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CHALLENGES FOR EUROPEAN SECURITY POLICY: ISSUES OF THE PREVENTION OF RADICALIZATION IN THE CONTEXT OF THE RIGHT TO RELIGIOUS EDUCATION

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Abstract. The article discusses the problem of prevention of radicalisation in religious schools in Europe. In this publication the authors of the publication aim to present a systematic analysis of the legal framework of religious education and its relationship and limitations in the aim to prevent radicalization. In order to achieve the aim of the research the following tasks will be carried out: revealing of the essence of the freedom of right of thought, religion and conscience and their relation to religious education; analysing documents, strategies and policies addressing the prevention of radicalization in Europe; evaluating the intersection of right to religious education and the need to prevent radicalisation. The question is relevant due to the ever-increasing number of terrorist acts performed by persons who have been born in European states (so called home-grown terrorists). The publication discusses the right to religion and the right to religious education and its limitations. The development of EU policy in the field of counter-terrorism and counter-radicalisation is extensively discussed. Finally, the guidelines are drawn for the conciliation of the freedom to religion and beliefs and the pressing need to prevent persons from radicalisation.

Keywords: freedom of religion; religious schools; fight against radicalisation; EU anti-radicalisation policy; prevention of terrorism; limitations of human rights.

1. Introduction

The security in Europe is influenced by the migration phenomenon (Besenyő 2016; Androniceanu, Vasile 2016, Vasile, Androniceanu 2016; Čajka, et al. 2018; Škuflić et al. 2018; Lialina 2019). International migration has been on the rise in the previous decades and has evolved into a worldwide phenomenon (Gryshova, et al. 2019; Todorov et al. 2019). Migration causes also problems which need to be solved by the governments in order to secure their societies which involves also clashes with the rights of the migrants.

In February 2018 it was announced that the new French government program will provide for a rigorous oversight of private Islamic schools, which have recently grown in France. Such semi-religious schools are attended by 74 thousand pupils. By spreading an ideology that is completely contrary to the values enshrined in the French Constitution, these uncontrolled institutions cause great harm to society (Sudikienė 2018). These measures are foreseen in the national plan of the French government "Prevention to Protect". National Plan for the Prevention of Radicalization, adopted on 23 February 2018. (Le Gouvernement de la République française 2018). The very first chapter and first measures are dedicated to the prevention of radicalisation in schools and stress the importance of Republican values in French education. It further foresees a stricter oversight of religious Muslim schools in France.

Why did the need arise to take such measures of control? It is enough to look at some statistics, starting with the Paris attacks of November 2015 "by gunmen and suicide bombers hit a concert hall, a major stadium, restaurants and bars, almost simultaneously - and left 130 people dead and hundreds wounded." (BBC 2015). All of the known attackers were either French or Belgian citizens, therefore so called 'home-grown' terrorists. In total, since 2015, more than 230 people in France have been killed in terror attacks, most of them perpetrated by French and European nationals affiliated with or inspired by the Islamic State in Iraq and Syria (ISIS) militant group. (The Straits Times 2018). "France's firm belief that Islamic State militants planned the attacks – and the possibility that at least one assailant may have posed as a Syrian refugee – are fueling arguments over whether Europe is doing enough to protect itself from terrorists who might infiltrate the thousands of migrants arriving daily from the Middle East and elsewhere." (Kis-Benedek 2016). Terrorism is one of the most dangerous and unpredictable phenomenon of our times, which is gaining a great variety of forms and a more threatening scope. (Beinoravičius, Vainiutė 2017)

The most recent report of Europol on terrorism also stresses that "In recent years there has been an increase in the frequency of jihadist attacks, but a decrease in the sophistication of their preparation and execution. Jihadist attacks, however, cause more deaths and casualties than any other terrorist attacks." (Europol 2018). Furthermore, it is stressed in the report that "Jihadist attacks are committed primarily by homegrown terrorists, radicalised in their country of residence without having travelled to join a terrorist group abroad." (Europol 2018). The importance of counter radicalisation may be illustrated by a story provided in the same report of Europol, where in Denmark a teenage girl was attempting to commit a terrorist act and trying to make bombs to be used in terrorist attacks against her own former local school and against a Jewish school in Copenhagen. (Europol 2018). The report indicates that "The girl, who lived in a village in the countryside, became radicalised via the internet and chat contacts in just a few months after having converted to Islam. She bought chemicals to produce TATP and started experiments with the substance in the basement of her house. She was 15 years old when she committed the offence." (Europol 2018, p. 19). Thus, this is not a question of only adults committing such crimes, but young children and teenagers are becoming radicalised, therefore the question of countering radicalisation narrative in education settings is of utmost importance.

The European Economic and Social Committee (EESC) had stressed in 2017 the importance of addressing young people in anti-radicalisation policies as violent extremism "motivated by radical ideologies has many faces, but many of them are young. Often it is young people, who come from a wide range of socioeconomic backgrounds and with vastly different levels of education, who are recruited. Young women are increasingly being recruited too." (EESC 2017). It also expressed concern that "Young people vulnerable to radicalisation that can lead to violent extremism often feel excluded and marginalised by society or confused by identity issues and change. Radical ideologies often claim to provide guidance, direction and support in daily life and compensate for feelings of inferiority due to various reasons. This is where civil society can play a major role by providing alternatives and, more generally, contribute to a sustainable social and values-based resilience against radicalisation." (EESC 2017).

Radicalisation leading to violent acts of terrorism is a great danger to the security of European Union as a whole and as well to Member states. The European Security strategy outlines that in order to diminish the threat of radicalisation and terrorism it is foreseen that the work on education, communication, culture, youth and sport is important to counter violent extremism. The EU pledges to "work on counter-radicalisation by broadening our partnerships with civil society, social actors, the private sector and the victims of terrorism, as well as through inter-religious and inter-cultural dialogue. Most crucially of all, the EU will live up to its values internally and externally: this is the strongest antidote we have against violent extremism." (EU High Representative 2016.).

In this publication the authors of the publication aim to present a systematic analysis of the legal framework of religious education and its relationship and limitations in the aim to prevent radicalization. This may be analysed from the right to religion or the right to education, but in the present publication we will deal with the right to religion and as corollary – right to religious education.

In order to achieve the aim of the research the following tasks will be carried out:

1. Revealing of the essence of the freedom of right of thought, religion and conscience and their relation to religious education;
2. Analysing documents, strategies and policies addressing the prevention of radicalization in Europe.
3. Evaluating the intersection of right to religious education and the need to prevent radicalisation.

2. Right to religion in the context of education

Rights to freedom of religion, thought and conscience are so called civil and political rights, which are referred to as the first-generation human rights. These rights usually are named as fundamental rights, because they are related to very fundamental values for a human being (the right to life, as well as spiritual life, the right to dignity, the right to freedom and equality, the right to immunity, etc.). (Pranevičienė, Margevičiūtė 2012; Birmontienė, Jarašiūnas et al. 2002). Freedom of religion or believes, conscience and thought is acknowledged as an individual right to be protected in one's spiritual and transcendental relationships, moral attitudes and intellectual activity.

Religion may be described as "the service and worship of God or the supernatural: commitment or devotion to religious faith or observance, […] a personal set or institutionalized system of religious attitudes, beliefs, and practices, […] a cause, principle, or system of beliefs held to with ardour and faith". (Merriam-Webster 2018). Usually religion is associated with traditional majority, minority or new religious beliefs in a transcendent deity or deities. In the field of human rights, the use of term "religion" also signifies the right to non-religious beliefs. Article 18 of the Universal Declaration of Human Rights was explained by the Office of General Commissioner for Human Rights of the United Nations: "Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms "belief" and "religion" are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reason, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility on the part of a predominant religious community" (UN HRC 1993).

The exercise of religion, according to the UN HRC, includes "The freedom to manifest religion or belief may be exercised "either individually or in community with others and in public or private". The freedom to manifest religion or belief in worship, observance, practice and teaching encompasses a broad range of acts." (UN HRC 1993). These acts include ritual and ceremonial acts directly expressing the belief, as well as "well as various practices integral to such acts, including the building of places of worship, the use of ritual formulae and objects, the display of symbols, and the observance of holidays and days of rest." (UN HRC 1993). According to UN HRC, "In addition, the practice and teaching of religion or belief includes acts integral to the conduct by religious groups of their basic affairs, such as the freedom to choose their religious leaders, priests and teachers, the freedom to establish seminaries or religious schools and the freedom to prepare and distribute religious texts or publications."

The parental right to influence the learning process is highlighted in the 1948 Universal Declaration of Human Rights: "Parents have a prior right to choose the kind of education that shall be given to their children." (UN GA 1948). The International Covenant on Economic, Social and Cultural Rights emphasizes the freedom of parents and legal guardians to "choose not only schools established by state institutions for their children, but also other schools that meet the minimum standards of science that may be established or approved by the state and guarantee the religious and moral integrity of their own." (UN, 1966a). In this provision, we can see two elements: first, the right of parents and guardians to ensure that children's moral and religious education conforms to their own convictions; secondly, parents and carers may also choose non-state educational establishments, provided that these institutions meet the "minimum educational requirements". (Pranevičienė, Pūraitė 2010). These minimum requirements may relate to the admission of pupils, the content of teaching or the recognition of graduation documents. (Pranevičienė, Vasiliauskienė 2017).

International Covenant on Civil and Political Rights also stresses that "The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions." (UN, 1966b, Article 18 (4)). The UN Human Rights Committee has stressed that "that article 18.4 permits public school instruction in subjects such as the general history of religions and ethics if it is given in a neutral and objective way. The liberty of parents or legal guardians to ensure that their children receive a religious and moral education in conformity with their own convictions, set forth in article 18.4, is related to the guarantees of the freedom to teach a religion or belief stated in article 18.1. The Committee notes that public education that includes instruction in a particular religion or belief is inconsistent with article 18.4 unless provision is made for non-discriminatory exemptions or alternatives that would accommodate the wishes of parents and guardians." (UN HRC 1993).

This right to influence the educational process, precisely because of religious beliefs, is also highlighted in several international documents. The UNESCO Convention on the prohibition of discrimination in education stresses the importance of "the establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level" (UNESCO 1960).

The right to religious education is also a consequence of another right – the right of education. It can be stated that "international human rights law, the European Convention on Human Rights and the European Court of Human Rights, as well as most liberal-democratic constitutions and courts, oblige states to permit freedom of education in all their consequences for religious schools." (Maussen, Bader 2014, p. 1). In Europe, the educational systems vary widely with regard to the financing and recognition of such schools, and the types and degrees of public scrutiny and control exercised over religious schools. The right to religious schools is based on the assumption that parents are the primary decision makers when choosing the education for their children. (Maussen, Bader 2014). The requirement to comply strictly or loosely with the curricula provided by the state varies in different countries, but usually it is present, especially in case where the state finances particular schools partially or totally. The extent of independence of the school itself towards its curriculum also depends greatly on "specific societal and political trends and incidents that may matter a great deal for the significance and scope of associational freedoms of religious schools in a given society. […] 'Radicalisation' among Islamic youth has become a key concern leading to increased scrutiny of Islamic schools." (Maussen, Bader 2014, p. 12). As can be seen in the practice of the states, the general education is perceived as public function and public need of the society, to prepare a child for the independent life in the particular society. The state may influence the aspects of state security in ensuring that some humanist values are implemented in the education of children in school.

3. EU policies in countering radicalisation

According to the European Commission, "radicalisation is a complex phenomenon of people embracing radical ideology that could lead to the commitment of terrorist acts'. (Bakker 2015, p. 282) The most concerning radicalisation is "violent radicalisation", which is the most dangerous sort of radicalisation.

E. Bakker, summarising the different studies on the process and factors of radicalisation, outlines that the factors influencing radicalisation are generally categorized into internal and external dimensions. The internal ones include polarising public rhetoric, stigmatization or identity crises. "The external dimension includes Western military interventions, the role of global media and cyberspace and a general perception of injustice suffered by Muslims." (Bakker 2015, p. 285). E. Bakker stresses that personal and collective discontent and grievances are prominent, dominating factors of both external and internal dimensions and can be held as the core of root causes of violent radicalisation and terrorism. (Bakker 2015, p. 285).

Both the studies on radicalisation and the counter policies that will be discussed below were greatly influenced by the events of 9/11 in the USA and later by 2004 Madrid and 2005 London bombings. The EU counter-

terrorism policy in general evolved in the face of new threat stemming mostly from jihadist type terrorism.

The first document outlining measures against radicalisation in EU was the 2004 EU action plan on countering terrorism. Regarding radicalisation it foresees the need to identify factors which contribute to recruitment of terrorism both within the EU and internationally, and develop a long-term strategy to address these. The action plan foresaw the conduction of various studies by 2004-2006 in this field. Furthermore, the cooperation in good governance were foreseen with Arab world in order to address factors outside EU contributing to terrorism. The last group of action was intended to develop and implement a strategy to promote cross-cultural and inter-religious understanding between Europe and the Islamic World. (Council of the EU 2004).

These actions were further supported in 2005 European Union Counter-Terrorism Strategy. The strategy has four pillars: prevent, protect, pursue and respond. The prevent pillar implies actions in order to "prevent people turning to terrorism by tackling the factors or root causes which can lead to radicalisation and recruitment, in Europe and internationally". (Council of the EU 2005a). The Council stated that EU may help in the field of countering radicalisation by helping co-ordinate national policies; share information and determine good practice. The document foresees the key priorities in prevention, such as developing common approaches to spot and tackle problem behaviour, in particular the misuse of the internet; address incitement and recruitment in particular in key environments, that is, in prisons, places of religious training or worship, notably by implementing legislation making these behaviours offences, developing a media and communication strategy to explain better EU policies; promoting good governance, democracy, education and economic prosperity through Community and Member State assistance programmes; develop intercultural dialogue within and outside the Union, continue research in the field. (Council of the EU 2005a).

The question of counter-radicalisation was further and, in more length, addressed in the EU Strategy for Combating Radicalisation and Recruitment to Terrorism, which was adopted in 2005, and revised in 2008 and 2014, which lays the foundations for an enhanced involvement of civil society in tackling and countering radicalisation. (Council of the EU 2005b). The strategy outlines that in order to counter radicalization and terrorist recruitment, the EU resolves to "disrupt the activities of the networks and individuals who draw people into terrorism; ensure that voices of mainstream opinion prevail over those of extremism; promote yet more vigorously security, justice, democracy and opportunity for all." (Council of the EU 2005b). Regarding education, it is mentioned that the policies in the field should take into account the needs to counter radicalization. (Council of the EU 2008).

The prevention and addressing radicalisation is a prominent issue in 2010 EU internal security strategy (European Commission 2010). Second objective of the mentioned strategy is to "prevent terrorism and address radicalisation and recruitment." (European Commission 2010). Among the measures of empowerment of the communities to prevent radicalisation and recruitment are important because de-radicalisation "requires close cooperation with local authorities and civil society and empowering key groups in vulnerable communities. The core of the action on radicalisation and recruitment is - and should remain - at national level." (European Commission 2010). The Commission points out that "several Member States are developing work streams in this area, and certain cities within the EU have developed local community-based approaches and prevention policies." (European Commission 2010).

2014 revised Strategy for Combating Radicalisation and Recruitment (Council of the EU 2014) indicates the importance of promoting the education and training of young people in schools and universities on issues regarding "nationality, politics, religious and national tolerance, democratic values, cultural differences, and the historical consequences of nationally and politically instigated violence. The members of the education sector supported by field practitioners, in particular, could play a significant role by raising awareness of terrorism-related issues and identifying and providing support to individuals at risk." (Council of the EU 2014).

The question of the relationship of education with counter-radicalisation policies is extensively addressed in the 2015 European Parliament resolution on the prevention of radicalisation and recruitment of European

citizens by terrorist organisations which dedicates analysis to the question of preventing radicalization through education and social inclusion (European Parliament 2015). The values that should be encouraged in educational institutions are promotion of integration into society and development of critical thinking, promotion of non-discrimination, strengthening understanding and tolerance. The European Parliament stresses in the document "the need to teach fundamental values and democratic principles of the Union such as human rights; highlights that it is Member States' duty to guarantee that their education systems respect and promote EU values and principles and that their functioning does not contradict the principles of non-discrimination and integration". (European Parliament 2015). The role of a teacher is also outlined as very important. The teachers should be empowered to take an active stand against "all forms of discrimination and racism". Competent and supportive teachers, in Parliament's opinion, help strengthen social ties, encourage a sense of belonging, help in "developing knowledge, skills and competences, embedding fundamental values, and enhancing social, civic and intercultural competences, critical thinking and media literacy, but also in helping young people — in close cooperation with their parents and families — to become active, responsible and open-minded members of society." (European Parliament 2015). The Parliament stresses "the role of educational institutions in teaching youth to recognise and manage risks and make safer choices, and in promoting a strong sense of belonging, shared community, care support and responsibility for others; stresses the need to use the various opportunities that vocational education and academic courses offer in order to expose young people to the diverse national, regional, religious and ethnic identities existing in Europe" (European Parliament 2015) .Thus there is in this soft law instrument quite an extensive list of requirements that European Parliament hopes that education institutions would fulfil in order to avoid and curb radicalization, thus these requirements are advised to be applicable also to religious schools forming part of the general system of secondary education.

In 2016 the Commission has adopted a Communication supporting the prevention of radicalisation leading to violent extremism, where it stressed the same idea that "schools have a key role in fostering inclusion and, as core parts of communities, work closely with parents and local associations." (European Commission 2016) It marked that "regular contacts with representatives of civil society and role models can make a difference in motivating young people and preventing them from drifting to the margins of society." (European Commission 2016) To the opinion of Commission, teachers are closer to pupils and thus more able to detect early signs of radicalisation ideas and address them.

The European Economic and Social Committee also expressed its opinion in 2017 on 'Cooperation with civil society to prevent the radicalisation of young people' where it highlighted "the importance of inclusive formal and non-formal education, which is absolutely essential for active participation in a diverse society, teaching critical thinking and media literacy as well as contributing to society's resilience against anti-democratic, xenophobic and populist tendencies that in some cases are gaining more and more influence on main stream political discourse as it adapts to xenophobic sentiments and views." (EESC 2017). It stressed that school, education and vocational training may play an important role in early prevention of radicalisation, as they teach critical thinking and media literacy and promote social integration by offering more opportunities, especially for young people. The Committee also stressed "the vital role played by, and the social responsibility of, religious communities in the prevention of radicalism, and calls for more strategic engagement in defending the rules and values of liberal democracy and in promoting values-based intercultural dialogue, peace and non-violence." (EESC 2017).

Thus, the requirements stressed above are applicable to all schools as well as to religious ones. In many of the states the general secondary education is compulsory as many of the states consider it important to give relevant knowledge and skills for a young person to prepare him/her for independent life in that particular society. As the example in Lithuania in the description of primary, basic and secondary programs approved by the Minister of Education in Lithuania, the following general education goals are envisaged: "to nurture the innate spiritual, intellectual and physical powers of each student, to help reveal his individuality and to strive for creativity, so that each pupil becomes a person who is dignified, moral, caring for his health and the health of others, responsible for his actions and choices, who is constructively creating his own and Lithuanian culture, prosperity and future; to develop a citizen actively participating in Lithuanian and European sociocultural

and political life, who is aware of national and civic identity, respects other nations, historically conscious, communal, who has developed critical thinking; to create equal opportunities for all pupils, regardless of gender, race, nationality, language, origin, social status, belief, convictions or beliefs, age, sexual orientation, disability, ethnicity, religion, to achieve educational results that meet their maximum potential and to establish lifelong learning attitude." (Lietuvos Respublikos švietimo ir mokslo ministras 2015). Therefore, the aims of the secondary education do correlate with the aims of the society in general.

4. Anti-radicalisation measures as the exception to the right to religious education

The plan of the Government of France that was mentioned in the introduction among its first aims sets out the aim to invest in school. The first sub-chapter addresses questions of recognising radicalisation in school surroundings and stresses the importance of the values of "Republican School" (French government, 2018, p. 9). Third subchapter addresses the stricter control of non-contract educational institutions and the situation of education in the family. The government aims to "change the legal regime governing the opening of non-contract private educational institutions by unifying the three current reporting regimes and increasing their efficiency." (Le Gouvernement de la République française 2018, p. 10). Furthermore, it sets out that the aim is at "the national level, specialize teams of academic inspectors and disseminate at the territorial level a guide of good practices on the controls of non-contract private educational institutions." (Le Gouvernement de la République française 2018, p. 9). Later on, the government sets the goal so set up at the departmental level "a restricted training of the Radicalisation Prevention and Family Support Unit (CPRAF), to coordinate the controls of non-contracted establishments and home-based education situations in the event of suspicion of radicalization." (Le Gouvernement de la République française 2018, p. 10). The last measure under this heading aims "In case of radicalization report and under the guidance of the prefect, improve the fluidity of the transmission of information with the mayor and the academic inspectorate. The aim is to ensure that the census of children subject to compulsory schooling is exhaustive and to speed up the implementation of mandatory family education controls. Academic services must ensure that the situation of the minor is monitored in the best possible conditions." (Le Gouvernement de la République française 2018, p. 10).

In Denmark, for a long time since the first part of XX century the prevailing tradition was the free school tradition, which entailed wide association rights to religious and other special pedagogy schools to establish their curricula and other matters of school life. "As late as 2001, the legislation covering the free schools did not entail any value clause other than that schools must provide public-school-equivalent education. There were no clauses regarding civic education or personality ideals." (Olsen 2015, p. 27). But after the 9/11 terrorist attacks and after some scandals regarding the abuse of school finances, the scenery started to change – the new government introduced the requirement that schools have to prepare students to live in a society with freedom and democracy. (Olsen, 2015). The present rules prohibit the schools that want to receive state subsidies from basing themselves on views which "contradict gender equality, the principles of Danish democracy and the freedom of religion 'in Denmark or other countries.'" (Olsen 2015, p. 29). Furthermore, the monitoring that takes place in Muslim schools includes the aspect of anti-radicalisation – the schools are checked whether they fulfil the 'freedom and democracy' requirement and whether there are changes necessary in legal acts. (Olsen, 2015). As the interviews with the directors of Muslims schools revealed that such strict oversight causes uncertainty in the school, but also the schools are very conscious about the requirements and take few risks in terms of alternative teaching programmes that might stick out and call for inspection (Olsen 2015, citing Jensen, 2013).

Here we see limitations to the right of religion and right to religious education. Under international law, some of the rights and freedoms set out in international human rights treaties may be restricted or derogated from under certain circumstances. Confession of religion or belief is one of them. The Universal Declaration on Human Rights obliges states to restrict their rights and freedoms only on the basis of the envisaged declaration, the requirements of lawful morality, public order and universal welfare (UN GA 1948). If we look at the possible derogations of the right to religion, it can be noted that the International Covenant on Civil and Political Rights outlines as possible such grounds for derogation of the right to religion: "3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public

safety, order, health, or morals or the fundamental rights and freedoms of others." (distinguished by the author). (UN 1966b, Art. 18). The European Convention on Human Rights sets out the following grounds: "Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others." (Council of Europe 1950). So, the two are identical in setting out the limitations of the right to religion.

Given the importance of law, limitation can be applied simply to allow society processes to function smoothly and efficiently if the law is restricted. Often this requirement is called "necessary in a democratic society". (Vitkauskaitė-Meurice, Valutytė, Gailiūtė 2012, p. 7-8) Finally, restrictions are allowed only if they are vested in one or more public or public interests. Article 18 (3) of the ICCPR identifies the conditions of the restriction, which states that the freedom to confess one's religion or belief can only be limited to what is prescribed by law and only when it is necessary for public safety, order, health or morals or for the protection of the fundamental rights and freedoms of others. (UN 1966b). Typically, the specific interests of the state and society are considered to be to public security, order, health or morals or protection the fundamental rights and freedoms of others. However, one of the most difficult conditions for limiting is the term "social order", which is interpreted differently in different countries. (Gunn 2005). As the commentary to the ICCPR states, "no manifestation of religion or belief may amount to propaganda for war or advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. As stated by the Committee […], States parties are under the obligation to enact laws to prohibit such acts." (UN HRC 1993). Thus, we clearly see from the interpretation of the body closely related to the implementation of the international treaty that the expression of religion may be limited, but only to the limits where it infringes the rights of others or the needs of the society in general. The Committee further elaborated that in limiting the right in question states should proceed from the need to protect the right to equality and non-discrimination and other human rights. (UN HRC 1993). It outlined that "the concept of morals derives from many social, philosophical and religious traditions; consequently, limitations on the freedom to manifest a religion or belief for the purpose of protecting morals must be based on principles not deriving exclusively from a single tradition." (UN HRC 1993).

In this case that is analysed the basis for the limitations of the right to religion are based on the grounds of public safety. The necessity of control of the schools in question arises from the need to control and prevent the process of radicalization, the danger of which is evident, as it leads to violent acts affecting the whole society. Therefore, the requirement that the measures have to be based on the grounds set in international human rights law is satisfied in this case. Further step of analysis is that such limitations should be prescribed by law. As seen from the examples above, the rules of control and the rules on the curriculum of the schools are set by various legal acts, the procedures of control are therefore enshrined in the law and this requirement is also met. If the inspectors or other officers of the state would start carrying out inspections and making requirements not based on the legal requirements, we could speak about arbitrariness and thus infringement of the right to express one's religion and pursue religious education.

More questions are raised regarding the necessity of such measures and proportionality. The measures applied limiting a particular right should be necessary in order to attain the aim sought, which means that it is necessary to carry out certain actions to protect the value in question. In this case the necessity of limitations is based on the fact that radicalization occurs in many cases in early age and there are grounds to believe that such influence on the radicalization of a person may be carried out in schools, in particular in religious schools. Thus, implementing measures to prevent radicalization may be considered necessary in democratic society, but only basing these measures on the facts or grounded suspicions regarding the role of particular schools in the process of radicalisation.

The question of proportionality of control is the most debatable here. Of course, from one hand, the state has great influence on the general education of pupils and has the right to set certain requirements to the functioning of religious schools in its territory, but on the other hand, besides these requirements the content of education related to the religious questions should be allowed – as far as it does not encourage radicalisation, propaganda of war, racial and religious hatred that incites persons to discrimination, hostility or violence. Thus, the

proportionality requirement may be in conflict with the wide application of the abovementioned European values or their interpretation, if they are in contradiction with the religious beliefs of a particular religion, where it does not encourage hatred, radicalisation, or infringement of the rights of other people. The states should not use the excuse of fighting against radicalisation in wide control over the whole curriculum of a particular school.

Therefore, we see the tension in seeking to ensure public safety in both sides. The security of the state and of persons may be compromised, firstly, by allowing the radicalisation of the persons who then in turn would carry out terrorist acts and in this way the infringement of security is evident. But on the other hand, the security of the state lies in the security of its citizens. "A human security approach attempted to transform traditional notions of security, framed in terms of national and regional stability and the stability of political and economic systems, and to focus on human beings. […] Primary threats were seen as internal: economic failure, violation of human rights, political discrimination." (Tadjbakhsh 2005). It is used to outline complex inter-related threats to contemporary society and its members (Greičius, Pranevičienė, 2010). The aims to protect "security of a person is closely related to collective aims of the society as a whole, seeking to protect both the state and every individual comprising the state." (Pranevičienė, Vasiliauskienė 2018). On the other hand, the state, being a power in a particular territory, may pose risk to individual's security. Individuals are forced to choose greater values, by way of agreeing to renounce certain things having less impact on their existence, in the name of securing the great values. Some scientists refer to those greatest values as natural human rights, such as the right to life, the right to property, the right to privacy, immunity right, etc. (Pranevičienė, 2011). The state and society may be considered the safe guarders of those rights, but on the other hand, they may be the biggest threats to those rights. The rights of one person and their implementation may pose great risk to the rights of others.

Thus, in this sense the security of the citizens of the state may be compromised if their right to religion was limited disproportionately. It is very important for the state to deliberate on such actions in order to find the right balance in their situation and to maximize the security of the state and all of its citizens.

Conclusions

The new issues for the security of the European states rise from the terrorist acts carried out by so-called home-grown terrorists, who were radicalised and trained here, on the soil of the European continent. As we can see from the statistics, many of the terrorist acts carried out in Europe in the last decade were carried out by religiously motivated persons who had the citizenship of one of the EU member states. Thus, the prevention of radicalisation may be considered as becoming a matter of public interest, related to the security of the states and their citizens which the states are bound to implement.

Radicalisation may be defined as the complex process during which people embrace radical ideology that could lead to the commitment of terrorist acts. The factors influencing this process are polarising public rhetoric, stigmatization or identity crises, as well as Western military interventions, the role of global media and the general perception of injustice by Muslim population. Therefore, especially after the terrorist attacks of 9/11 in the USA, the institutions of the European Union started working in the direction of prevention of radicalisation in setting strategies and implementing them that were aimed at the counter-radicalisation. During the last years the European Union policy documents have stressed the importance of education in this process and set out a number of goals and priorities in this field for the Member states.

The process of control of radicalisation in educational field may have direct influence on the right to religion and right to religious education as the Member States are controlling more strictly the religious schools in their territories, including inspections on their activity and curricula. The right to religion implies the right to hold one's views on the service and worship of God or the supernatural. The right to religion protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The right to religion, or to be more exact, the right of expression of religious beliefs may be limited on the grounds indicated in international treaties, especially if it related to the infringements of the rights of other members of the society or with the commitment of criminal acts.

This right in the field of education means the right of the parents to make influence on the content of education that is related to their religious beliefs and the right to choose religious schools for their children. The tendency in the field of education is to consider the parents as the primary decision makers for the education of their children. Thus, the control of the religious schools should be limited to what is necessary to achieve the aims of the general education and to prevent radicalisation in schools, where there is such risk. It follows that the particular legal regulation, administrative decisions, the activity of the institutions responsible for the control of religious schools should be adequate and proportionate to the aims sought and should not overstep the limits of the implementation of the right to religion. Thus, in the field of education and in general in the implementation of anti-radicalisation measures it is important to keep the balance of the needs to protect the society from the threat of terrorist acts and the needs to ensure the citizens their right to religious beliefs and other rights as they also contribute greatly to the security of the state and its citizens.

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