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2022 Report on International Religious Freedom: Ireland

Executive Summary

The constitution provides for freedom of religion and prohibits discrimination on the basis of religion. It references Jesus Christ and God and stipulates the state shall respect religion. The law forbids incitement of others to hatred based on religion. Under the constitution, the state funds privately-owned-and-managed primary schools, most of which are affiliated with religious groups, including 90 percent affiliated with the Roman Catholic Church.

There were continued reports that some school authorities in national Catholic schools continued to give preferential treatment to students for participating in religious activities and told parents that, contrary to law, their children could not opt out of religion classes. Thirteen government-funded multidenominational national schools opened during the year. In January, Atheist Ireland filed a complaint with the government alleging the Department of Education misused public funds by allocating them to schools that did not comply with the constitutional requirement to allow children to attend state-funded schools without attending religious instruction and asked the United Nations to raise the issue with the government. In September, a court held in contempt a teacher who violated the court's order not to enter his school's campus until he complied with the school's request to use a transgender student's preferred pronouns; the teacher said doing so went against the teaching of the Church of Ireland. In October, the government reintroduced a bill, pending before parliament at year's end, that would make provision for hate crimes and impose a heavier penalty for offenses committed with a hate element based on, among other things, the religious identity of the victim; the bill remained pending at year's end. In January, President

Michael D. Higgins and other senior government officials participated in the National Holocaust Memorial Day commemoration.

The nongovernmental organization (NGO) Irish Network against Racism recorded 136 incidents of hate speech related to race and religion in 2022, compared with 113 in 2021; five of these incidents targeted Jews and four targeted Muslims. The Workplace Relations Commission (WRC), an independent statutory body, reported it received 29 complaints of employment discrimination based on religion or belief in 2021 (the latest data available), compared with 30 complaints in 2020. In September, in a report on anti-Muslim sentiment in Europe, University of Limerick academics stated discussions about Muslims that conflated religious beliefs with supporting terrorism were widespread in online spaces and that some discussions in mainstream Irish media had “the potential to stigmatize Muslim communities.” In September, the Ioana Institute for Religion and Society published a paper questioning whether, in the name of inclusivity, publicly funded Catholic schools were being pressured to adopt a “relativistic” approach that “implicitly teaches that no religious belief is objectively true, and therefore is not as respectful towards religious claims as it appears.” On July 9, approximately 1,000 Muslims performed prayers at an interfaith celebration to mark Eid al-Adha in Dublin’s Croke Park. Catholic, Protestant, and Jewish community leaders, as well as members of government, attended.

U.S. embassy officials discussed issues of discrimination and the integration of religious minorities into the community with *the government*. Embassy officials met with religious groups, secularist advocates, and NGOs to discuss their concerns over religious tolerance, secularism, and religion in the national school system.

Section I. Religious Demography

The U.S. government estimates the total population at 5.3 million (midyear 2022). According to the 2016 census, the most recent, the population is approximately 78 percent Catholic, 3 percent Church of Ireland (Anglican), 1 percent Muslim, 1 percent Orthodox Christian (including Greek, Russian, and Coptic Orthodox), 1 percent unspecified Christian, and 2 percent other religious groups, while 10 percent stated no religious affiliation, and 3 percent did not specify their religion. There are small numbers of Presbyterians, Hindus, Apostolic Pentecostals, Pentecostals, and Jews. The census estimates the Jewish population at 2,500. The number of Christians and Muslims from sub-Saharan Africa, Muslims from North Africa and the Middle East, Muslims and Hindus from South Asia, and Orthodox Christians from Eastern Europe continues to grow, especially in larger urban areas. NGOs such as Atheist Ireland and the Humanists Association of Ireland report the census overestimates religious affiliation by asking “What is your religion?,” which, they say, was

a leading question. Boston University's 2020 World Religions Database estimates 6.5 percent of the population is atheist or agnostic.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for the free profession and practice of religion, subject to public order and morality. The constitution references "the Most Holy Trinity" and "our divine Lord, Jesus Christ" and stipulates the state shall hold the name of God in reverence and honor and respect religion. The constitution requires the President of the country, judges, and members of the Council of State to swear a religious oath, which begins with a reference to "Almighty God." It prohibits discrimination on the grounds of religion or belief and states, "The State guarantees not to endow any religion."

The constitution stipulates every religious denomination has the right to manage its own affairs, own and acquire property, and maintain institutions for religious or charitable purposes. It prohibits the diversion of property of any religious denomination except for necessary works of public utility and upon payment of compensation. The constitution states legislation providing for government aid to schools shall not discriminate among schools under the management of different religious denominations nor affect the right of a child to attend any school receiving public money without attending religious instruction at that school.

A "statement of truth" may be used in civil proceedings in place of affidavits and statutory declarations sworn on a religious oath. The document must contain a statement that the person making the statement of truth has an honest belief that the stated facts are true. Religious oaths or affirmations are still required when a witness is giving oral evidence in court. The statement of truth may not be used in criminal proceedings.

The law forbids incitement of others to hatred based on religion, among other categories, and carries a maximum penalty of up to two years' imprisonment and a maximum fine of €25,400 (\$27,000). The law does not address or define hate crimes other than incitement of others, although a hate motive is an aggravating factor that judges may take into account on a discretionary basis at sentencing for any criminal offense.

There is no legal requirement for religious groups to register with the government, nor is there any formal mechanism for government recognition of a religious group. Religious groups may apply to the Office of the Revenue Commissioners (the tax authority) as a charity to receive tax exemptions, and the groups must operate exclusively for charitable

purposes, which under the law may include “the advancement of religion.” The law requires all charitable organizations carrying out activities in the country to register with and provide certain information relating to their organization to the Charities Regulator, a government-appointed independent authority. The regulator maintains a public register of charitable organizations and ensures their compliance with the law. Organizations must apply their income and property solely toward the promotion of their main charitable object, as set out in their governing instruments (such as a constitution, memorandum and articles of association, deed of trust, or rules). There is no category for the advancement of nonreligious philosophical beliefs.

Under the law, individual medical professionals may opt out of participating in certain legal procedures, such as abortion, on grounds of conscience. Institutions may not refuse to perform such procedures, however.

Under the constitution, the Department of Education provides funding to privately owned-and-managed primary schools – most of which are affiliated with religious groups, particularly the Catholic Church – referred to as “national schools” or simply as primary schools. Most children receive their elementary-level education at these privately owned schools. The government pays most of the building and administrative costs, teachers’ salaries, and a set amount per pupil. Under the Employment Equality Act, institutions set up with the purpose of promoting religion are exempt from equality legislation in hiring when “those duties could not reasonably be performed by a person who does not have the relevant [religious] characteristic.”

Denominational schools are under the patronage of a single religious community. They provide religious education according to traditions, practices, and beliefs of the specified religious community. Interdenominational schools are under the patronage or trusteeship of more than one faith community. Such schools provide for a variety of religious education opportunities. There are also two types of multidenominational schools at the primary school level: schools that provide education about religious beliefs but do not provide religious education as formation during the school day (parents/guardians may arrange for denominational religious education outside school hours in such schools); and schools that provide education about religions and also provide some faith formation for different denominations, depending on parental requests, during the school day.

Patrons of national schools, who are usually members of the religious groups and are affiliated with religious organizations with which the school is associated, manage the schools themselves or appoint a board of management to do so. Patrons often provide land for schools and contribute to building and administrative costs.

By law, Catholic national schools are not allowed to discriminate on religious grounds when making admissions decisions. According to the law, national schools under the patronage of other religious groups may discriminate in admissions on religious grounds to preserve their distinct religious identities, but only in schools that are oversubscribed. The law prohibits discrimination in admissions based on religious beliefs in secondary schools.

In funding schools, the constitution stipulates the state shall have due regard “for the rights of parents, especially in the matter of religious and moral formation.” The government permits but does not require religious instruction, faith-based classes, or general religion classes in national schools. Although religious instruction is part of the curriculum of most schools, parents may exempt their children from such instruction. Religious schools teach about their religion, while multid denominational schools generally teach about religion in a broader context. Students may opt out and sit in a classroom where religious instruction is not being conducted. The Catholic Church certifies teachers of religion classes in Catholic schools.

Approximately half of secondary schools are religiously affiliated. The government funds religiously affiliated secondary schools.

Vocational schools are state run and nondenominational.

The WRC hears cases of reported workplace discrimination, including claims based on religion. The WRC may refer cases for mediation, investigate these cases, or decide the case itself. If the adjudicating officer finds there has been discrimination, he or she may order compensation for the effects of discrimination and/or corrective action. Litigants may appeal WRC decisions in the courts.

The Irish Human Rights and Equality Commission (IHREC) is an independent public body accountable to parliament whose stated purpose is to protect and promote human rights and equality and to build a culture of respect for human rights, including religious freedom. The commission works at the policy level to review the effectiveness of human rights and equality law, as well as public policy and practice. It also works with communities, including religious and other civil society groups, to monitor and report on the public’s experience of human rights, religious freedom, and equality.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

During the year, school patrons, who are generally affiliated with religious denominations, continued to define the ethos of schools and to

determine the development and implementation of the religious education curriculum in primary schools. Curricula varied by school and could include teaching about the patron's religion, the religious history of the country, or an overview of world religions. Atheist Ireland continued to criticize the government for primarily delivering moral formation through religion and not offering students moral education outside of religion classes.

Atheist Ireland and the media continued to report incidents of school authorities giving preferential treatment, such as homework exemptions, to students in national Catholic schools that engaged in activities such as singing in religious choirs or performing altar services in church. There were continued reports that some school authorities told parents that, contrary to law, their children could not opt out of religion classes; some schools did not offer supervised study time or another subject to students wishing to exercise their right to not attend religious instruction.

The government stated it continued to facilitate patrons' efforts to open more schools with multidenominational patronage. During the year, national schools were 90 percent Catholic, 6 percent Church of Ireland, 2 percent multidenominational, 1 percent other religious groups, and 1 percent not religiously affiliated. Thirteen new multidenominational national schools opened during the year as part of the government's plan, announced in 2018, to facilitate the establishment of 42 schools – 26 primary and 16 secondary – from 2019 to 2022. The Department of Education said it considered parental preferences and projected demand when deciding which patrons would be allowed to sponsor the new schools. A separate process, the "Schools Reconfiguration for Diversity," continued; it had the aim of accelerating the creation of multidenominational and nondenominational schools in the country, in line with parental preference and the government's stated commitment to having a total of 400 multidenominational or nondenominational schools by 2030, out of approximately 3,300 public schools (i.e., 12 percent) in the country.

On January 1, Atheist Ireland issued a statement saying the NGO had asked the United Nations to raise the issue of religious discrimination in national schools with the government "when it next questions Ireland on economic, social, and cultural rights." Atheist Ireland stated, "Multidenominational schools are still religious schools. They do not respect the freedom of conscience of atheist families. Instead, we need nondenominational schools, which treat everyone equally and do not promote either religion or atheism.... [The government plan of] having 400 multidenominational schools would not solve the problem, as most parents would not be able to access these schools." The statement said Catholic Church control over children's education was "anachronistic" in what was now a pluralistic society.

Atheist Ireland also reported that in January, it made a complaint to the Comptroller and Auditor General and the Oireachtas (parliament) Committee on Public Accounts that said the Department of Education misused public funds by allocating them to schools that did not comply with the constitutional funding requirement to respect parental rights and to allow children to attend state-funded schools without attending religious instruction. In support of its complaint, Atheist Ireland cited the January 24 Supreme Court ruling in *Burke vs. the Minister for Education*. *Burke* held that government policy to substitute teacher-assessed grades in lieu of the secondary-level Leaving Certificate Examination during COVID-19 did not infringe on parents' rights, but that the Department of Education had breached parental rights by translating the policy into an administrative scheme that de facto precluded home-schooled children, who did not receive grades, from qualifying for third-level advancement.

In accordance with a 2011 government initiative to create more diversity and inclusiveness in the primary school system through a combination of divestment and construction of new schools, authorities transferred one school from Catholic patronage to the Education and Training Board (ETB) during the 2020/21 school year. The ETB managed and operated coeducational, multid denominational national schools, post-primary schools, and further education colleges.

Parents and others continued to complain about the law forbidding Catholic national schools from taking students' religion into account when making admissions decisions while allowing other national schools to continue to do so. They said the government should give assurances that when a Catholic parish or diocese divested a school, students whose parents wished them to receive a Catholic education would get priority at schools remaining under Catholic patronage.

In rural areas, parents continued to report that finding non-Catholic national schools was difficult.

Catholic religious orders remained affiliated with 20 of the country's 45 hospitals.

In September, media reported police arrested Enoch Burke, who had ignored a court order that prohibited him from entering his school's campus. Burke, who taught history, politics, and German at the Church of Ireland's diocesan school for Meath and Kildare, had refused the school's request to use a transgender student's preferred pronouns, saying that doing so went against the teaching of the Church of Ireland. A court sent Burke to prison for contempt until such time as he agreed to comply with the court order. Burke said, "It is insanity that I will be led from this courtroom to a place of incarceration, but I will not give up my Christian beliefs."

Several state agencies, including IHREC, WRC, and the police's National Diversity and Integration Unit (GNDIU), continued to enforce equality legislation and work on behalf of minority religious groups. According to GNDIU representatives, GNDIU's liaison officers continued to engage regularly with immigrant minority religious groups to inform them of police services and to educate them on their rights. These groups included the Dublin City Interfaith Forum, Federation for Victim Assistance, Garda Traveller advisory group, and Immigrant Council of Ireland.

During the year, the National Police Service continued to implement initiatives contained in the *2019-21 Diversity and Integration Strategy* that focused on improving the identification, reporting, investigation, and prosecution of hate crimes, including those based on religion. The service's official website further clarified, "Religion includes 'non-believers'." The National Police Service declared it remained "committed to keeping all communities, including religious groups, safe through active engagement." During the year, authorities began developing a combined equality, diversity, and inclusion strategy for 2023-25 that would "encompass both internal and external objectives" for the police force to promote inclusive culture and value individual differences, including religious differences, "in the service of an increasingly diverse society." The strategy was nearing completion as of year's end.

NGOs, including the Irish Council for Civil Liberties, Immigrant Council of Ireland, Antiracism Network Ireland, National Steering Group against Hate Crime, and European Network against Racism Ireland, as well as IHREC, again advocated better monitoring of hate crimes, including religiously motivated incidents, as well as legislation against hate crimes, more stringent laws against hate speech, and action to ensure authorities took prejudice into account as an aggravating factor in sentencing criminals.

In October, the government reintroduced hate crime legislation (originally put forward in April), which was pending before Parliament at year's end, to establish a category of hate crimes and impose a heavier penalty on an offender whose commission of a relevant offense was accompanied by a hate motive against an individual based on numerous factors, including religion. There was broad support for the legislation among NGOs. In October, the Coalition against Hate Crime Ireland, representing 21 civil society organizations, expressed support for the legislation and called for a comprehensive national action plan alongside it to include education and awareness raising, improved monitoring, reporting, and data gathering, and improved victim support. On November 2, however, the *Catholic Herald* published an article saying the proposed legislation was overly broad and could lead to the criminalization of religious beliefs and church teaching. The article stated, "The Catholic Church has long-standing objective positions on issues, which, if they are to be uttered in

public (and that may include the pulpit), may cause the priest or other adherent to be made subject to prosecution.”

On January 30, President Michael D. Higgins and other senior government officials participated in the National Holocaust Day Memorial commemoration. In his remarks, Higgins cautioned against “consigning the horrors of the Holocaust to the past” and said that antisemitism, racism, and intolerance were once again on the rise in many parts of the world.” The NGO Holocaust Education Trust Ireland, in association with the Department of Children, Equality, Disability, Integration, and Youth, the Office for the Promotion of Migrant Integration, and the Dublin City Council, organized the event, which included readings, survivors’ remembrances, and music, as well as the lighting of six candles symbolizing the six million Jews killed in the Holocaust.

The country is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

The NGO Irish Network against Racism recorded 600 incidents of racism in 2022. These included 136 incidents of hate speech related to race and religion (compared with 113 in 2021 and 334 in 2020), of which five targeted Jews and four targeted Muslims (compared with 3 and 2, respectively, in 2021). Seven reports concerned hate speech against a wide range of ethnic minority and migrant groups. The NGO stated most victims of religious discrimination and racist incidents did not report them to the police, as they were not aware it was an offence, and attributed the drop-off in numbers of hate speech incidents from 2020 to 2021/2022 to underreporting.

In September, the Austria-based Leopold Weiss Institute published a report, *European Islamophobia Report 2021*. In it, authors Louise Ryan and James Carr of the University of Limerick, stated, “Problematic reporting practices continue in mainstream Irish media, including those with the potential to stigmatize Muslim communities. The conflation of religious beliefs and supporting terrorism are widespread in online spaces... Simultaneously, a growth in fringe media outlets demonstrates significant anti-Muslim sentiment.” The authors stated there were multiple incidents in 2021 of Muslim women being harassed for wearing the hijab. There were instances of religion teachers in schools making anti-Muslim statements.

The WRC reported it received 29 complaints of employment discrimination based on religion or belief in 2021 (the latest statistics available), compared with 30 in 2020.

In September, the Ioana Institute for Religion and Society published a paper by theologian and institute chair Dr. John Murray, *Will Modern Ireland Tolerate Catholic Schools?* In it, Murray questioned whether, in the name of inclusivity, publicly funded Catholic schools were being pressured to adopt a “relativistic” approach, teaching Catholic principles such as “Jesus is Lord” as a belief that some people happen to have.” Murray stated, “The attraction of this approach is that it seems to be tolerant towards everyone. But critically, it implicitly teaches that no religious belief is objectively true, and therefore is not as respectful towards religious claims as it appears.” Murray stated Catholicism should “not to be imposed on any pupil, and, even regarding Catholic pupils, it should always be a matter in Catholic schools of proposing the faith rather than imposing it,” and that the right of students to opt-out of religion classes should be respected. He concluded, however, that it was “a distinctive part of Catholic ethics to hold that some moral norms are absolute,” and “Catholic schools must be allowed to be true to their ethos.... In fact, Ireland cannot be truly inclusive and respectful of diversity and our need for mutual respect in society if we force Catholic schools to be Catholic in name only.”

On July 9, approximately 1,0000 Muslims performed prayers to mark Eid al-Adha in Dublin’s Croke Park. Shaykh Umar al-Qadri, chair of the Irish Muslim Peace and Integration Council, organized the event, in cooperation with the Gaelic Athletic Association. Catholic, Protestant, and Jewish community leaders as well as members of government attended. During his sermon, al-Qadri said the event was “a celebration, an annual message from Ireland to the whole world that in this small corner of Europe, at least, we remain together despite our differences...and that we choose hope not hate.”

Section IV. U.S. Government Policy and Engagement

U. S. embassy officials discussed issues of discrimination and the integration of religious minorities into the community with the government. Embassy officials also met with representatives of religious groups, including members of the Muslim and Jewish communities, secularist advocates, including Atheist Ireland, and NGOs to discuss their concerns regarding religious tolerance, secularism, and religion in the national school system.

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