Official Norwegian Report (NOU 2013: 1)

**A society open to a diversity of religions and life stances: Towards a coherent policy**

**1 Summary and main conclusions**

**1.1 Introduction**

On 25 June 2010, a committee was appointed to propose a more coherent Norwegian policy concerning matters of religion and life stance.

The committee’s terms of reference state that it must take as its point of departure the fact that the main task of the state’s religion and life stance policy is to safeguard and protect freedom of religion or life stance. Furthermore, its work must be based on the assumption that the state will continue to pursue an actively supportive religion and life stance policy.

The committee was also asked to base its proposals on the 2008 agreement between the political parties on the state church system. Thus the agreement served as a guideline that defined certain limits for the committee’s work. Together with certain amendments to the Constitution in 2012, the agreement also draws increased attention to the Government’s religion and life stance policy in recent years, and therefore provided input and served as an important background to the committee’s discussions.

The committee considers that the question of religion and life stance is a broad, significant and challenging area. An overall review of the government’s policy in this field is highly relevant to our time. As a society we need to decide how we should live with a diversity of religions and life stances and how we should integrate them in our policies and public institutions. It has been a stimulating, instructive and important process, and the committee hopes that its report will give rise to a broad, serious and nuanced debate on questions of religion and life stance in the public sphere.

**1.2 Eight fundamental principles**

In order to propose a coherent religion and life stance policy in a time characterised by greater diversity and greater acceptance of diversity, the committee considered it essential to establish certain fundamental principles. A coherent policy needs to be both flexible and robust. It must take account of the different life choices we make on the one hand, and on the other, form a secure common framework within which we can function as a society, with all a society’s rules and institutions, in the midst of this diversity. The report is intended to sketch out a society in which the right to profess a religion or life stance, including the right to have no religion or life stance, is legitimate and manifest in every aspect of the individual’s life and in every area of society. The committee believes that this will require the state to take active steps to protect this right for all its citizens.

In the report the committee sets out the eight fundamental principles for a coherent religion and life stance policy that have guided its discussions, evaluations and conclusions. It also intends that these principles should have a broader application and contribute to the development of a future religion and life stance policy that will cover issues that were not part of the committee’s terms of reference.

The principles are as follows:

1. Freedom of religion or life stance for everyone shall be protected.
2. The individual’s manifestation of their religion or life stance shall not violate the rights and freedoms of other people.
3. Non-discrimination: the state may not subject any person to unreasonable or disproportionate differential treatment on the basis of their religion or life stance.
4. Active steps shall be taken to enable all citizens to practice their religion or life stance.
5. Equal treatment: the state shall seek to ensure that every citizen receives – in principle and to a reasonable degree in practice – the same degree of support for the manifestation of their religion or life stance.
6. The active religion and life stance policy pursued by the government must be evaluated in terms of the fundamental values of democracy, the rule of law, human rights, non-discrimination and equality.
7. Organised religious communities that receive state support must be expected to be open about their practices and show the practice of other religions and life stances the same respect as they themselves expect and enjoy.
8. Everyone must tolerate exposure to the manifestation of religion or life stance by others in the public sphere.

The first three principles clearly follow from Norway’s human rights obligations. However, as the committee points out, these international commitments also allow for a certain national freedom of action, and it is the choices we make within these bounds that will define Norway’s religion and life stance policy. In its work the committee has constantly kept in mind this national freedom of action and the evaluations and choices it allows for.

The next four principles follow from the committee’s recommendation that the Government should pursue a policy of active support for religion and life stance. This view is based on the guidelines laid down for the committee’s work and on Norway’s political tradition of active state involvement in important areas of society. Active state support for religion and life stance involves contributing to a material foundation that allows people to realise their freedom of religion or life stance in the form of a diversity of religious and life stance communities, and providing a legal, financial and institutional framework that allows them to manifest their religion or life stance. Religious and life stance communities have rituals for marking important stages in people’s lives, and promote social engagement and public reflection on values and religious issues. This is of great value to society as a whole, and a sound justification of an actively supportive policy.

The active involvement of the state, combined with the explicit principle that freedom of religion or life stance must be protected for everyone, means that public institutions and other public activities must follow a conscious policy of equal treatment. Equal treatment is one of the committee’s key principles. It has influenced its proposals for how direct financial support to these communities should be allocated and the ways in which the manifestation of religion or life stance is taken into account in public institutions. Religion/life stance should have a visible and accepted place in the ordinary activities of these institutions. This may require making available a room for prayer or silence or other necessary conditions for rituals. It may involve allowing a person access to a religious leader or dialogue partner from their own community. Finally, this requirement means that the religious and life stance-related factor must be taken into account by institutions in planning and organising their activities.

The national freedom of action permitted within the framework of our international human rights commitments does not oblige us as a nation to pursue an actively supportive religion and life stance policy involving financial support from the state. This is a *choice* we make collectively, as a society. In the report a minority of the committee has presented arguments in favour of a coherent religion and life stance policy with neutral safeguards instead of an actively supportive policy.

The last of the committee’s eight principles expresses a social ideal of openness to the practice of religion or life stance. The committee believes that religion is not merely a private and personal matter or an internal matter for closed religious communities. It must be possible to manifest religion and other life stances in the public sphere as well. This principle requires an open, liberal approach, for example to the use of symbols and clothing with religious associations.

**1.3 A new era**

The report has been compiled at a time when a fresh approach to religion and life stance policy is emerging. Every public debate is influenced both by history and long-term trends on the one hand, and by contemporary processes on the other. We hope that the time is now ripe for taking an open approach, for combining historical factors and previous experience with a desire and a will to build a good society for the future.

Norway has been transformed from a society where religious affiliation was strictly controlled and where there were strong links between the state and the majority church, to a society that is more tolerant of a diversity of religions and life stances and where the links between the state and the majority church are becoming weaker. The establishment of religious freedom as a fundamental principle in Norway has been a long and gradual historical process. The Norwegian Constitution of 1814 did not provide for freedom of religion. The religious policy on which the original Constitution was based was the already established system of a state church, and it stated that the Evangelical-Lutheran confession was the official religion of the state.

Gradually freedom of religion was incorporated into Norway’s religious policy. The Dissenters Act of 1845 gave Norwegian citizens the right to resign their membership of the Church of Norway and under certain conditions establish other Christian religious communities. However, dissenters did not have the same rights as members of the state church. The principle of religious freedom was not incorporated into the Constitution until 1964.

Although the 2012 amendments to the Constitution have led to a much looser relationship between the state and the Church of Norway, this church continues to occupy a special position compared with other religious communities. There is a special Act relating to the Church of Norway, and it is still referred to in the Constitution as Norway’s national church.

In the report the committee presents Norway’s religion and life stance policy in a historical perspective, and discusses the 2008 political agreement on the state church system and the most recent amendments to the Constitution.

The committee was asked to keep within the political framework laid down in the 2008 agreement, and the contents of the report are confined to this framework. However, in an additional chapter the committee has outlined a wider perspective, and discusses ways in which the process begun with the 2008 agreement can be continued on the basis of the eight fundamental principles. The committee is in favour of continuing the ongoing process of separation between the state and the Church of Norway, and to placing the latter on the same level as all the other religious and life stance communities.

**1.4 Freedom of religion or life stance and its limits**

The right to freedom of religion or life stance is protected under the European Convention on Human Rights and the International Covenant on Civil and Political Rights. The report describes these fundamental human rights and how they apply to the committee’s work. The first three principles established by the committee are based on human rights.

1. Freedom of religion or life stance for everyone shall be protected.
2. The individual’s manifestation of their religion or life stance shall not violate the rights and freedoms of other people.
3. Non-discrimination: the state may not subject any person to unreasonable or disproportionate differential treatment on the grounds of their religion or life stance.

Human rights have a special position in Norwegian legislation under Article 110 of the Constitution and the Human Rights Act, and important human rights conventions are given great weight in relation to other legislation. The right to freedom of religion or life stance applies to all individuals, including children, patients in institutions, prisoners, defence personnel, asylum-seekers and persons who are not legally resident in the country. This right encompasses the right to manifest any religion or life stance, either alone or in community with others, and also the right to have no religion or life stance.

However, freedom of religion or life stance does not exist in isolation. It must be balanced against other fundamental rights and freedoms. This is an area that poses many dilemmas, and where important and difficult decisions have to be made. In some cases it is necessary to limit such freedom out of consideration for other people. The committee presents a number of considerations that should be taken into account in the efforts to resolve such dilemmas. The discussion deals with situations where the general rules of conduct in certain areas of society would make it difficult for an individual or a community to exist or function in accordance with their religion or life stance, so that special arrangements have to be made. The committee discusses the question of exemption from certain mandatory tasks at work and the issue of handling animal carcases. All such discussions revolve round the need to balance religious freedom against other rights and considerations.

The committee has also considered the question of the use of clothing and symbols associated with a particular religion or life stance, and emphasises that the individual’s freedom to choose what to wear is paramount. In theory, although certain symbols are particularly associated with a religion, they have many possible meanings. In the committee’s view it would therefore be unjustifiable to prohibit the use of a religious symbol on the basis of a particular interpretation of its meaning. The committee is against the use of a general prohibition or restrictions on the wearing of clothing or symbols associated with a religion or life stance, and advocates that as a general rule only practical considerations should dictate whether or not such clothing or symbols may be worn. However, it also discusses whether exceptions should be made for certain groups, such as judges and police officers. The majority of the committee considers that this general rule should also apply to such groups, and that there should be no limitations on the wearing of religion-related clothing and symbols, if otherwise adapted to the type of uniform concerned, except on purely practical grounds. A minority of the committee considers that exceptions should be made for judges and uniformed police.

Religious freedom presupposes an acknowledgement of social diversity. A pluralistic society should allow for different religions and life stances and different individual life choices. The legal framework for such plurality is national, democratically adopted legislation and international commitments. However, the different types of legal system are not confined within national borders, and today many people live in countries where several different legal and normative systems coexist. Thus almost all countries have several different normative systems. The committee discusses how such differences, for example based on different religions and life stances, can function simultaneously and side by side. This means on the one hand, considering how national legislation should where appropriate be interpreted in such a way as to take account of different religious norms or customs in specific cases and on an equal basis. On the other hand, in the present case it means assisting individuals who are unfamiliar with Norwegian law and statutory arrangements to understand and comply with national legislative provisions regardless of, and without coming in conflict with, their particular religious or life stance affiliation. However, the committee maintains that it would not be appropriate to establish public advisory bodies based on religious law.

The committee has paid special attention to consideration for the child. Although children have freedom of religion or life stance in the same way as adults, they also have the right to special protection, which means that priorities and choices must sometimes be decided on their behalf. The right of parents to make religious or life stance-related choices on behalf of their children is also protected. Throughout the report the committee points out that consideration for the child, who is not in a position to choose whether to belong to a religious or life stance community, can make it necessary to limit freedom of religion/life stance in certain areas. A separate chapter is devoted to issues that are particularly concerned with children. However, the committee also considers that children need to be protected against adults’ freedom of religion or life stance where this is at the expense of the child’s own freedom and other rights. For example, a child must have the right to choose their religion or life stance as soon as they are able to form an opinion on the issue. In addition to the present 15-year limit after which the child has a right to resign from or join a religious or life stance community, the committee proposes a new limit of 12 years for the age at which resigning from or joining such a community requires the child’s consent. The committee also proposes that from the age of 12, children in state schools should have an independent right to be exempted from attending the teaching of religion or philosophy of life under section 2-3a of the Education Act, and proposes that written consent must be obtained from the child from the age of 12 if they attend a private school, for example one affiliated with a particular religion or life stance.

In this chapter the school is described as an area of society where the relationship between children’s rights, parents’ rights and the state’s responsibility have to be weighed against each other. The committee has paid special attention to the right of private schools to provide an alternative educational approach to that of the state primary and lower secondary schools. The committee recommends that private schools should not be permitted to reduce the number of lessons in other subjects in order to increase the number of lessons in their own version of the RLE subject (religion, philosophy of life and ethics). The committee also considers that the other subjects at private schools should follow the state curriculum, while the school’s equivalent to RLE may be based on its own educational approach. The committee recommends that the legislation explicitly provides for the possibility that schools may be affiliated with a secular life stance. The majority considers that schools should continue to be able to participate in church services as long as other religious or life stance communities have the same possibility. A minority considers that attendance at church services, which are religious celebrations, is not appropriate in a school designed for the whole population.

The circumcision of boys is dealt with specifically. The committee has weighed this practice against the importance of protecting the interests of the weakest party. The majority considers that circumcision does not constitute an injury that is so harmful that it justifies prohibiting the custom. A minority advocates a prohibition on circumcision of boys.

**1.5 Equal treatment**

The principle of equal treatment is the fifth of the eight fundamental principles. In the context of human rights, an actively supportive policy must necessarily be based on equal treatment, and an actively supportive religion and life stance policy presupposes equal treatment of all religions and life stances.

A policy of equal treatment has particularly important consequences for the way important public institutions deal with issues of religion and life stance, the allocations to religious and life stance communities, and the question of public holidays.

The committee has discussed this principle in the context of public institutions such as prisons, the armed forces, public hospitals and other health and care institutions, educational institutions and crisis preparedness. Traditionally the responsibility of these institutions to provide religious or life stance-related services has been strongly influenced by the dominant position of the Church of Norway. If equal treatment is to apply to the individual’s freedom of religion or life stance, regardless of whether they are affiliated with a large or a small community, then public institutions must take a broader approach to the provision of such services. The committee considers that it is a public responsibility to ensure the availability of suitable dialogue partners and other religious or life stance-related services in these institutions. It recommends that recruitment of appropriate personnel should cover a broader spectrum and be adapted to the users of the institution. There are different ways of doing this and of adapting the service to the institution and the users’ needs.

A minority of the committee considers that the responsibility for providing such services should lie with the religious and life stance communities themselves and not with the institution.

The committee also considers that equal treatment implies the duty to provide access to a room for prayer or silence. Public institutions, for example hospitals and schools, should take a broad approach and be prepared to provide such a room.

Most Norwegian public holidays are Christian festivals. The committee supports the existing legislation giving employees the right to take two days’ leave a year to celebrate their own religious festivals. It also considers that this right must be applied explicitly to students in higher education, so that they can apply under certain rules governing time limits to have an examination postponed or for exemption from obligatory attendance at parts of a course for up to two days if these coincide with a religious festival. In general, the committee wishes to encourage employers and educational institutions to exercise flexibility in relation to applications for special treatment on religious or life stance-related grounds. Other issues relating to public holidays are discussed elsewhere.

Article 16 of the Norwegian Constitution makes it clear that the Church of Norway is the Norwegian national church and is supported “as such”, while other religious and life stance communities are supported “on equal terms”. This is a clear expression of Norway’s practice of the principle of equal treatment as part of its active support, including financial support, for religious and life stance communities. The report includes a discussion of the grant scheme for religious and life stance communities in the context of equal treatment and other considerations (see also 1.7 below).

**1.6 Life stages**

Rites of passage are rituals that are associated with important stages in an individual’s life, and particularly transitions from one life stage to another. Different cultures, religions and philosophies of life have different rites of passage, and there are great variations between which life stages are celebrated and how they are celebrated. The committee emphasises that public policy towards the large variations in rites of passage should be based on the following principles: openness to the practice of a religion or life stance by others; the state’s active support for all manifestations of religion and life stance; non-discrimination; and equal treatment. It is fundamental that the rites of passage in the different religious and life stance communities should be treated equally, and that there is a willingness to make suitable rooms or premises available to communities wishing to celebrate their rituals.

The committee also points out the need to allow individuals to obtain leave from work, school or higher education in connection with religious holidays.

The committee emphasises the need to provide an appropriate framework for the profession of religion or life stance for patients, prisoners, military recruits and others who live in institutions for a certain period of time. In some cases this will include rites of passage. The committee calls for a general improvement in knowledge about the different rites of passage and people’s needs in this regard. This is particularly important in connection with serious illness, deathbeds and deaths occurring in an institution.

The report includes a discussion of the question of providing flexible, non-exclusive rooms that can be used by different faiths and life stance communities. Such premises would consist of a room or a building designed for use by the members of the various communities, and also people who are not members of any religion or life stance community, for important ceremonies such as marriages or funerals. Premises in the local community could also be designated for use by all groups for commemoration purposes, for example in connection with accidents or disasters. The committee considers that there is a need to establish ceremonial premises in more parts of the country than is the case at present. This should be a local government responsibility and adapted to local conditions and local needs. A trial project for financial support could be carried out in order to gain experience of how such rooms or buildings should be designed and what support they should receive.

The administration of burials and cremations is also discussed. Funerals and other rituals associated with death are important rites of passage in most religions and life stances. A coherent policy based on equal treatment and non-discrimination would ensure that the needs of the minority communities and also those who do not profess any religion or life stance, are met in an appropriate way. This applies to the arrangements for ceremonies and rituals associated with death and burial or cremation and to the actual administration of burials and cremations. The committee does not consider it reasonable that in a pluralistic society a single religion or life stance community should be responsible for the administration of burials and cremations. It therefore advocates that this function should be a municipal responsibility.

The principle of equal treatment is also fundamental to the ceremonies and rituals surrounding death, burial and cremation. Special rooms could be designed that could be used for all kinds of religious and other ceremonies and rituals. In the case of deaths occurring in nursing homes and hospitals, it is importance that the staff have knowledge and insight into the different religious and related needs, including the need for access to the various religious leaders or other authorised persons who can perform the desired rituals.

Marriage is governed by public law and has important civil consequences for people’s lives. At the same time weddings are a significant rite of passage that for many people is closely connected with the profession of their religion or life stance. At present the public law aspects of the marriage may be delegated to an individual religious or life stance community, or an individual may choose a civil marriage instead.

In dealing with marriage, the committee emphasises that an actively supportive religion and life stance policy involves ensuring that the different marriage ceremonies associated with different religions and life stances can be performed. It also emphasises the importance of human rights considerations, especially with regard to women and homosexuals.

The committee is divided on the question of the formal requirements for marriage. The majority favours making civil marriage mandatory, with the possibility of supplementing it with a religious or life stance-related ceremony for those who wish to do so. Such an arrangement would highlight the fact that marriage has two separate aspects, a legal and a ritualistic, and that marriage, parental responsibility, divorce, inheritance and so on are regulated by civil law and not theological doctrine. The majority also considers that the current arrangement makes it unclear whether the state is giving legitimacy to the discrimination of for example homosexuals or women.

A minority of the committee is in favour of the present arrangement, which authorises religious and life stance communities to perform marriages. They maintain that this arrangement has deep roots in Norwegian society and functions well. In their view any problems associated with the arrangement should be solved over the long term by exercising supervision and spreading information in a dialogue with the various communities. It maintains that delegation of the authority to perform weddings obliges religious and life stance communities to recognise the validity of marriage legislation.

**1.7 Membership registration and the grant scheme**

In its terms of reference, the committee was tasked with evaluating the grant scheme for religious and life stance communities, with particular focus on control, considerations of privacy and the parties’ access to information. It was also asked to consider whether conditions should be attached to the granting of financial support to such communities. The 2008 political agreement on the state church system states that the existing grant scheme for the Church of Norway and other religious and life stance communities is to be continued. The committee’s discussions on the grant scheme have been partly based on this provision.

The committee considers that equal treatment of religious and life stance communities and consideration for freedom of religion or life stance are central to the organisation of the grant scheme. It believes that in principle equal support should be given to all religious and life stance communities regardless of their benefit to society, of the way they are organised or the nature of their doctrine, and proposes a new act regulating grants to such communities.

In situations where the activities of a religion or life stance community affect the rights or interests of others, it may be necessary to impose conditions for financial support.

The committee recommends that support can be withdrawn from a religion or life stance community if substantial and sustained violations of other legislation are found and if society has not taken measures to prevent such violations in the future. The committee lays special emphasis on violations of the legislation safeguarding children’s rights and interests, legislation relating to discrimination, and legislation to prevent incitement to violence and hate.

The committee also proposes further, more specific conditions that extend beyond the general requirement that religious and life stance communities with a right to support may not violate Norwegian law. These conditions relate for example to the protection of children and the prevention of incitement to illegal violence on the part of a recipient of the support. They are dealt with in more detail under 1.8 below.

The committee has considered the requirement that women and men must have equal access to the governing bodies of grant recipients in the context of freedom of religion or life stance and freedom of association. The majority maintain that no requirements should be imposed on such communities that would interfere with their religious or life stance-based practice and doctrine, as long as such practice and doctrine are legal, objective and proportionate. However, it considers that in cases where eligibility for state support requires a community to have statutes establishing a body answerable to the state for management of the support, participation in this body must be open to both sexes. The minority recommends that no conditions are imposed in the grant scheme that would limit the freedom of action permitted by legislation to the governing bodies of religious and life stance communities.

The committee proposes criteria for establishing which organisations can be classified as religious or life stance communities, and certain requirements as regards organisation and administration. It has discussed the minimum number of members a religious or life stance community should have in order to be eligible for support and proposes a legislative provision stipulating 100 members. A minority proposes a minimum of 10 members.

In order to obtain an independent assessment of whether or not the conditions for support have been met, the committee proposes that an expert board should be appointed to advise the ministry on whether a community is eligible for a grant or whether a particular community’s right to support should be withdrawn.

Membership registration is of central importance in the grant scheme. The size of the grant to communities outside the Church of Norway is based on the number of members, and the amount for each member is based on the allocation to the Church of Norway divided by the number of registered members of this church. The committee has concluded that the size of the grants should continue to be calculated in this way. It proposes improvements to the membership registration system, especially to prevent double membership. It also emphasises the importance of privacy considerations in connection with registration.

The committee advocates that eligibility for funding should presuppose that members have registered themselves in person. Children under 15 years must be registered by the parents. It also considers that this should apply to the Church of Norway’s membership register as well. A further proposal is that every child member should receive a letter at the age of 15 making them aware of their membership and asking them whether they wish to continue it. In the event of double membership, the person concerned should be notified by the Brønnøysund Register Centre, so that they themselves can correct the problem. Religious and life stance communities should no longer be notified of members who have double membership. All registered information concerning membership is erased from the Brønnøysund Register Centre after support has been paid out.

The committee advocates that every member for whom support is paid out should be legally resident in Norway and have made an active effort to register with the community.

The committee has examined which parts of the allocation to the Church of Norway should be used as a basis for calculating the grants to the other communities. It proposes that the support covering part of the Church’s pension obligations and part of the interest compensation should be included in the basis for the calculations, but that funding for prison chaplains should be removed.

The committee advocates that the state should take over responsibility for the grant scheme from the municipalities. This would result in considerable administrative gains and ensure equal treatment. However, the new system should not prevent the municipalities from voluntarily giving additional support to local religious and life stance communities. The committee also proposes that the state should administer the scheme through one of the county governors’ offices, which would also provide the necessary expertise.

The committee has considered grant schemes for other religious or life stance purposes apart from the scheme specifically targeted at the communities. Among the schemes discussed is the financial support to religious and life stance-related children and youth organisations and the conditions for such support. The majority considers that these rules should be tightened up, so that any discrimination based on gender or sexual orientation in the governing bodies of these organisations would result in the withdrawal of support. A minority is not in favour of tightening the rules on the grounds that this would in practice result in the withdrawal of support from most of the religious children and youth organisations.

**1.8 A new Act**

The committee presents the draft of a new Act relating to grants to religion and life stance communities. The purpose of the Act would be to ensure that these communities receive funding on an equal level with the Church of Norway.

The committee advocates abolishing the division between registered and non-registered religious or life stance communities. To be eligible for state support, the community must meet the following conditions:

1. A religious community must have a common binding perception of the world in which there is a defined relationship between the individual and a god or one or more transcendent powers.
2. A life stance community must have a common biding perception of the individual’s place in the world and a common attitude to central ethical issues.
3. The community may not have been established and may not be managed for the purpose of financial gain, nor should its main purpose be humanitarian activities, personal development, or health-related, cultural or political activities.
4. The community must have statutes laying down criteria for membership and specifying the governing structure and the person who can represent the community and assume obligations on its behalf. Participation in the governing structure must be open to persons of both sexes. The statutes must also provide for amendments and include provisions relating to how the funds will be used in the event of changes, mergers and so on.
5. The community must have 100 members or affiliates registered in accordance with section 3-2.

As mentioned under 1.7 above, the committee has presented a number of further conditions for eligibility for support.

These are:

1. The community may not
   1. Organise or encourage methods of bringing up children that are obviously harmful to their development, for example by approving or defending violence against children in the form of physical punishment.
   2. Encourage or approve of illegal violence and punishment that violate fundamental human rights.
   3. Recruit members through the use of force or manipulation, by offering financial benefits or by violating the right to privacy, nor may it prevent members from resigning.

The committee also proposes that the Act should lay down rules for calculating the size of the grant, membership registration and use of the funds, and specify the appointment of an expert board, the supervisory authority, reporting procedures and sanctions.

A minority of the committee wish to continue the current arrangement whereby the authority to perform marriages is delegated to certain religious and life stance communities, and presents a proposal for regulating this practice under the Act by including specific provisions on the authority to perform marriages.

The committee also proposes that a number of provisions in the existing Act relating to religious communities etc. should be repealed or moved to other Acts.

**1.9 Dialogue and debate in an open society**

The committee has presented a comprehensive report for public debate. Norway has strong traditions regarding the way issues of religion and life stance are treated and discussed, influenced by its history. This can be seen in national debates on these issues, in the system of legislation and in the organisation of public arrangements and institutions. The existence of religion-related traditions and particular forms of organisation, and the respect and understanding with which these traditions and their history are treated, must not discourage the emergence when necessary of a fresh debate on religion and life stance policy or a re-evaluation of the subject. A coherent religion and life stance policy for Norway must be founded on balanced decisions based on insight and meaningful dialogue and debate in the context of today’s society. In a society marked by diversity and a strong respect for human rights, such a policy must reflect this diversity and protect its citizens’ freedom of religion or life stance.

History has shown that peaceful dialogue between different religions and life stances, and about religious and life stance questions in the broader society, is not necessarily the norm. The report gives a brief history of the way in which dialogue and cooperation between the various communities in Norway have emerged and how important issues of religion and life stance have appeared on the agenda.

The committee wishes to make it clear that dialogue between people and groups with different religions and life stances should be unbiased and show respect for differences and disagreement. Dialogue is not merely a way to achieve agreement, it plays an important role in achieving understanding and fellowship.

It is crucial that key public institutions play a leading role in fostering an open and respectful dialogue. This applies not only to political debate but also to dialogue in common arenas such as state schools, the defence forces and major national commemoration ceremonies. The report contains a discussion of the public debate and how a sense of fellowship can be fostered through ceremonies and, in the choice of words, through speech. The committee emphasises that a pluralist society must seek to agree on how to deal with conflicts, disagreements and diversity, and points out that developing a dialogue across the various religions and life stances is a constructive way of doing this. It advocates that public institutions should be organised in ways that reflect the plurality of religions and life stances and that this should be publicly visible. The majority of the committee is in favour of reviewing the existing purpose clause for schools in order to give greater emphasis to values that all religions and life stances can agree on rather than to the origins or reasons for these values, while a minority sees no reason to change it.

The Norwegian defence forces have close links with the Church of Norway. The committee considers it important that religious or life stance-related services are not used to improve fighting morale or the esprit de corps, or to lead or justify acts of war. Nor should religious rituals be used to express the collective values of the armed forces. Representatives of different religious or life stances should not be responsible for arranging compulsory events for the armed forces as a whole, or hold military rank. This view is not in conflict with the committee’s emphasis on the duty to provide religious and life stance-related services for defence personnel. Such provision would involve for example engaging personnel representing the various forms of religion and life stance on a permanent basis.

National celebrations and commemorations of tragic events or crises are a public responsibility, and should not be delegated to a single religious or life stance community, not even the Church of Norway. Such arrangements should meet both the individual needs of members of religious and life stance communities and the collective need for a commemoration that can be shared by all.

The committee considers that open political debate and a good dialogue will encourage appropriate solutions for such shared arrangements. The report gives concrete examples of different types of cases and discusses the various choices available in each case. However, this discussion is not exhaustive, and the committee stresses the need for dialogue to highlight the many specific factors that will be associated with conflicts and choices in the future. Dialogue can promote understanding and acceptance of the fact that solutions cannot always be found on which everyone agrees, and can help the participants to find arrangements that allow for disagreement while maintaining a sense of community.

In its terms of reference, the committee was asked to consider how religion and life stance policy influences integration in society. The report describes the overview of knowledge on this subject compiled by the research programme Virtual centre for research on civil society and the voluntary sector. The committee considers that religious and life stance policy can influence integration, but that although this question is of great interest there is no reliable information in this area. However, in its view the key aspect of such a policy lies in safeguarding the freedom and the opportunity to profess one’s religion or life stance, rather than in its more instrumental effects on for example integration.

The committee emphasises the importance of dialogue and debate as integrating factors in a democratic society, and refers to this as a “community of disagreement”. It also emphasises that integration presupposes respect for diversity and a focus on mutual adaptation in the framework of a broader society.

The committee considers that in the future the most sustainable foundation for a sense of community will be laid if we as a society identify with and accept a genuine and visible cultural and religious diversity. We should create institutional frameworks that provide for many different ways of being Norwegian and living in Norwegian society. There is also a great need for a debate on the limits of the individual’s and the community’s freedom of religion or life stance, the individual and collective responsibility for fostering fellowship, and how to balance the different considerations in society at large. We hope the present report will be a constructive contribution to such a debate.

The title of the report, *A Society Open to a Diversity of Religions and Life Stances*, is intended to highlight two main ideas. The first is that the word “open” refers to a society that provides plenty of space for the profession of religion and life stance, in all its strength and visible manifestations, in a variety of individual and collective arenas. It also refers to a policy where the authorities actively value and provide favourable conditions for the many different religions and life stances of all citizens.

Secondly, “open” refers to an open approach to *differences* in both religious and secular life stances and between those of the majority and those of the various minorities. In this sense the open society is characterised by a policy whereby the different religious and life stance communities, and those who do not belong to such communities, are *treated equally*.

Such a society is an open society marked by liberality and equal worth.