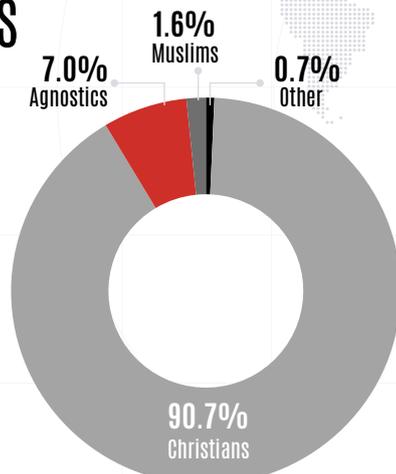




IRELAND

RELIGIONS

LEGAL FRAMEWORK ON FREEDOM OF RELIGION
AND ACTUAL APPLICATION

The protection of religious freedom in the Republic of Ireland is legally guaranteed at both a national level, under the Constitution of Ireland,¹ and a supranational level, under the Charter of Fundamental Rights of the European Union.² 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 religion 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.³ Broadly speaking, state protection of religious worship and expression remains comparatively advanced by international standards. A referendum held on 26th October 2018 removed article 40.6.1 from the Irish Constitution, which had previously forbidden blasphemy.⁴

Hate crime statistics in Ireland are unreliable, therefore it is often difficult to understand the exact extent of reli-

gious discrimination and religiously motivated attacks in Ireland.⁵ The Gardaí (Irish police) classify attacks on places of worship as simply “vandalism”, this means it is hard to tell if attacks are motivated by religious hatred or are a result of general hooliganism.⁶ It is certain that the extent of attacks based on religion are significantly lower in the Republic of Ireland than in Northern Ireland, with on average an attack on a place of worship occurring every three days in Northern Ireland over the past five years.⁷ The attacks on places of worship in Northern Ireland also tend to be more serious, including crimes such as arson.⁸ The high numbers of attacks on places of worship in Northern Ireland are a result of the historic sectarianism between Catholics and Protestants in the region, which date back to the 17th century Plantation of Ulster. These conditions do not exist to nearly the same extent in the Republic of Ireland.

The rapid secularisation and changing morality of Irish society has led to some potential infringements of religious freedom. This is particularly the case in health care and education. Since the legalisation of abortion in the Ireland in 2019, the majority of Irish doctors (approximately 90%) have not signed up to taking part in abortions.⁹ As a result of this, government ministers have considered only hiring health care professionals willing to take part in abortions

for certain positions in specific hospitals.¹⁰ This would exclude most health care professionals who practice Catholicism, which is by far Ireland's largest religion. In October 2020, a bill proposing the legalisation of assisted suicide entered committee stage of the Houses of the Oireachtas.¹¹ If this bill should become law it is possible similar infringements of freedom of conscience will occur, as have happened with the legalisation of abortion.

The Irish State continues to attempt to exercise its control over Irish schools with a religious ethos. Concerns have been raised over a new proposed sexual education curriculum, although some government officials have promised an exemption to denominational schools should they request it.¹² There has also been a proposal by the new government formed in 2020 to hold a "Citizens' Assembly" on education, with some fearing that the state may attempt to take control fully of many religious schools in Ireland, specifically Catholic schools.¹³ In October 2020 the government proposed to have Catholic symbols, mandatory graduation Masses and visits by diocesan inspectors phased out of approximately 200 secondary schools run by the state's Education and Training Boards in order to reflect a multi-denominational ethos.¹⁴

Over the course of the Covid-19 pandemic public worship has been suspended in Ireland. Initially major religious denominations voluntarily suspended public worship before it was suspended legally.¹⁵ Most major religious figures in Ireland were supportive of the restrictions and the national broadcaster RTÉ started daily televised broadcast of Mass and broadcast a Protestant service every Sunday on television.¹⁶ Public worship was reinstated in late June 2020 with a seemingly arbitrary limit of 50 people with no consideration of the size of the church.¹⁷ Over the course of September and October 2020 public worship was again legally prohibited in certain regions and then in the entire country.¹⁸ This second period of restriction received much more criticism, with Catholic bishops and other religious leaders requesting that the government allow public worship again.¹⁹ This follows the findings that only 6 outbreaks of Covid-19 were credited to religious services, including weddings and funerals.²⁰ A legal case was filed to allow public worship again.²¹

Calls for restrictions to be lifted have been heard in the Dáil (Irish parliament).²² Senior members of cabinet, including the Taoiseach²³, have committed to attempting to restoring public worship in December or at least allowing special facilitation for publicly celebrating Mass during

Christmas.²⁴ Given the evidence that religious services are not credited with spreading the Coronavirus, the claims that restricting people's fundamental right to freedom of worship is warranted under OHCHR's provision allowing restrictions to the free exercise of religious on public health grounds do not stand up to scrutiny. Several Catholic priests were cautioned for celebrating public Masses, although government officials committed to not bringing any charges against priests who ignore the government's restrictions.²⁵ The relatively small opposition to Covid restrictions on public worship is an example of how the Irish, though not hostile to people exercising their religion, they view religious practice as an optional extra and not as a basic human right. Analysts have considered this a symptom of a high level of religious illiteracy in Ireland, including skewed understanding of the majority Catholic Faith even by those who were nominally raised Catholic.²⁶

INCIDENTS AND DEVELOPMENTS

Related to Christians

There has been a continuous trend of attacks and particularly vandalism carried out against churches and Church owned property, corresponding to the definition of hate crimes by the OSCE. It is, however, hard to tell if this is motivated by inter-Christian sectarianism, general anti-Christian and anti-Catholic sentiment or by general hooliganism.

In July and August 2019 there was a string of attacks on Catholic churches and other Church related property. This includes the decapitation of a statue of Dr Patrick Leahy (Archbishop of Cashel and Emly during the 19th century) outside of Thurles Cathedral, the daubing of a swastika on an oratory and cross at Scrouthea Hill in Connemara, and a stained glass window of St. Michael's Church in Shroind Co. Longford were smashed.²⁷ The Gardaí have not indicated the motivation.

There were also continued occasional attacks against Protestant, particularly rural Anglican churches, in Ireland. Attacks and vandalism against the Anglican Christ Church in Buncrana Co. Donegal forced the church to close for a time in October 2018 in order to carry out repairs and renovation.²⁸ It is not believed these attacks were motivated specifically by anti-Christian or anti-Protestant sectarianism, but the vandals showed a complete disregard for local Anglicans' rights to exercise their religion as they might see fit. Very shortly after this event, between 29-31 Octo-

ber 2018, St Catherine's Anglican church in Tullamore Co. Offaly had 104 windows smashed, with the church having to spend an estimated €50,000 on repairs and new security measures.²⁹

Probably the most serious attack on a church during this period occurred in Dublin and was directed against St. Michan's Anglican church (there is a Catholic St. Michan's church close by).³⁰ St. Michan's is one of the oldest parishes in Dublin City and is the oldest parish in Dublin City's northside. The crypt of St. Michan's contains burials from the Middle Ages and Early Modern Period. The unusual environment and air conditions in the crypt have resulted in the bodies being remarkably well preserved and the bodies are colloquially called mummies. There is a very limited number of Anglicans in Dublin's North City, therefore in order to pay for upkeep of the historic church visitors are charged to visit the crypt. In February 2019, vandals broke into the crypt and trashed many of the burials and bodies.³¹ The vandals also decapitated and stole the head of the 800-year-old mummy known as "the crusader". The head was later recovered, and a man charged with the attack and sentenced to 28 months imprisonment.³² The vandal apologised for the attack and claimed he was under the influence of drugs when he desecrated the crypt. St. Michan's lost €35,000 in revenue from having to close the crypt to tours and had to spend €15,000 on repairs and new security measures. This means the attack cost the church €50,000.

In March 2012, the relic of the heart of Dublin's patron saint, St. Laurence O'Toole, was stolen from its shrine in one of Dublin's Anglican cathedrals, Christ Church Cathedral.³³ The relic was recovered in April 2018. In November 2018, the relic and reliquary were housed in a shrine in Christ Church and are again open to pilgrims and visitors.³⁴

There were also incidents of the State and educational authorities limiting the ability of Catholics to exercise their religion as they might see fit.

On 15 November 2020, Fr P.J. Hughes of Mullahoran parish Co. Cavan was threatened by the Gardáí (Irish police) with potential prosecution for celebrating public Mass contrary to Covid-19 restrictions.³⁵ In response to the threat, Fr. Hughes cited that free exercise of religious practice was enshrined in the Irish Constitution.

In November 2020, Trinity College Dublin's Central Societies Committee (CSC) forbade the Laurentian Society

(Trinity's Catholic society) from holding prayer meetings.³⁶ The reason given was that the Laurentian Society was a cultural society under its own constitution and Trinity's Chaplaincy contained two Catholic chaplains who held prayer meetings for Trinity's Catholics, therefore it was not appropriate for the society to host religious events. There are societies for other religious groups in Trinity College and none of them was instructed to halt religious events.³⁷ The CSC seems to be unaware that free practice of religion includes communal religious activities outside of the university's chaplaincy. This incident is particularly noteworthy given Trinity College Dublin's traditional status as a Protestant university, which historically has been home to anti-Catholic bigotry.

Related to Muslims

On 29 July 2019, Ahmadiyya Muslim mosque in Galway City was attacked and vandalised.³⁸ The mosque had been attacked before in 2014 and 2017.³⁹ Windows were smashed in the latest attack and security equipment stolen. The imam, Ibrahim Noonan, was warned three months prior to this attack that he and his mosque were a target of a far-right group. The caller said he was involved with far-right groups and did not want Muslims in Ireland but wanted to warn Imam Noonan because of the imam's work against radical Islam. The continuous targeting of the Ahmadiyya Muslim community in Galway is a serious area of concern.

In May 2019, there were two separate attacks on Muslim men in Limerick City. In the first attack two men were attacked as they were entering a mosque for prayer, both men were hospitalised.⁴⁰ This attack occurred during the first Sunday of Ramadan. The following Thursday a Muslim man was punched in the face as he was about to enter the mosque.⁴¹ In both incidents the perpetrators were lying in wait before the attack. Local Muslims do feel they are being targeted by certain elements, and the fact they were attacked as they prepared to enter the mosque represents a serious threat to the ability of Limerick's Muslims to practice their religion.

PROSPECTS FOR RELIGION FREEDOM

Outside of the Covid-19 restrictions, there were no significant changes to laws governing religious freedom, but there were changes in their application that affected it in practice. During the period under review, there was continued conflict between Church run institutions and the

State. The attempt by the Irish State to take control of the direction of Church schools and hospitals, as well as to overrun the right to conscientious objection of various professionals, including those in health care are a continued area of concern. In general, and among the population, there is a trend to overlook the fact that the fundamental

right to religious freedom includes the full manifestation of faith in public and in private, individually and collectively. This belief is manifest in the restriction on public worship during the pandemic, even though there is no evidence in Ireland of religious worship posing a public health concern.

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