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The Right to Be Exempted on Religious Grounds in Icelandic Basic Education: A Case for Further Study

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Abstract: This article examines Iceland’s scheme for educational exemptions based on religion, life philosophies, or personal convictions, comparing it with the schemes used in Norway, Sweden, and Denmark. Despite curricular reforms promoting inclusivity, Christian favouritism persists in Icelandic schools, often embedded in traditions classified as cultural rather than religious. The requirement for “valid arguments” in Iceland’s exemption process raises concerns over the law’s ambiguity and potential conflict with human rights law, specifically, the European Court of Human Rights’ emphasis on individual thought and conscience. This lack of clarity may deter parents and pupils from seeking exemptions and infringe upon privacy and religious freedom rights. The study underscores the need to refine exemption schemes to better protect individual rights while upholding educational integrity. It advocates for ongoing research into the right to be exempted in the Icelandic context.

Keywords: religious education; Iceland; human rights; exemption; A2P1; Scandinavia; RE

1. Introduction

The intersection of states, religion, and education in Europe is undergoing significant scrutiny, particularly in the context of growing societal diversification across almost all regions. As countries grapple with the complex task of balancing religious freedom, the right to education, and cultural plurality, models of religious education and the nature of religious contention vary widely. While each national context presents unique challenges, common global trends such as secularisation, pluralisation, and globalisation influence many states (Bråten 2014), compelling them to confront analogous legislative issues. These issues include the intricate processes of defining religion, establishing religious boundaries, and determining the scope of exemptions permitted within educational institutions.

In this article, I examine the Icelandic scheme for exemptions based on religion, life philosophies, or personal convictions as delineated in the Icelandic law of education. The primary aim is to provide a foundational framework for understanding the interplay between religion and education within the Icelandic context and to argue that further scholarly inquiry into this subject is imperative.

This article focuses specifically on the convergence of religion, education, and law in Iceland while adopting a comparative perspective relative to the Scandinavian countries. Despite the striking historical, cultural, and societal similarities shared among these nations, a comparison between Iceland on the one hand and Norway, Sweden, and Denmark on the other allows us to delve into the particularities of the Icelandic scheme. This comparative analysis explores how the Icelandic approach contrasts with the schemes implemented in



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Norway, Sweden, and Denmark, and highlights the pathways through which each country navigates the complexities of religious education in a diversifying society.

The increasing diversification of European societies has necessitated a critical reassessment of how states engage with religious education within their educational frameworks. As nations become more multicultural and pluralistic, traditional models of religious education—often centred around a dominant religious tradition—are being reevaluated and, in many cases, reformed.

This is also the case in Iceland. Icelandic education law explicitly provides exemptions based on religion, life stances, or personal convictions. Analysing the Icelandic exemption scheme and comparing it to the Scandinavian models invites a critical reflection on how educational systems can balance respecting individual religious convictions while maintaining a cohesive, inclusive curriculum. The comparative perspective of Iceland, Norway, Sweden, and Denmark is particularly valuable, as it reveals the nuances in how each country addresses similar challenges despite their shared cultural and historical backgrounds. While these four countries are influenced by secularisation and globalisation, their educational policies and approaches to religious exemptions differ, reflecting distinct national priorities and interpretations of religious freedom and cultural diversity.

2. Law and Religion in Education

As a Nordic country, Iceland shares cultural heritage and educational developments with Denmark, Sweden, and Norway, and exhibits differences and similarities in its approach to religious education. Highlighting these aspects underscores the necessity for further scholarly investigation into the Icelandic case and enriches the broader understanding of how religious education reforms are unfolding in the Nordic region.

In Europe, the interplay of religion, law, and education has become a focal point of scholarly debate, particularly regarding potential biases favouring certain religions in legal interpretations (Sullivan 2005, 2008; Årsheim 2019). Sullivan (2005) notes that judges prioritise institutionalised religions over less familiar practices (Sullivan 2005).

In educational settings, educators may similarly favour familiar religions when deciding if students can be exempted from certain activities on religious grounds (Årsheim 2019, pp. 289–90). This bias is evident in both Scandinavian and Icelandic schools, where Christianity retains a privileged status (Andreassen 2013, 2017; Berglund 2022; Berglund et al. 2023; Gunnarsson 2017, 2020). Cultural traditions such as Saint Lucy’s Day celebrations in Norway, Christmas activities in Denmark, and Church visits during Advent in Iceland are often classified as cultural rather than religious (Berglund et al. 2023; Gunnarsson 2014; Johnsen and Johansen 2021).

With this context, Iceland’s educational reforms offer a noteworthy comparison to the Scandinavian cases regarding exemption rights based on religion and life stance. Over the past few decades, Iceland has significantly revised its religious education curriculum, reflecting a broader trend towards modernising education to suit a changing, more diverse society. A new subject was established as part of a comprehensive educational reform initiated in 2008 and includes a fundamental shift in focus regarding religious education and its organisational structure (Gunnarsson 2020).

One of the most notable changes was the transition from “Christian Knowledge, Ethics, and Religious Studies” to “Religious Studies”, now integrated into a larger Social Studies subject (Gunnarsson 2020, p. 2). By reclassifying the subject under Social Studies, the curriculum takes a step away from a predominantly Christianity-centric perspective towards a more inclusive and pluralistic approach. At the same time, the curriculum explicitly mentions Christianity in contrast to other world religions, potentially implying implicit prioritisation. This implicit prioritisation is further exemplified by the inclusion of singing

psalms or carols, the performing of religious plays, or conducting other activities connected with religious or cultural traditions, as part of the education (Borgarráð Reykjavíkur 2013; Gunnarsson 2014, p. 144).

This new subject allows for a broader exploration of different religions and ethical systems, promoting a more comprehensive understanding among students. The curriculum explicitly states that schools are integral to developing Iceland as a multicultural society, emphasising education on culture, nationality, languages, religion, and values. It adopts a pluralistic view on issues of gender and sexual orientation and fosters understanding of disabilities and their societal effects. This approach reflects an educational philosophy that values diversity and inclusivity, aiming to prepare students to participate thoughtfully and respectfully in a pluralistic society (Gunnarsson 2020, p. 7).

By examining the Icelandic scheme of exemptions, we can gain insights into integrating pluralistic and inclusive values into educational curricula, contributing to the ongoing discourse on religious education and educational law in pluralistic societies. Understanding the impact of curriculum changes and exemption schemes is crucial. As societies diversify, ongoing research is essential to ensure educational systems respect religious plurality, providing inclusive environments that honour all pupils' rights.

3. The Right to Be Exempted in Icelandic Education

Human rights law includes provisions concerning education and the right to exemption, particularly emphasising parents' and guardians' rights to ensure their children's education aligns with their religious and philosophical beliefs. Article 18(4) of the International Covenant on Civil and Political Rights mandates that state parties respect this freedom. Article 2 of Protocol No. 1 (A2P1) similarly asserts that no one shall be denied the right to education, requiring states to respect parents' convictions. Like the Scandinavian countries, Iceland has signed and ratified the first protocol of the European Convention on Human Rights, including the provision in Article 2 (Heinreksdóttir 2004, p. 138; Lomsdalen and von der Lippe 2025). As a result, there is a right to be exempted from those provisions of religious education or activities that are problematic because of religion (Glendenning 2008, p. 92).

In the Icelandic exemption scheme, there is a schoolwide opportunity to be exempted from subjects or parts of the compulsory education for pupils. This applies to private and public education and to all levels within basic education (Gunnarsson 2017, p. 9). The petition for exemption has to be approved by the headteacher at the school after a request from the pupil and their legal guardian. According to educational law, such requests must be justified by valid arguments¹. However, what this entails is not specified. The national curriculum also points to the need for understanding and consideration in meeting these requests for exemptions (Ministry of Education, Science and Culture 2011, p. 80). There is also the option for the headteacher to recognise learning outside of the school setting in place of compulsory activities in education (Ministry of Education, Science and Culture 2008a, §15; 2008b, §15).

The national curriculum emphasises the need for schools to show consideration for parents' and pupils' religious beliefs and ideologies. This includes explicit references to freedom of religion. The right to be exempted is particularly important as regards the study of, or aspects related to, religion, however, there is still a need for valid arguments to support the request to be granted. The schools should also organise their activities so that requesting an exemption is unnecessary (Ministry of Education, Science and Culture 2011, pp. 80–81). Although the possibility of being exempted might appear quite open, in terms of the scope of subjects affected, and broad, in that the pupil can be exempted from

competency aims altogether, it is also dependent on the headteacher's interpretation of the need for valid arguments.

Unfortunately, there are no data on the use of exemptions. The Association of Headteachers and the Ministry of Education are not aware of any instances where pupils have received exemptions (Sæberg 2021; Viðarsdóttir 2021)². That being said, Gunnarsson shows educational experiences that have been granted exemptions in religious education, primarily by families belonging to the Jehovah's Witnesses (Gunnarsson 2014, p. 141). That the organisation for headteachers and the Ministry of Education do not know of any such occurrences might be due to a lack of knowledge or interest in this aspect of the school situation. It might also indicate that the bar for receiving such an exemption, because of the need for a valid justification, might be too high. The national curriculum also specifies that the headteacher might need to ask the parents for further explanation or justification in order to be able to approve the exemption (Ministry of Education, Science and Culture 2011, p. 81). This might also indicate that this requirement is problematic in other ways. Justifying the need for an exemption might necessitate disclosing personal beliefs and belonging. Berkman points out that changes in case law in the European Court of Human Rights in the last twenty years might make it difficult to uphold this provision (Berkman 2022, p. 3).

It is also unclear if the right to be exempted "from specific aspects of compulsory study related to religion and ideologies" only applies to religious education and where the school considers it to be about religion, or if it applies to what parents or pupils consider to be related to religion, even if it is harder for the headteacher to consider it related to religion or ideology (Ministry of Education, Science and Culture 2011, pp. 80–81). With limited notes on this in the proposal for a new educational law in 2007 (Alþingi 2007), and without reported cases or court deciding on the matter, it is difficult to evaluate the practical or juridical limits of this right to be exempted.

4. Comparison with Scandinavia

The historically strong ties between the state, church, and public schools in the Nordic countries have led to deeply embedded Protestant values and practices within their respective education systems. This is evident in schools' core values, the prominence of Christianity in religious education curricula, various school activities such as religious services, end-of-year celebrations, the singing of Christian hymns and psalms, and December activities leading up to Christmas. For instance, the reintroduction of "K" (Kristendom or Christianity) into the name of the Norwegian religious education subject and the political rhetoric equating "Christian heritage" with "Danish culture" rather than religion in Denmark reflect this entwinement (Andreassen 2017; Berglund 2014, 2022; Buchardt 2015; Jensen and Kjeldsen 2014, 2022; Johnsen and Johansen 2021; Lomsdalen and von der Lippe 2025). This is the context in which the exemption schemes exist.

Parents' right to determine the extent of religious education can be essential in pluralistic societies but may be exploited to influence schools and curricula (Topidi 2020, pp. 217–18). Exemption policies vary, but all emphasise the parents' and pupils' subjective religious experiences. Particularly in Norway, exemptions focus on what individuals find personally problematic. Both the Swedish and Danish models echo this, but the Danish model strictly applies to the Christianity subject. Pupils in Norway and Sweden can avoid activities that conflict with their religious or philosophical beliefs, but not the entire subject or topic of religion. This approach might offer broader exemption rights than systems such as the Danish system.

On the other hand, in Norway and Sweden, one cannot be exempted from learning about religion as a topic, which parents might consider problematic. Exemptions are

regulated by the curriculum (Norwegian model) or the strength of exemption justification and how central the activity is to the curriculum of the subject in focus (Swedish model). Christianity's position in the Nordic countries sometimes challenges non-Christian parents and pupils and might also pose a challenge to Christian pupils, whose views on theology might differ from what is taught in school. Secularisation and changing societal moral positions might also contribute to such challenges, especially for more socially conservative parents and pupils (Lomsdalen 2021). Judicially, religion is complex, encompassing broad faith systems and individual beliefs, making deviations from established religious norms less likely to be recognised for exemptions (Topidi 2020, p. 38).

A comparison of the three Scandinavian countries and their approaches to religious education and exemptions on religious grounds could place the countries on a scale. Sweden would occupy one extreme with their claim of being the most neutral country, thus lessening the need for exemptions. Denmark finds itself on the other end, explicitly positioning itself as a Christian cultural country, and equating Danish and Christianity. The Norwegian case exists somewhere in the middle, where the exemption scheme is focused on parental rights at the same time as the right to be exempted is both open and limited (Lomsdalen and von der Lippe 2025).

In Norway, the right to exemption on religious and lifestance grounds has deep roots. The right to exemption from religious education emerged in 1845 after individuals were allowed to depart from the state church (von der Lippe 2018, pp. 153–54). Then, following criticism from the UN Human Rights Committee in 2004 and an ECtHR ruling against Norway in 2007, the exemption policies were revised, emphasising the protection of parental rights and creating a scheme for exemption that encompasses all school activities (ECtHR 2007; Lied 2008, p. 63; von der Lippe 2018, p. 158). The Education Act's §14-6 establish that pupils and their parents can seek exemptions from activities they find to be endorsing another belief system, or that they deem offensive or abusive, based on their personal or religious beliefs. Crucially, this exemption pertains solely to activities, not knowledge content in line with the curriculum. In the new educational law, the scheme for exemptions based on religion and lifestance persists with only minor changes (Opplæringslova 2023, §14-6, §14-7; Lomsdalen 2024).

Swedish schools have no broad provision for exemptions from religious education (Berglund 2014, p. 165). However, the Swedish Education Act of 2010's Chapter 7, §19, states that students can seek exemption from activities they deem unreasonable for religious or cultural reasons (Skollag 2010). Such activities might include sexuality education, gender-mixed physical education, or swimming (Friedner 2010, pp. 340–41; Utbildningsdepartementet 2009). Exemptions are reserved for exceptional situations and specific events, ensuring curriculum requirements are met. Notably, in a 2013 court case, a Laestadian pupil successfully argued that they should have been exempt from dancing, given its minimal role in the subject, and the fact that alternative methods of participation went unexplored. The judgment emphasised that moving to music met curricular needs without necessitating partnered dancing (Kammarrätten i Sundsvall 2013; Legge 2018; Warnling-Nerep and Bernitz 2017). This shows the possibility of seeking exemptions based on religious beliefs in Swedish schools, paralleling the Norwegian model. However, the Swedish exemption approach appears at the same time to be less structured and broader than Norway's (Lomsdalen and von der Lippe 2025).

In Denmark, religious education primarily consists of Christianity as a topic throughout basic education (Reeh 2006; Christoffersen 2010; Jensen and Kjeldsen 2022). The curriculum emphasises Danish culture as closely interlinked with Christian heritage. While younger pupils mainly study Christianity, teachings expand to other religions from grade seven. The right to exemption from religious education began in 1937 (Jensen and Kjeldsen

2022). Following the 2017 Educational Act amendment, students can opt out of the Christianity subject at the start of the school year. From the age of 15, pupils must consent to the exemption request from the parents, which solely applies to the subject of Christianity, excluding other potentially religiously sensitive subjects or activities outside of this subject (Bregensgaard 2006; Jensen and Kjeldsen 2022).

Compared to those of the Scandinavian countries, the Icelandic scheme for exemptions from education is more like the Norwegian or Swedish models than the Danish model. The Icelandic model is applicable to all subjects and activities in basic education. That being said, there are some significant differences. Both the Swedish and Norwegian models emphasise the subjective opinion and belief of the parents and pupils in the need for exemptions, while the Icelandic model, as stated in the educational law, emphasises the need for sufficient justification and valid reasoning for granting exemptions (Ministry of Education, Science and Culture 2008a, §15). Although the bar for exemptions in the Swedish model is supposed to be high, there is no need for or a criterion about objectivity in deciding what is problematic (Skollag 2010, chap. 7, §19). At the same time, the Icelandic model seems to allow for more extensive exemptions if the validity clause is met. Also, the national curriculum appears to moderate the need for valid justification for exemptions based on religion or ideology, as it points out the need for consideration and understanding in the dialogue between home and school in cases where an exemption is requested. It also points to a more restrictive exemption model as “individual [pupils] can be exempted from specific aspects of compulsory study”, which seems more similar to the Swedish and Norwegian models (Ministry of Education, Science and Culture 2011, pp. 80–81). Unfortunately, the bill proposal for the educational law does not further clarify the limitations to and the justifications necessary for exemptions (Alþingi 2007).

5. Discussion

The question of what constitutes a religion or lifestance is central to discussions of exemption schemes based on religious grounds in education. In Iceland, the exemption scheme appears more akin to the Norwegian and Swedish models than the Danish one. It allows exemptions from subjects or parts of compulsory education, requiring pupils and parents to provide valid arguments for their requests as the headteacher decides. However, the requirement for valid justification raises questions about whose perspective determines the validity of an exemption request—whether it is the school’s understanding of religion or ideology or the parents’ and pupils’ subjective experiences. This emphasis on valid justification may conflict with the ECtHR’s stance that “religious freedom is primarily a matter of individual thought and conscience” (ECtHR 2013, p. 13).

Despite similarities in the education systems, the right to opt out of religious education or other school activities for religious reasons varies significantly among Scandinavian countries. Denmark offers the most comprehensive right to opt out of religious education, allowing pupils full exemption from the subject. Paradoxically, this is accompanied by the most limited right elsewhere, as there are no legal provisions for pupils to be exempted from other school activities that may be considered religious. In contrast, Norwegian pupils cannot be exempted from religious education but have the right to opt out of any school activity they perceive to promote another religion or belief system or that they find offensive or abusive, as specified in the Education Act. These exemptions can take place both in and outside of religious education. In Sweden, pupils have a similar right to exemptions based on “specific reasons”, but religion is not explicitly mentioned in the law, making the right less visible and potentially limiting its practical use (Berglund et al. 2023; von der Lippe 2017; Lomsdalen 2024). This shows that the implementation of human

rights law is highly localised and depends on national politics, history, and other factors (Lomsdalen and von der Lippe 2025).

In Norway, the ECtHR's ruling in *Folgerø and Others v. Norway* highlighted that requiring parents to disclose detailed information about their religious and philosophical convictions in order to obtain exemptions may violate Articles 8 and 9 of the Convention, which protect the right to respect for private life and freedom of thought, conscience, and religion (ECtHR 2007). Iceland's requirement for valid arguments may thus infringe upon individuals' rights to privacy and freedom of religion by imposing an external standard on what constitutes a legitimate religious or lifestance conviction.

Although it is speculation, one might ask if the Icelandic requirement for valid arguments may deter parents and pupils from seeking exemptions due to the uncertainty of how requests will be received or of the potential need to disclose personal convictions. The national curriculum's emphasis on understanding and consideration in addressing exemption requests is positive. Still, implementation may be inconsistent and may potentially infringe upon pupils' rights if there are no clear guidelines on what constitutes valid arguments. This needs to be researched further.

In conclusion, discussing exemption schemes on religious grounds in Icelandic and Scandinavian schools reveals significant challenges in balancing educational objectives with respect for individual religious freedom. The Icelandic model's requirement for valid arguments introduces complexities that may conflict with legal protections under human rights law and may not adequately accommodate pupils' subjective experiences. By examining other countries' approaches and considering legal precedents, there is an opportunity to refine exemption schemes to protect individual rights better, while maintaining educational integrity. Research and dialogue are essential to create inclusive environments that recognise and respect the diverse beliefs of all pupils, ensuring that exemption schemes are accessible, fair, and consistent with human rights principles.

6. Final Remarks

The right to be exempted on religious, lifestance, or philosophical grounds from education is, in many ways, a limited research field in most countries. This is especially true in the Icelandic context.

The most interesting aspect of the Icelandic scheme might also be the most problematic from a human rights point of view, as there is a requirement for valid justification to obtain an exemption for the pupil. As I have shown, in light of other decisions by the ECtHR, this might prove difficult to uphold in case of judicial review. Similarly, the lack of clarity of what constitutes a valid justification might need to be researched further or clarified by the Ministry of Education in Iceland.

The lack of data and court decisions on the Icelandic scheme makes it difficult to compare the scheme with those of the other countries. At the same time, there are few data and few documented cases of exemptions in the other Scandinavian countries. A review of educational praxis in the Icelandic school system seems warranted and more than welcome, as in other countries.

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Notes

- ¹ The Icelandic language version uses the word “gild” to explain the level of argument necessary; this can be translated as “valid”. The English language version uses the word “objectively”. The Icelandic National Curriculum Guide for Compulsory Schools uses “valid” (Ministry of Education, Science and Culture 2008a, 2008b, 2011). I have chosen to continue with valid due to the wording of the Icelandic educational law in Icelandic and in the English version of the national curriculum.
- ² Personal correspondence.

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