

PUBLIC FUNDING OF THEOLOGY IN THE EUROPEAN COMMUNITY

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An account is given of the provision of public funds for the teaching of Theology at third-level institutions in the countries of the European Community. Note is also taken of public grants to young people who have chosen to take a degree in this subject. The account is based on published information and on personal communications with rectors of European universities. All countries in the European Community, with the exception of the Republic of Ireland, fund the teaching of Theology either through the civil university system, through the direct funding of Catholic universities, or through indirect funding.

An increasing proportion of the young people in Ireland and elsewhere taking a degree in Theology have chosen the subject for personal reasons, and do not intend to enter the ministry of any church. For them, funding is of greater importance than it is for the traditional candidate for the ministry, who has often been supported by church funds.

In the light of the increasing integration of the countries of the European Community, it may be of interest to consider how they fund the teaching of Theology and of the young people who choose to study it. The information is not easy to collect. Countries differ in how they fund education, and practice often differs from theory. The present paper relies mainly on personal communications, written and oral, from the rectors of universities in which Catholic Theology is taught. Information has also been drawn from such works of reference as *The world of learning* (1990) and *Constitutions of the countries of the world* (Blaustein & Glanz, 1988). The information is set out in the alphabetical order of the names of the countries in English. However, England, Northern Ireland, Scotland, and Wales, which in EC law are one country (the United Kingdom), differ sufficiently from one another to warrant being dealt with under their individual names.

BELGIUM

Belgium has state universities at Ghent and Liège, private universities in Brussels, and Catholic universities at Leuven and Louvain-la-Neuve. The

Catholic universities include Theology among the subjects they offer. The private universities (which include the Catholic universities) are funded by the state at a level slightly below that of its own universities. The Catholic universities use these funds for the teaching of Theology, and divinity students are eligible for grants on the same basis as others (personal communication from the Rector of Louvain, January 1990)

DENMARK

Article 41 of the Danish Constitution states that the Evangelical Lutheran Church shall be the established church of Denmark and, as such, shall be supported by the state. The teaching of Theology is funded at the state universities at Aarhus and Copenhagen and there is no discrimination against divinity students in the making of grants.

In passing, it may be noted that other Nordic countries have constitutional provisions similar to those of Denmark. All fund the Lutheran church and the teaching of Theology. There are faculties of Theology at Lund and Uppsala in Sweden, at Abo and Helsinki in Finland, at Oslo in Norway, and Reykjavík in Iceland.

ENGLAND

The Sovereign is temporal head of the Church of England (not, as is often said, head of that church, something which is explicitly disclaimed in the 39 articles), and the Church is 'by law established'. English constitutional practice recognizes other churches, including the Catholic and Orthodox churches.

There are faculties of Theology at Oxford, Cambridge, Durham, London, and Manchester, and there are degree courses in Theology or in Religious Studies at 22 universities (*British universities guide to postgraduate studies 1989-1990*). These are eligible for funding by the University Grants Committee (now called the University Funding Council) in the same way as other faculties and courses. Students of Theology are eligible for higher education grants under the Education Act of 1944 and subsequent legislation, and these may be paid even if students are studying outside England, as, for example, at the English College in Rome or in Ireland.

FRANCE

The situation in France is of particular interest, since Article 5 of the constitution states that France is a secular (*laïque*) republic. The situation is not quite what this might suggest.

In 1801, France entered into a concordat with the Holy See which continued in force until it was abrogated unilaterally by the state in 1905. After the war of 1870, the provinces of Alsace and Lorraine were annexed by Germany, which continued to observe the provisions of the concordat. Naturally, the French law of 1905 did not affect the concordat in these regions. In 1920, the Treaty of Versailles returned the provinces to France, which decided not to extend to them the 1905 legislation. The French state accordingly pays an annual subvention for the support of Catholic and Protestant ministers of religion in these provinces (now divided into three departments). Further, Catholic and Protestant faculties of Theology are maintained in one of the state universities in Strasbourg (Université de Strasbourg II).

Outside Alsace and Lorraine, Theology is not taught at state universities. It is however, taught, among many other subjects, at a number of Catholic third-level institutions, which have papal faculties of theology and which are linked (*lié par convention*) with the state university system.

The position of private schools - which are mostly Catholic - was radically changed by a law of 1959 (France, 1960). Article 4 provides that 'private schools may agree with the state a contract of association with the public educational system ... In classes coming under this contract, teaching is given according to the rules and programmes of the public system ... The schools remain free to arrange all activities not coming under the contract' (my translation).

While that particular law principally deals with primary and secondary schools, the Ministry of National Education has entered into analogous agreements with Catholic third-level institutions. For example, the Catholic Institute of Toulouse is a papal university. It is recognized (*lié par convention*) as an institute of higher education by the Ministry of National Education and receives a state grant, which it uses for the teaching of Theology among other subjects. Students of Theology receive grants on the same basis as students at state universities (personal communication from the Rector, January 1990).

Theology is also taught to degree level at the Catholic University of Lyon, which receives grants from the state for its running costs, and from the region, the department, and the municipality for building and maintenance. These funds may be used for the teaching of Theology. Students of the subject are also eligible for public grants (personal communication from the Rector, January 1990).

The Catholic University of the West, at Angers, has a papal faculty of Theology. It receives grants from the state and from the region, the department, and the municipality. It uses these funds for the teaching of Theology. In the award of grants from public funds, there is no discrimination between their

students (whatever subject they are studying) and students attending a state university (personal communication from the Rector, January 1990)

The Catholic Institute at Paris has some 15,000 students. It is *lie par convention* with the state university system, through which its degrees in secular subjects are recognized by the state, from which it receives an annual grant. It has a papal faculty of Theology, and is free to use money from the state grant for teaching in this faculty. Students are eligible to receive grants from public bodies on the same basis as students at the state universities. In particular, students of Theology are eligible for such grants (personal communication from the Rector, December 1990)

The total state contribution to Catholic third-level institutions in 1989 came to some 100m FF (approx. IR£11m). To this must be added the contributions from departments and municipalities, and the grants paid to individual students

GERMANY

In Germany, education is a matter for the states (*Land*) rather than for the Federal Government. Nevertheless, the Federal Constitution (*Grundgesetz*) lays down some principles which indicate the position of religion in the German educational system. Article 7 says that 'Religious instruction shall form part of the ordinary curriculum in state and municipal schools, except in secular (*bekenntnisfrei*) schools. Without prejudice to the state's right of supervision, religious instruction shall be given in accordance with the tenets of the religious communities' (my translation)

In the state universities, faculties of Theology, whether Catholic or Evangelical, are fully integrated into the university structure. There are both Catholic and Evangelical faculties or departments of Theology in the state universities at Augsbugh, Bamberg, Bochum, Bonn, Freiburg-im-Breisgau, Mainz, Munchen, Munster, Osnabruck, Passau, Regensburg, Tübingen, and Wurzburg. There are Evangelical faculties at Bochum, Bonn, Mainz, Munchen, and Evangelical departments at Munster and Osnabruck. There are joint departments at Marburg, Kiel, Bremen, Nurnberg, Göttingen, and Heidelberg. All of these are funded in the same way as other faculties and departments and their students receive the same grants.

There is a Catholic university at Eichstätt. This is not a state university, but is recognized as an institute of higher education by the Land of Bavaria. Under the concordat between the Holy See and Bavaria, the Land meets 85% of the university's costs. Students receive the same grants as those at state universities (personal communication from the Rector, January 1990)

GREECE

Under Article 3 of the constitution, the Greek Orthodox Church is the established religion and is endowed by the state. It has faculties of Theology at the Universities of Athens and Thessaloniki.

HOLLAND

There are faculties of Theology at the state universities at Amsterdam, Groningen, Leiden, Utrecht, and at the Catholic University of Nijmegen, all of which are funded by the state. Students of Theology are eligible for public grants (personal communication from the Rector of Nijmegen, January 1990).

IRELAND

There is no public funding of Theology or of students of Theology though grants are sometimes paid where Theology/Religious Studies form part of a degree course.

ITALY

Theology is not taught at any state university, but is taught at the Catholic University at Milan, which is a civil university. The university does not have a faculty of Theology, but has a department of Religious Studies. It receives an annual grant from the state which it may use for the teaching of religion. Grants are paid to students by their region: there is no discrimination against students taking religion as their main subject.

LUXEMBOURG

Luxembourg does not have a university. It has a *Centre Universitaire* which teaches some Arts subjects, but for the most part it funds its students at universities in adjoining countries.

NORTHERN IRELAND

The administration of Northern Ireland is mainly regulated by two pieces of Westminster legislation: the Government of Ireland Act of 1920 and the Northern Ireland Constitution Act of 1973. These are often seen as forming the Constitution of Northern Ireland (Hadfield, 1989; Quekett, 1946).

Section 5(1) of the 1920 Act reads in part: 'In the exercise of their power to make laws under this Act neither the parliament of Southern Ireland nor the

parliament of Northern Ireland shall make a law so as either directly or indirectly to establish or endow any religion'

The Act was overtaken by events so far as Southern Ireland - the now independent Republic of Ireland - was concerned, but an almost identical provision was imposed in Article 16 of the Anglo-Irish Treaty of 1921. From there it found its way into Article 8 of the Irish constitution of 1922 and ultimately, with slightly modified wording, into Article 44 of the 1937 constitution.

The phrase 'endow a religion' has a long history in Westminster legislation affecting Ireland. Before its use in the Government of Ireland Act of 1920, it is found in the Government of Ireland Bill of 1914 and in the Home Rule Bills of 1893 and 1886. The concern of the Westminster parliament with this issue can be traced back to the Irish Church Act of 1869, which disestablished and disendowed the Church of Ireland. Prior to that, the Church of Ireland (in communion with Canterbury) had been re-established at the Restoration in 1662, variously endowed over succeeding centuries, and united with the Church of England under the Act of Union in 1801. Having reluctantly agreed to the disendowing of the Church of Ireland, the Westminster parliament was adamant, whenever a bill came up to give devolved government ('Home Rule') to Ireland, that no Irish parliament should have the power to establish or endow another church.

Nevertheless Quckett (1946), in his magisterial study of the 1920 Act, argues that Section 5 is concerned with equity rather than with power, and that its purpose was to prevent the local parliament from departing from the principles of religious equality. He holds it to be concerned with the ethics of legislation rather than with its constitutional limitations (vol 3, p 61).

The significance of the phrase 'endow a religion' was discussed within the Northern administration on a number of occasions but it was never applied so as to exclude public funding of religious education (Graham, 1982). In any case, the section was repealed by the Act of 1973 (though it may have some continuing force).

The Irish Universities Act of 1908 established the National University of Ireland in Dublin and The Queen's University in Belfast. Section 7 provided that Parliament might fund the universities and Section 10 provided that local authorities might fund individual students, but in both cases the use of these funds for religious purposes was forbidden.

Soon after the establishment of the new administration, the Local Authorities (University Grants) Act of 1925 allowed these authorities to fund Queen's University for any educational purpose which the council might consider would

benefit their country or borough, and omitted any restriction on the use of these grants for religious purposes.

In 1926, Queen's University created a faculty of Theology. It recognized the courses in the Presbyterian Theological College in Belfast and appointed some of the college staff to be professors in the new faculty (Moody & Beckett, 1959, Vol 2, p. 490). In later years, the Methodist and Baptist Theological Colleges also became recognized colleges.

The Education Act of 1947 instituted a scheme of scholarships which can be made to divinity students on the same basis as to students generally. They may be made to students studying in Northern Ireland or outside it. A letter from the Department of Education reads in part:

The following vocational Theology courses have been approved for Higher Education awards: All Hallows College, Dublin - BD Course; Milltown Institute of Theology and Philosophy - Diploma in Theology Course; St John's College, Waterford - Diploma in Theology Course; St Kieran's College, Kilkenny - Diploma in Theology Course; St Patrick's College, Maynooth - Three Year BD Course; Trinity College, Dublin - Diploma in Theology (personal communications, 1982).

PORUGAL

Theology is not taught at the state universities. It is taught at the Catholic University at Lisbon, which is both a civil and a papal university. A recent law allows the state to award grants to the university. The current grant covers some 20% of total costs. This money may be used for the teaching of Theology. Students receive grants on the same basis as students generally (personal communication from the Rector, November 1990).

SCOTLAND

The Church of Scotland is a Presbyterian Church and is governed by its Convocation. The Sovereign may preside at Convocation, but does not regulate the church nor appoint its officers. There are faculties of Theology at Glasgow, Edinburgh, St Andrews, and Aberdeen. These are eligible for public funding and, of course, the Scottish local education authorities make grants to divinity students, including those studying in Ireland or at the Scots College in Rome.

SPAIN

Theology is not taught at any state university. It is taught at Catholic universities: Universidad de Deusto (Bilbao), Universidad 'Comillas' (Madrid),

Universidad de Navarra (Pamplona), and Universidad Pontificia de Salamanca. It is also taught at papal faculties at Barcelona, Granada, and Valencia. The universities and faculties draw some of their funds from a grant made annually by the state to the bishops' conference. Students receive grants from their Region, and there is no discrimination against students of Theology (personal communications from the Rectors of Universidad 'Comillas' and Universidad de Deusto, November 1990)

WALES

The situation in Wales is the same as that in England, save that the Church of Wales was disestablished and disendowed in 1914. There is a faculty of Theology at Cardiff, and Welsh local education authorities pay grants to divinity students both there and elsewhere.

CONCLUSION

Ireland would appear to be the only country in the European Community which does not fund the teaching of Theology or provide grants to young people studying it. All other countries fund the teaching of Theology either through the civil university system (e.g., Denmark, Germany) or through the direct funding of Catholic universities (e.g., France, Italy, Portugal) or through indirect funding (Spain). The same grants are made to students of Theology as to students of other subjects. The contrast with Northern Ireland is especially curious. What, one might speculate, would be the reaction if the positions were reversed and Maynooth and Milltown students from Dublin received a grant, while those from Belfast did not?

The reason for the lack of funding for the teaching of Theology in the Republic of Ireland cannot be because there are no Theology courses of standing. The BD course at Maynooth has long been recognized by the Registration Council for Secondary Teachers (cf. Ireland Dail Eireann, 30 June 1982, col. 384), while that at the Milltown Institute leads to a degree from the National Council for Educational Awards, which is an agency of the Department of Education. Nor is it that there are no theological students eligible for grants; many satisfy the general academic and financial provisions of the Higher Education Grants scheme. If the reason for lack of government support for such courses and students arises from a lack of awareness of their existence, it may be that calling the attention of the relevant authorities to the situation would result in a change in policy and practice, a step which would also have the effect of bringing Ireland more into line with its European Community partners.

REFERENCES

Blaustein, A.P. & Glanz, G.H. (Eds.) (1922). *Constitutions of the countries of the world*. New York: Oceana Publications.

British universities guide to postgraduate studies 1989-1990 (1989). London: Association of Commonwealth Universities.

France (1960). *Journal Officiel . Lois et decrets*. 2-3 janvier. Loi n. 59-1959.

Grahem, E. (1982). Religion and education - The constitutional problem. *Northern Ireland Legal Quarterly*, 33, 20-52.

Hadfield, B. (1989). *The constitution of Northern Ireland*. Belfast: SLS, Faculty of Law, Queen's University.

Ireland. Dáil Éireann (30 June 1982). *Parliamentary debates. Official report*, 337(2).

Moody, T.W. & Beckett, J.C. (1959) *Queen's, Belfast: The history of a university*. 2 vols. London: Faber & Faber.

Quckett, A.S. (1946). *The constitution of Northern Ireland*. 3 vols. Belfast: HMSO.

The world of learning (1990). 40th edition. London: Europa Publications.