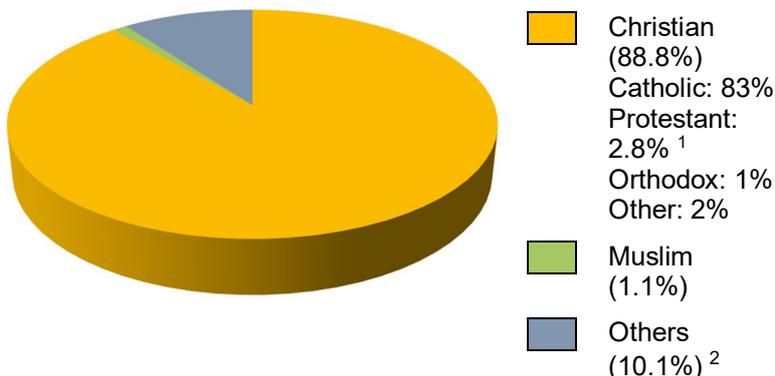


IRELAND



Area:
70,273 km²

Population³:
4.635 million

Political system:
Democracy

Major Language(s):
English, Irish

Legal Framework on Freedom of Religion and application

The protection of religious freedom in the Republic of Ireland is legally guaranteed at both a national level, under the Constitution of Ireland,⁴ and a supranational level, under the Charter of Fundamental Rights of the European Union.⁵ Article 44.2 of the Irish Constitution protects freedom of conscience, profession and practice of religion. The State also makes guarantees not to endow any religion nor make adherence to any religious grounds for discrimination. There is an important guarantee that all religions have the right to buy and maintain educational and charitable institutes and to manage their own business and property without State interference. The freedom for people to convert, proselytise and educate others (including their children) in any religion is legally upheld in Ireland.

State protection of religious freedoms in Ireland is subject to weakening political support, partly due to the increasingly permissive societal attitudes towards sexual and reproductive morals. In tandem with this phenomenon, the ability of people to adhere to their religious beliefs is becoming increasingly difficult with, for example, Catholic hospitals being required to implement legislation such as the Protection of Human Life in Pregnancy Bill (2013),⁶ which provides for abortion in limited circumstances, including maternal suicidal ideation.⁷ Although the Bill falls outside the review period of this report, it is legally contextualised within the growing social and political support for a constitutional repeal of the 8th amendment (which treats the right to life of the mother and child equally),⁸ with fully liberalised abortion laws harmonised with those of the United Kingdom being demanded by the Labour Party.⁹

In May 2015, the Republic of Ireland held a referendum which effected a constitutional change legally authorising same-sex marriage.¹⁰ Legislative protection is provided to ministers of religion so that they do not have to officiate at same-sex weddings.¹¹ However, given that same-sex couples now have a constitutional right to marry, this exception could be subject to legislative if not constitutional challenge at some point. In addition, professionals must facilitate same-sex weddings if asked and religious employers cannot prevent the hiring of someone based on their sexual orientation, though this may be against their or the organization's religious beliefs.¹²

In March 2016, Boyle Family Life Centre (which was originally established for the purpose of providing a diocesan response to the needs of families in the Catholic diocese of Elphin) was informed by Tusla (the Irish states Child and Family Agency), that it would “conflict with the ethos of the Family and Community Services Resource Centre Programme” for an organisation funded by Tusla to have a statement of denominational ethos written into its governance document – essentially, the state agency threatened to repeal funding unless the Catholic ethos of the agency was repealed. As a result, the Boyle Family Life Centre has now had to become a separate legal company and rescind its Catholic ethos in order to continue to receive funding from the Tusla. The agency was told its ethos could be in breach of equality legislation.¹³

While the state provides universally free primary education, the majority control of Ireland’s primary schools is by Christian religious denominations (96 percent) – with the Catholic Church owning or patronising some 90 percent. This has been a source of increasingly antagonistic political opposition and social protest.¹⁴ Denominational schools are permitted to fulfil their purpose (educating the children of their own faith community) by admitting children of their own faith ahead of other children in the event of over-enrolment but this right is coming under heavy pressure, including from the UN Committee on the Rights of the Child (UNCRC).¹⁵ Additionally, in December 2015, the right of religious organizations, including faith schools, to employ staff who will respect and uphold the ethos of their employer has been curtailed via an amendment to Section 37 of the Employment Equality Act.¹⁶ There is also increasing pressure on faith schools to teach a version of the family that they do not subscribe to. What the above laws have essentially done is re-define ‘religious freedom’ delimited to and contextualised by secular laws rather than that of an informed religious conscience.

Incidents

Related to Christianity

In July 2014, the Equality Tribunal found South Tipperary County Council (STCC) guilty of religious discrimination against a born-again Christian after they fired him for continuing to share his religious beliefs during working hours, though warned by management not to do so. STCC believed that any proselytization during working hours “would cause great damage to the integrity of the council” and directed the Christian “to seek professional help”, which he subsequently did. The Equality Tribunal found that STCC had discriminated against the Christian on religious grounds and ordered them to pay him €70,000 in compensation.¹⁷ In July also, at Ballinacurra Weston Co. Limerick, Our Lady of Lourdes church was attacked by vandals. The local priest reported that the church is attacked up to four times a year.¹⁸ In November, a metal cross which had been in place since 1976 on the summit of Carrauntoohil in Co. Kerry – Ireland’s highest mountain – was cut down by vandals¹⁹.

In January 2015, St Mary’s Church of Ireland church in Co. Kerry was attacked by vandals, who smashed its windows.²⁰ In March 2015, an attacker left an elderly Dublin-based priest, Father Diarmuid Byrne, aged 70, with a fractured skull and multiple facial cuts after he attacked him with an iron bar during a burglary.²¹ In April, a Catholic Church in Eyrefort, Co. Galway was vandalized and robbed.²² In July, an Indian priest, Father Dominic Savio, was robbed and beaten by two burglars after they broke into the parish house in Portlaoise, Co. Laois. During the ordeal, they threatened to maim and kill him, at one point holding a knife to his throat.²³ In October, two elderly nuns were also attacked and mugged on their way to Mass in Co. Limerick.²⁴ In December, around 65 people were worshipping at the Compassion Centre in Ballymun, Co. Dublin when a lone gunman entered the church demanding money, phones and car keys.²⁵

Related to Islam

In July 2015, a Muslim man was physically assaulted by a fellow Muslim man whilst trying to post anti-extremist flyers at a mosque in Clonskea, Do. Dublin.²⁶ In September, a Saudi Arabian woman who was studying at Trinity College Dublin, was punched in the shoulder by a man directing religious abuse at her.²⁷ Overall, as of November 2016, Muslim scholars and clerics in Ireland have noted that Ireland's treatment of the Muslim community has been good – noting that its lack of colonial past, integration policies alongside the comparatively high employment and skills level among the Muslim community in Ireland (as compared to the rest of Europe) has helped ensure incidences of discrimination or persecution towards Muslims remain very rare.²⁸

Related to Judaism

As of January 2015, Jewish leaders in Ireland have stated that they “are not overly concerned” about their safety in Ireland.²⁹ The Jewish population of Ireland, though numbering only 1,600³⁰, are successful and historically well-integrated and respected in Irish society. There has however been a very small but persistent left-wing anti-Semitism in Ireland whose protests against Israel regularly include the burning of the Israeli national flag.³¹ In the main incident of note, September 2015 saw the conviction of a Dubliner for harassment after subjecting ex-Minister for Justice Alan Shatter (who is Jewish) to a number of anti-Semitic emails.³²

Prospects for Freedom of Religion

From June 2014 – May 2016 evidence suggests that religious freedom in Ireland decreased slightly, partly given the legislative changes made with regards to abortion and homosexual marriage alongside increased mainstream political antipathy towards Christian moral teaching. However, Ireland's religious freedom remains comparatively good by international standards. This report also notes that there is an increase in the targeting of elderly and vulnerable religious and places of worship by criminals and criminal gangs. Overall, increased of note the 2016 Irish census will also reveal much about Irish societies' rapidly changing religious affiliation.

¹ Church of Ireland

² http://www.thearda.com/internationalData/countries/Country_112_2.asp

³ <http://www.bbc.com/news/world-europe-17473476>

⁴ The Constitution of Ireland – https://www.constitution.ie/Documents/Bhunrecht_na_hEireann_web.pdf

⁵ Charter of Fundamental Rights of the European Union – <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>

⁶ <http://www.irishstatutebook.ie/eli/2013/act/35/enacted/en/pdf>

⁷ <http://www.irishtimes.com/news/health/26-terminations-under-protection-of-life-during-pregnancy-bill-1.2266839>

⁸ <http://www.irishstatutebook.ie/eli/1983/ca/8/enacted/en/print>

⁹ <http://www.ionainstitute.ie/labour-wants-uk-style-abortion-law/>

¹⁰ <http://www.rte.ie/news/vote2015/2015/0523/703205-referendum-byelection/>

¹¹ <http://www.irishtimes.com/news/politics/marriage-referendum-q-a-what-you-need-to-know-1.2212840>

¹² <http://www.irishstatutebook.ie/eli/1998/act/21/section/37/enacted/en/html>

¹³ <http://www.catholicbishops.ie/2016/03/15/boyle-family-life-centre-a-statement-from-the-diocese-of-elphin/>

¹⁴ <http://nronline.org/news/global/irish-voters-face-controversy-over-catholic-run-schools-admission-policies>

¹⁵

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC%2fC%2fIRL%2fCO%2f2&Lang=en

¹⁶ <http://www.irishstatutebook.ie/eli/1998/act/21/section/37/enacted/en/html>

¹⁷ <http://www.irishexaminer.com/ireland/euro70000-award-against-council-for-religious-discrimination-276197.html>

¹⁸ <http://www.independent.ie/irish-news/news/community-keeps-vigil-amid-fears-vandals-will-return-to-attack-church-30448786.html>

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- ¹⁹ <http://www.irishtimes.com/news/ireland/irish-news/cross-on-summit-of-carrauntoohil-cut-down-1.2011907>
- ²⁰ <http://www.rte.ie/news/2015/0111/671869-killarney-church/>
- ²¹ <http://www.irishtimes.com/news/crime-and-law/burglar-who-attacked-elderly-priest-with-iron-bar-jailed-1.2156590>
- ²² <http://www.irishtimes.com/news/crime-and-law/priest-devastated-after-galway-church-robbed-and-vandalised-1.2166708>
- ²³ <http://www.irishtimes.com/news/crime-and-law/priest-attacked-in-portlaoise-tells-of-terrible-experience-1.2294719>
- ²⁴ <http://www.irishexaminer.com/ireland/nobody-came-to-help-nuns-attacked-on-way-to-mass-356816.html>
- ²⁵ <http://www.independent.ie/irish-news/please-come-back-we-forgive-you-church-goers-plead-for-armed-raider-to-return-so-they-can-help-him-34267340.html>
- ²⁶ <http://www.thejournal.ie/mosque-assault-2241857-Jul2015/>
- ²⁷ <http://www.newstalk.com/Saudi-woman-attacked-in-racist-assault-on-Dublin-bus-by-man-who-hates-Islam>
- ²⁸ <http://www.irishtimes.com/news/social-affairs/religion-and-beliefs/ireland-s-muslims-don-t-expect-major-backlash-after-paris-1.2432212>
- ²⁹ <http://www.irishcatholic.ie/article/irish-jews-are-%E2%80%98not-overly-concerned%E2%80%99-over-anti-semitism>
- ³⁰ <https://www.jewishvirtuallibrary.org/jsource/Judaism/jewpop.html>
- ³¹ <http://www.thejournal.ie/israel-embassy-ireland-controversy-1614325-Aug2014/>
- ³² <http://www.irishtimes.com/news/crime-and-law/courts/district-court/council-worker-spared-jail-over-anti-semitic-emails-to-shatter-1.2415351>