ethics' is encompassed by the mandatory national curriculum. This is an ordinary school subject within the competence of the state (Kerševan, 1998, 2005).

Hungary and Poland have confessional religious education in public schools as an optional subject within the competence of the Church. In Hungary, so far there is no supplementary subject for pupils who do not opt for confessional religious education, but it is envisaged in the future (Kodelja and Bassler, 2004). In Poland, public schools have to offer a supplementary subject to confessional education named 'Ethics'; however, most schools do not fulfil this obligation<sup>20</sup>. Despite the fact that in the educational legislation of both Hungary and Poland confessional religious education is intended as an optional subject, there are significant differences between the two countries as to how this is implemented, influencing the possibility of pupils as concerns the choice of this subject and hence the free choice of education with regard to religious beliefs.

In Hungary, although public schools must according to the legislation be of a neutral character, the Constitution acknowledges the right of parents to decide on the education of their children. Correspondingly, the Church has the right to provide confessional religious education in state schools on the demand of pupils and parents. Religious instruction is not part of the curriculum of public schools, religious teachers are not members of school staff, grades are not given in school reports, while the Church decides freely on the contents of religious classes and their supervision. Although teachers of confessional religious education are in Church employment, the state provides funding for the Church to fund the teachers' activities. Public schools should provide suitable a school schedule for confessional religious education and all other necessary arrangements for implementation of the subject (Schanda, 2002: 23).

In Poland, following the transition of the political system one of the first moves of the Church was a campaign to introduce confessional religious education in public schools. Already in 1990 the Ministry of Education issued a decree on the introduction of confessional religious education in public schools which was introduced without public or even parliamentary discussion (Korbonski, 2000; Eberts, 1998). A complaint by the Ombudsman to the Constitutional Court followed, asserting that the introduction of confessional religious education in public schools is not in compliance with the Constitution in regard to the separation of the Church and state. However, the Constitutional Court ruled against this complaint (Eberts, 1998: 822). The Law on the Education System (1991) further regulated confessional religious education in public schools. The controversy of this law lies in its preamble which states that catholic values and teachings should be respected in public schools. As stated by Eberts (1998), this endangers the secular character of public schools in Poland and gives the Church the authority to inter-

<sup>20</sup> International Religious Freedom Report, 2003

fere in the public educational curriculum. Afterwards in 1992 the law further determined regulations for the implementation of confessional religious education in public schools. The frequency of the subject increased from one hour per week to two hours per week<sup>21</sup>. Confessional religious education is an optional subject and the grades are given in school reports. Teachers of confessional religious education are paid by the state and are members of the school committee. Later, the Concordat Between the Holy See and the Republic of Poland (1998) gave the Church all competencies regarding confessional religious education in public schools. Article 12 of the Concordat states that confessional religious education is part of the regular school curriculum in public schools. The contents and implementation of the subjects is within the full competence of the Church<sup>22</sup>.

Hence, primary and secondary schools in Poland are on the basis of the law and the Concordat obliged to offer confessional religious education within the school regular curriculum, while in Hungary they only offer it on the basis of the demand of parents and it is not part of the regular school curriculum. Here Poland is very different from other European countries where private schools are usually denominational and public ones are secular, while in Poland the opposite is the case (Mach and Mach, 1999: 410-411). Filer and Munich (2000: 5) thus state that the reasons for the low level of development of denominational schools in Poland, unlike in Hungary, should be sought in the fact that the Church in Poland has already 'conquered' public education.

### *Varying demand and supply*

#### *Heterogeneity of the religious population*

On the basis of James' theory (1989, 1993) the extent of the development of private education is, apart from varying demand, mainly a consequence of the differentiated supply of the third sector, which is a result of the cultural and religious heterogeneity of a given society. Hence, we should take a closer look at the religious heterogeneity of the case-study countries.

Among all the mentioned countries Poland has the most homogeneous religious population. According to a population census, adherence to denominations was expressed as follows: Roman Catholic 90 % , Orthodox Church 1.5 % , Evangelist Church 0.22 % , other churches and religious communities 0.48 % , whereas 7.8 % of the population does not belong to any church or religious community (Čepar, 2005).

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<sup>21</sup> The data from UNESCO (2003, in Kodelja and Bassler. 2004:4) show that among all countries included in the research Poland devotes the highest number of hours to confessional religious education in public schools.

<sup>22</sup> The Concordat between the Holy See and the Republic of Poland (1998).

In Slovenia the religious population is also relatively homogeneous. According to a population census in 2002, 57.8 % of the population indicated they belong to the Roman Catholic Church, 0.8 % to the Evangelist Church, 0.1 % to other protestant churches, 2.3 % to the Orthodox Church, 0.1 % to other Christian churches, 1.5 % to the Islamic community, no religious belonging was expressed by 0.2 %, atheists accounted for 4.4 % and 18.8 % did not answer the question (SORS, population census 2002).

Also in Hungary Roman Catholicism is the dominant religion but Hungary also has a significant protestant minority. According to a 2001 population census, of those who declared they belong to a denomination the majority (54.5 %) of Hungarians were affiliated with the Roman Catholic Church, 15.9 % with the Reformed Church and 3 % with the Evangelist Church, 0.1 % of the population indicated it belonged to the Jewish community, and 1.1 % with other religions. 14.5 % of the population does not belong to any religion and 10.1 % did not give an answer (Schanda, 2002: 13).

Besides the varying demand, religious heterogeneity is especially important on the supply side. In Hungary, on the supply side the religious heterogeneity of the population is manifested in the presence of protestant churches' supply in education, especially the Reformed Church. As previously discussed, according to James (1989, 1993) the incidence of different denominations especially in the Catholic and Protestant cases leads to the greater development of private provision in education, resulting from opposing denominations competing for followers, the finest example of which is the Netherlands. Therefore, although the Catholic Church represents the majority in the supply of education, the presence of a protestant minority in Hungary is not irrelevant. On the contrary, in Slovenia all denominational educational institutions are established by the Catholic Church, which is also the case for the majority of denominational schools in Poland.

### **Explaining differences in the development of denominational schools**

Deriving from James' theory (1989, 1993) the varying demand leads to the more extensive development of private education and this demand is higher where the public sector is very uniform and does not satisfy the need for a specific education. This is in cases where the public sector is different from the private sector, in our case this refers to the lay or confessional character of public schools. The application of James' theory to the development of denominational schools means that the higher the religiosity of a society, the higher is the demand for denominational schools, but only where public schools are lay, meaning different from private confessional education.



Referring first to the thesis about differentiated demand for denominational schools on the basis of the religiosity of the population, without taking into account the second indicator of the role of the church in public schools, we note that we cannot confirm this thesis. In this case Poland, due to it having the highest share of the religious population, should have the most extensive development of denominational schools. But this does not hold. Similarly, Slovenia should see the more extensive development of denominational schools than Hungary since, besides the secularisation of both countries, the share of the religious population is higher in Slovenia than in Hungary. Hence, we cannot explain the development of denominational schools purely on the basis of the higher demand deriving from the share of the religious population without taking the second indicator into account, the character of public schools. Accordingly, our second thesis is: the more public schools have a lay character, the greater will be the development of denominational schools. This thesis cannot be confirmed by itself. Slovenia is the only one case-study country which prohibits confessional religious education in public schools; hence, it should have the highest development of denominational schools. But this is not the case. Given that confessional religious education in public schools is allowed as an optional subject, Hungary should have less extensively developed denominational schools than Slovenia, but the situation is the contrary. We can confirm this thesis only in the case of Poland where the Church has a strong influence on public education and consequently the development of denominational schools is very small.

If we link the character of public education to the religiosity of the population in the case-study countries, we arrive at the following conclusions. Poland has the biggest share of the religious population, the Church has a strong influence on public education and consequently the development of denominational schools is very small since here we do not have varying demand for confessional education because public schools are of a confessional character. Hungary has the lowest share of the religious population, confessional religious education is allowed in public schools, meaning that public education is not completely lay but has a high level of development of denominational schools. On the contrary, Slovenia has the most lay public educational system, has a bigger share of the religious population than Hungary, but nevertheless a very low development level of denominational schools. Therefore, James' theory (1989, 1993) can regarding the differentiated demand in relation to the character of public education only be confirmed in the case of Poland, which is the sole case-study country with higher demand for confessional education due to the very high level of the religious population, although the development of denominational schools is due to the confessional character of public education relatively small.

However, this theory cannot be confirmed in the cases of Slovenia and Hungary. In both countries, the population is secularised but the share of the religious population is higher in Slovenia than in Hungary, at the same time the public education system in Slovenia is completely lay, while in Hungary confessional religious education in public schools is allowed with some limitations. In accordance with both indicators Slovenia should have more extensively developed denominational schools than Hungary; however, the situation is just the opposite. The differences in the development of denominational schools among the case-study countries hence cannot be explained merely on the basis of demand-side factors, without taking other factors into account<sup>23</sup>.

On the supply side, a certain explanation of the more extensive development of denominational schools in Hungary in comparison to Slovenia and Poland can be provided according to the presence of religious heterogeneity in the provision of education. In Hungary there is the presence of a larger protestant minority that could manifest in the higher growth of denominational schools due to the opposing denominations competing for followers. This phenomenon is particularly relevant where the dominant church has a strong influence on public education, but this is not particularly relevant in Hungary since besides the Roman Catholic Church both protestant churches there carry out confessional religious education in public schools as an optional subject. On the other side, such a factor could have a strong influence on the development of confessional schools of other denominations, which is the case in Poland although in Poland there is a religiously very homogenous population and hence no presence of larger religious minorities. Slovenia also has a relatively religiously homogenous population so this factor is not present. Hence, the factor of religious heterogeneity can partly explain the more extensive development of denominational schools in Hungary in comparison to Slovenia and Poland.

## Conclusion

The presented analysis of the factors influencing the development of denominational schools clearly shows that the role of the Church in education is a very complex issue and cannot be explained on the basis of a single factor. One of the most important factors which due to its complexity was left out of our analysis is that, when examining such a sensitive issue as the

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<sup>23</sup> It should be mentioned that we are aware of the fact that we left out from the demand side a possibly very important factor for the choice of denominational schools, namely their quality in comparison to public schools. Similarly, we did not examine the programmes of denominational schools. This represents a shortcoming of our analysis but it was inevitable due to the extensiveness of the comparative analysis of the three countries.

Church's involvement in the provision of education, we need to keep in mind that there is no such a thing as the extensive involvement of the Church in education unless it is not only tolerated but also supported by government preferences manifested in Church-state relations.

Slovenia has, unlike Hungary and Poland, on the basis of the dominant position of the left-oriented political elite which was in power throughout almost the whole transition period, managed to lead a policy of the separation of the church and state, which has especially been expressed in the field of education. On the contrary, the political picture in Hungary and Poland was characterised by the dominance of right-wing political parties with their affiliations with the Church and hence their support for the Church's role in education, despite some changes of the political parties in power by the left-oriented political elite which were in their intermediate mandates unable to change the policies of their forerunners in favour of the Church. In Hungary, due to the fact that once the privileges of the Church are granted it is very hard to take them away, while in Poland we cannot speak of a left political elite in terms of the separation between the Church and the state (see Rakar, 2007).

Hence, different policies and linkages among political parties in power influence the image of state-church relations and consequently the image of public and private education. The image of public education has consequently a strong influence on the church's initiative to establish denominational schools. Thus, referring to the socio-political strategies of the welfare system reform (Kolarič, 2009), where we concluded that in Slovenia with regard to educational reforms the classical welfarism strategy has prevailed, while unlike in Hungary and Poland a commercialisation and consumerism strategy was the dominant strategy, the latter strategy did not have the same result in the two case-study countries.

In short, the burden the Church took upon itself in the education field is highly appreciated by the Hungarian state, while this does not hold for Slovenia. In Poland the situation is the opposite despite government support for the establishment of denominational schools, while the Church itself does not want this 'burden' since it has already 'conquered' the majority of schools – the public ones.

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