<table>
<thead>
<tr>
<th><strong>Title</strong></th>
<th>Discrimination on the ground of religion or belief in Ireland</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Authors(s)</strong></td>
<td>Vasquez del Aguila, Ernesto; Cantillon, Sara</td>
</tr>
<tr>
<td><strong>Publication date</strong></td>
<td>2012-08</td>
</tr>
<tr>
<td><strong>Series</strong></td>
<td>Social Justice Series; 12(4): 65-87</td>
</tr>
<tr>
<td><strong>Publisher</strong></td>
<td>University College Dublin. School of Social Justice</td>
</tr>
<tr>
<td><strong>Item record/more information</strong></td>
<td><a href="http://hdl.handle.net/10197/4509">http://hdl.handle.net/10197/4509</a></td>
</tr>
</tbody>
</table>

The UCD community has made this article openly available. Please share how this access benefits you. Your story matters! (@ucd_oa)

Some rights reserved. For more information, please see the item record link above.
Discrimination on the ground of religion or belief in Ireland

Vasquez del Aguila, Ernesto
Cantillon, Sara
University College Dublin, Ireland

Abstract
This paper focuses on discrimination on the ground of religion or belief in Ireland. It is based on the analysis of academic sources, secondary data including Irish legislation related to religion; reports published by NGOs and governmental organisations; information from the Census 2011; and media reports and coverage. The Census 2011 shows that Ireland remains a country with a predominant majority who identify themselves as Catholics. There have been important social and cultural changes in Ireland over the last decades. Irish Catholics no longer have the same devotion to the Church that their parents had, and there are many important changes taking place in the State, the media, the public sphere and civil society towards religion. This report shows that despite these changes, the influence of the Catholic Church in Ireland and specifically in the area of education is still significant. The Catholic Church owns and runs the vast majority of primary and secondary schools in Ireland, and has the right, as do other religious groups, to impose its religious ethos in these institutions due to a specific exemption in Irish Equality legislation. This report describes some key policies and initiatives taking place in Ireland that could contribute to the development of a more plural and diverse society.

Key words
Ireland, religion, belief, discrimination, education, religious ethos, equality

Corresponding authors:
E. Vasquez del Aguila: ev2035@caa.columbia.edu and S. Cantillon: sara.cantillon@ucd.ie
UCD School of Social Justice, University College Dublin, Ireland
www.ucd.ie/socialjustice
Introduction

Ireland has seen dramatic changes in its population over the last decade and has moved from being a very homogenous country to a more diverse society. This report shows that despite these social and cultural changes, the influence of the Catholic Church in areas of education and health is still significant. The 2011 Census includes a question on religion affiliation, so there is important data available to understand the interplay of religion with other socio-demographic factors. It is expected that the Central Statistics Office (CSO) will update the report on Equality in Ireland (2007) with the new information gathered in 2011. The report on Equality constitutes a very useful source to measure inequality and discrimination across the nine grounds covered by Irish legislation. This report incorporates data from the first part of the 2011 Census published by CSO.

Context and background

The Census 2011 shows Ireland remains a country with a predominant majority over 84% (3.86 million) who identified themselves as Catholics. Despite the 2.6% decrease from 5 years earlier, there is an increase in the number of Catholics by 179,889 (4.9%) of Catholics since the previous census in 2006. Interestingly, much of this increase came from the non-Irish national communities (mostly Polish1 and other European Catholic countries) (CSO, 2012). As described below in this report, Irish Catholics no longer have the same devotion to the Church that their parents had, and there are many important changes taking place in the State, the media, the public sphere and civil society towards religion. The second largest religion, Church of Ireland represents 2.81%, followed by Muslims/Islamic (1.07% or 49,204) - the most important non-Christian religion with an increase of 51.2% in relation to 2006. Orthodox and Pentecostalism are also experiencing steady increase in the last years (117% and 73% respectively). Evangelical and Methodist showed the largest decline compared with 2006 (CSO, 2012).

There is also a remarkable growth in the number of people identifying themselves as having no religion, from 83,500 to 269,800, which represents an increase by 47% since 2006. The majority of this group were Irish nationals accounting for 176,180 of the total and increasing by 64.4% since 2006. The age group between 25-29 represents the highest for any age group who had ‘no religion’ (CSO, 2012). In an unprecedented move in 2009, a group of lapsed Catholics set up a website called CountMeOut,2 which provides guide for those who want to leave the Church. However, leaving officially the Catholic Church is not an easy task, and those who initiated the process have to wait for a long and confusing procedure before their request is granted.

Ireland is known for its “traditional” past of religious uniformity. However, historic research shows that pre-Christian religious in Ireland changed dramatically

1 According to the latest Census, Polish nationals represent the largest migrant group in Ireland (122,585), which makes Polish the second spoken language in the country after English (CSO 2012).
2 For more information, see: http://www.countmeout.ie/suspension/.
over time and across the country, from Celtic religion to Gaelic and Norman foundations. In current times, “new” religious minorities and “alternative spiritualities” are spread across the country and constitute new religious movements that are not well studied yet due to their small numbers. A recent publication shows the dynamism, plurality and growth of these movements, particularly among the youth. Many times the media portray these movements as cults resulting in the alienation of their followers and hides the complexities of these organisations (Cosgrove et al. 2011).

There is a strong link between nationality and religion. For instance, over 90% of Polish nationals in Ireland identify themselves as Catholics; 97.3% of Pakistani nationals identified as Muslims (CSO 2008). Very few attempts have been made to study the Muslim population in Ireland despite the fact that they are the fastest growing religion in Ireland in the last twenty years. Muslim immigration to Ireland has been extremely diverse compared with other European countries. It has not been dominated by Muslims from a particular ethnic or cultural background but has included Muslim students from South Africa and the Middle East and a recent rise of South Asian communities as well as from Sub-Saharan African countries (Scharbrodt 2011).

A recent report showed that weekly Mass attendance in Ireland has declined to 20% since 2006. This proportion is even lower in Dublin at 14% report attending weekly mass. The Archbishop of Dublin calls this situation the “biggest crisis since emancipation”. This proportion is even lower among young people who only retain marginal interest in religion (Irish Times 2012a). For many observers and reports in the media, the Catholic Church is now paying the price of so many sexual abuse scandals.

However, there are parishes frequented by migrant populations that have seen increases. Catholic from Poland and Eastern Europe as well as other Christians and Muslims from African and Caribbean background gather in churches established across Ireland in the past ten years. The revival in Catholic Churches frequented by Catholic migrants brought some optimism to the Catholic Church. As the Bishop of Dublin proudly states, these parishes “have never been as vibrant in their history as they are today”. There is no information to date on how Irish nationals feel about the revival of Catholicism due to the arrival of Catholic migrants.

The National Women’s Council of Ireland (NWCI) and National Consultative Committee on Racism and Interculturalism (NCCRI) published a study about the lives of sixteen Muslim women in Ireland, from both Ireland and Northern Ireland. The testimonies of these women illustrate their experiences of discrimination with different groups of Irish people due to their Muslim religion and the fact that their wear the hijab, which transforms them into a “visible minority” (NWCI 2010).

---

3 The archbishop is referring to the times of “Catholic Emancipation” during the late 18th and early 19th centuries. At this time, Roman Catholics in Britain and Ireland had been harassed by numerous restrictions. A Roman Catholic in Ireland could not vote in Parliamentary elections and could be readily dispossessed of his land by his nearest Protestant relative (From the Encyclopaedia Britannica).

4 For further information about sexual abuse in Ireland, see the Ferns Inquiry (2005); the Commission to Inquire into Child Abuse (CICA - the “Ryan Report”) (2009); and the Murphy Report (2009).
In terms of religion and Education, there are four types of ownership and patronage for primary schools in Ireland: a) denominational patronage, schools under the patronage of a single religious community; b) inter-denominational patronage, schools under the patronage of more than one religious community; c) multi-denominational patronage, schools that do not provide religious education as formation during the day, but provide education about religion; and d) non-denominational patronage, schools run by secular bodies and which have a secular ethos. There are no non-denominational national schools in Ireland to date (Coolahan et al 2010).

The vast majority of primary schools in Ireland (96%) are denominational. The Catholic Church owns and runs 89.65% of these schools, followed by the Church or Ireland with 5.49%. Other religious communities such as Presbyterian, Methodist, Jewish or Islamic, represent less than 1% of primary schools. A non-denominational “Educate Together” sector represents just 1.39% (Coolahan et al. 2010).

Table 1: Total number of primary schools by Patron Body (2010/11) (a)

<table>
<thead>
<tr>
<th>Patron Body</th>
<th>No of Schools</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Catholic</td>
<td>2,841</td>
<td>89.65%</td>
</tr>
<tr>
<td>Church of Ireland</td>
<td>174</td>
<td>5.49</td>
</tr>
<tr>
<td>Presbyterian</td>
<td>17</td>
<td>0.54</td>
</tr>
<tr>
<td>Methodist</td>
<td>1</td>
<td>0.03</td>
</tr>
<tr>
<td>Jewish</td>
<td>1</td>
<td>0.03</td>
</tr>
<tr>
<td>Islamic</td>
<td>2</td>
<td>0.06</td>
</tr>
<tr>
<td>Quaker</td>
<td>1</td>
<td>0.03</td>
</tr>
<tr>
<td>John Scottus Educational Trust Ltd</td>
<td>1</td>
<td>0.03</td>
</tr>
<tr>
<td>Lifeways Ireland Ltd</td>
<td>2</td>
<td>0.06</td>
</tr>
<tr>
<td>An Foras Patrunachta na Schoileanna Lan –Ghaeilge Teo</td>
<td>57</td>
<td>1.80</td>
</tr>
<tr>
<td>Educate together Ltd</td>
<td>44</td>
<td>1.39</td>
</tr>
<tr>
<td>Schools in Educate Together networks w own patron body</td>
<td>14</td>
<td>0.44</td>
</tr>
<tr>
<td>Vocational Education Committees (b)</td>
<td>5</td>
<td>0.16</td>
</tr>
<tr>
<td>Minister for Education &amp; Skills (c)</td>
<td>9</td>
<td>0.29</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,169</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Source: Coolahan et al. 2010

Nearly all primary schools receive public funding, but the vast majority of these schools are owned and managed by religious institutions. There is no system of state-
run schools. The same applies for primary-teacher training colleges. This situation raises issues of inequality and discrimination described later in this report. As described later in the report, this has enormous impact for religious minority children.

Growing immigration of people from Catholic and non-Catholic background since the mid-1990s, has prompted a public debate on the educational system in Ireland and whether or not the predominantly Catholic primary school systems is the most suitable for the country. Data also shows the growing number of people with no religion and the fact that the multidenominational Educate Together sector is growing. The inter-faith approach is being tested in some schools and the results could contribute to challenging the current situation.

The vast majority of Travellers identified themselves as Catholics (CSO 2007). As described in previous reports, members of the Traveller community constitute the most disadvantaged group in the labour market among minorities in Ireland. Health indicators such as life expectancy at birth and mortality rates for all ages continue to be grossly unequal for Irish Travellers compared to the general population. Suicide rates are nearly 7 times higher in Traveller men compared with the general male population (Kelleher et al. 2010). In terms of education and inequality, only 0.8% of Irish Travellers had attained third level education in 2006 compared to 30.5% of the population as a whole (CSO 2007). Despite these numbers, there is a lack of research that looks at the intersection of religion and being part of the Traveller Community.

The Forum of Patronage and Pluralism in the Primary Sector, described later in this report, constitutes an important space for minority religious organisations such as Muslims and the Church of Ireland to access senior members in the Government in order to advocate for religious diversity and non-discrimination. This Forum is also a platform for the Equality Authority monitor implementation of equality legislation as well as advocate for particular cases in which religious-based discrimination might occur. There are other organisations such as the Irish Business and Employers Confederation (IBEC) and the Irish Congress of Trade Unions (ICTU) that also participate in these Forums and other consultation initiatives that tackle diversity and religious discrimination.

As described in other sections of this report, the Irish media has experienced dramatic changes in the last decades. It is quite common to find in newspapers and on TV reports critical coverage of the role of the Catholic Church in Irish society. There were several cases in which members of the Catholic Church expressed their concerns about the way the media portrays the organisation. There is arguably still not enough coverage of religious diversity to contribute to a major acceptance and respect for non-Catholic religious communities and those of no faith.

The Broadcasting Act 2009 covers regulation on this issue in Ireland, and the Broadcasting Authority of Ireland (BAI) is responsible for regulation. There are some critical voices about the role of this organisation enforcing censorship about

---

5 Note: a) the table above outlines the patronage of ordinary mainstream primary schools and does not include special schools; b) Community National Schools are under the interim patronage of the Minister while draft legislation to confirm VEC patronage is being processed; c) The Minister for Education and Skills is patron of the nine Model Schools.
“sensitive” issues to the Catholic Church and its real commitment to enforce diversity and equality for all minority groups, including religious minorities.6

**Major issues about religion in Ireland**

Religion is one of the nine grounds of non-discrimination covered by Equality Legislation in Ireland.7 Discrimination in employment, recruitment and in the provision of services is covered by employment equality and equal status legislation. In its coverage of a wide range of grounds of discrimination, and of access and provision of services, Ireland’s equality legislation is advanced in a European context.8 Ireland is officially a secular State. However, as it is described in detail further in this report, the Catholic Church continues to play important role in many spheres, particularly in education and health.

The 1937 Constitution of Ireland states that: “the State shall not ... make any discrimination on the ground of religious belief, profession or status” (Article 44.2.3o). However, the equality legislation introduced in 1998 by a conservative government included a clause in the Employment Equality Act, Section 37(1)9 that allows religious organisations, medical institutions and educational institutions run by the Church an exemption on employment grounds. If such an organisation argues that in order to maintain their ‘religious ethos’ or prevent their religious ethos from being undermined then it is not illegal under section 37 for them to discriminate. This act allows these organisations under the direction or control of a religious order to take action to prevent an employee or prospective employee from undermining the ‘religion ethos’. This clause has been highly criticized and diverse institutions including the Equality Authority, Trade Unions, political parties such as the Labour Party, and NGOs oppose this clause on the grounds that it creates an atmosphere of fear among some workers, particularly LGBT individuals. This clause delegitimizes the rights and dignity of people who do not conform to the ethos of these organisations. This discriminatory clause in Irish legislation undermines the non-discrimination legislation on the grounds of sexual orientation and religion. This clause has yet to be contested and there are varying views as to how it would be interpreted if subject to legal contestation. The Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 did not change this situation. So in fact, where for example a teacher registers a civil partnership, she or he may have to keep this matter hidden at work due to the risk of losing her/his job.

---

6 See for instance: [www.cearta.ie/2012/07/political-broadcasting/#more-8754](http://www.cearta.ie/2012/07/political-broadcasting/#more-8754).
7 The nine grounds covered by Irish Legislation include age; disability; family status (e.g. pregnant women or with children or other dependants); gender; civil status; race/ethnic group/nationality; religious belief; sexual orientation; and membership of the Traveller community. The Equality Act 2004 (Number 24 of 2004) was signed into Law on 19th July 2004. Full text available at: [http://www.irishstatutebook.ie/2004/en/act/pub/0024/index.html](http://www.irishstatutebook.ie/2004/en/act/pub/0024/index.html).
8 The Equality Act 2004. Ibid.
9 Section 37(1) reads as follows: “A religious, educational or medical institution which is under the direction or control of a body established for religious purposes or whose objectives include the provision of services in an environment which promotes certain religious values shall not be taken to discrimination against a person if a) it gives more favourable treatment, on the religion ground, to an employee or a prospective employee over that person where it is reasonable to do so in order to maintain the religious ethos of the institution, or b) it takes action which is reasonably necessary to prevent an employee or a prospective employee from undermining the religious ethos of the institution.”
There are two crucial events that had an enormous impact on the relationship between the Catholic Church and the Irish population: a) the Ryan Report\(^{10}\) of the Commission to Inquire into Child Abuse on church-run orphanages and schools in much of the 20\(^{th}\) Century; and b) the Murphy Report\(^{11}\) in 2009 about sexual abuses in the archdiocese of Dublin between 1975 and 2004. The evidence of the Catholic Church’s abuse, oppression, indolence and power over society and institutions dominated the media and the stories of sexual abuse were followed by the whole country with horror and anger.

Perhaps the most difficult moment in the relationship between Ireland and the Vatican is the statement delivered by the Taoiseach (Prime Minister) Enda Kenny on the publication of the Cloyne Report (report on child abuse in a catholic parish/district). Mr Kenny, a self-identified practicing Catholic and conservative politician from Fine Gael surprised the Irish people with an unprecedented speech from a head of the state about the Vatican and its policies towards child sexual abuse in Ireland.\(^{12}\) There follows some excerpts from the speech:

> Because for the first time in Ireland, a report into child sexual-abuse exposes an attempt by the Holy See, to frustrate an Inquiry in a sovereign, democratic republic, as little as three years ago, not three decades ago [...] the Cloyne Report excavates the dysfunction, disconnection, elitism, the narcissism that dominate the culture of the Vatican to this day. The rape and torture of children were downplayed or 'managed' to uphold instead, the primacy of the institution, its power, standing and reputation [...] this is not Rome [...] this is the Republic of Ireland 2011. A Republic of laws of rights and responsibilities of proper civic order where the delinquency and arrogance of a particular version of a particular kind of morality will no longer be tolerated or ignored (Enda Kenny, Dail Motion, July 20 2011).\(^{13}\)

However, this historic and powerful discourse has not translated into effective policies to end religious discrimination in Ireland. In March 2012, the Irish State rejected recommendations from UN member states that it should eliminate religious discrimination in access to education. The current Government position emphasises the notion of “religious freedom”: “Religious groups are free to establish their own schools to cater for members of their particular faith. This religious freedom is a core element of our system at primary and secondary level” (O’Brien 2012).

In March 2011 the Minister Quinn announced the establishment of the Forum of Patronage and Pluralism in the Primary Sector for a period of 12 months. The Forum was conducted by an independent Advisory group and reported to the Minister. The Forum finally published a report that has created expectations among stakeholders and advocates engaged in introducing changes of patronage in


\(^{11}\) The report available at: [http://www.dacoi.ie/](http://www.dacoi.ie/).

\(^{12}\) In less than 48 hours, more than 1,000 articles were published in over 800 publications in 64 countries around the world referencing the Taoiseach’s speech. In addition to news agencies such as Reuters and AP, many international agencies such as BBC, CNN, New York Times, etc. spread the news globally. (The Global Media Reaction to Enda Keney’s speech on the Cloyne Report”. Online Media Analysis and Monitoring. July 27 2011).

The implementation of the report will challenge conservative groups and religious groups that oppose the introduction of non-denominational schools. However, for many stakeholders, this initiative is not enough to introduce significant changes in the educational system. For instance, the holding of surveys to establish parental viewpoints leave open to question the extent to which change will actually be attained.

In terms of religious symbols in public institutions, the majority of schools and training schools for teachers, and public hospitals display Catholic images, pictures of the Pope, crucifixes, and other Catholic iconography without restriction. Religious signs and symbols are widespread across the country almost as “cultural habits”, such as the ring of the ‘Angelus’ bell at noon and six p.m. every day on the RTE, the biggest media broadcaster that is also a state-founded company. Clerical presence in everyday life has simply been taken for granted as part of the national identity. The identity of the school is usually conveyed by the name of the school with religious names after saints. Christian festivities are also celebrated across all these schools. It is common also to find altars in classrooms, grace before meals, prayers at the start and end of the day, visits to churches and visits from clergy, which creates the religious “climate” in the school (Coen 2008).

Issues such as uniform and food have not yet emerged as major issues in Ireland. A Secondary school principal requested the Department of Education and Science to issue guidelines for schools about wearing headscarves. Also, the Religious Education in a Multicultural Society (REMC) experts found that in one school students were asked not to share food because of differences in religious practices (and also to prevent possible allergies). There is no major coverage by the media about these issues yet.

In terms of the data collected on the ground of religion or belief, the Central Statistics Office (CSO) includes the issue of religion under the question “What is your religion” in the Irish Census form. For many people with no religion, the question is seen as biased in its origin in that it does not consider or give adequate representation to the “atheist” or “agnostic” categories. There are no signs of future changes in the census form regarding this situation. A question of religion has feature in all decennial censuses since 1861 in Ireland. The question was worded: “state the religion, religious denomination or body to what the person belongs” until 2002 when it was changed to its current form. Some scholars pointed out the limitations of the current census that provides little information about minority religions (Macourt 2011).

Despite the fact that Muslim is the fastest growing religion in Ireland, Islamophobia is not part of the public debate or has yet been studied. A pioneer study shows that Ireland has failed in gathering statistics on hate crime and discrimination against Muslims and that this amounts to institutional racism. This situation is particularly critical in the Garda (Police) in which their electronic system to record hate crimes based on race and ethnicity still does not capture if religion was an aggravating factor in a crime. For this reason, it is very difficult to see the extent of racism and violence against the Muslim community in Ireland. The study also shows that despite the diversity within the Muslim communities in Ireland, negative and
monolithic stereotypes still prevail among the Irish population who continues to associate Muslims with terrorism (Carr 2011).

The pivotal role that trade unions and NGOs play in incorporating Equality in Irish society has been extensively described in previous reports. During the passage of section 37 of the Employment Equality Act 1998 through the Irish parliament, trade Unions and organisations such as the National Women’s Council, the Irish Congress of Trade Unions (ICTU), and the Irish National Teachers’ Organisation (INTO) were among the several bodies that opposed its enactment. These organisations together with other NGOs and stakeholders continue to advocate for a more secular and diverse society and for the removal of section 37 from the Equality Legislation.

In terms of the presence of the notion of diversity in the media in Ireland, across all grounds for discrimination, Irish respondents share the general view that diversity is not sufficiently reflected in the media. This perception is particularly widespread in relation to the ground of religion or belief (27%) (European Commission 2009).

Religion and discrimination in employment

The economic and financial crisis is perceived by Irish people as having an enormous impact on the funding of policies promoting equality and diversity. Irish people are above the European average having this perception: 63% in contrast with 49% across Europe. Interestingly, religion is not considered a specific ground that will increase in discrimination due to the economic crisis: 35% compared with 42% among European respondents.

In terms of perceptions of whether enough has been done to increase diversity in the workplace, the majority of Irish respondents are positive about the level of what has been done in the area of religion or belief (59%) compared to the EU27 average (48%) (European Commission 2009).

Discrimination on the ground of religion or belief is seen as the least widespread form in the EU27, but is still viewed as a significant form of discrimination in the EU with 42% of citizens saying that it is widespread. Ireland is below this European average with only 19% of respondents who perceive this form of discrimination as significant. However, this positive perception contrasts with the experiences of religious minorities that is described later in this report.

There is a further increase since 2008 in the proportion of Irish respondents who feel that discrimination on grounds of religion or belief is now less widespread than it was five years ago (63% compared with 56% among EU countries). The perception of religion-based discrimination has fallen also in by 6 percentage points in contrast with 2006. Irish people are among the most comfortable (9.2%) with a neighbour of a different religion or belief compared to other European respondents. Irish people also see Irish society as more tolerant about other religions compared to five years ago (European Commission 2008).
However, this situation should be understood in the context of the low level of religious diversity in the country, which might explain why Irish respondents feel quite comfortable having someone from a different religion than the majority of the population in key areas of social life. Only 5% of Irish people feel very uncomfortable compared with 7% among EU average having someone from a minority religion in the highest elected political position in the country. Consistent with this data, 43% of Irish respondents would be ‘totally in favour’ of specific measures being adopted to provide equal opportunities for everyone in the field of employment (measures such as training schemes or adapted selection and recruitment processes for people depending on their religion or belief (in contrast with 27% of European average).

An analytical important distinction when discussing discrimination is between close and distant social networks. In other words, how individuals feel towards diversity in society as distinct from diversity within their own inner social circle. The Eurobarometer 317 shows that the close circle of friends for Europeans has become more diverse. Irish respondents are above the European average in having friends or acquaintances who are of a different religion or have different beliefs to them (73% compared to 64% among EU27).

As mentioned before, positive perceptions about religious based non-discrimination contrast with the lived experiences of religious minorities in Ireland. The latest Quarterly National Household Survey (October-December 2010) shows that 12% of people felt discriminated against in the two years prior to the fourth quarter of 2010. Religion-based discrimination is still among the four highest reported discrimination grounds: 18% of non-Catholic people in Ireland reported discrimination. Bullying or harassment and working conditions were the most common issues identified in workplace discrimination. In terms of the type of discrimination, 9% of non-Catholics report work-related discrimination and 11% discrimination while accessing services. Non-Catholics are also in the fourth place among the groups in society at more risk of discrimination accessing services. Interestingly, the survey also shows that almost 60% of people who experienced religious based-discrimination did not take any action in response to their experience, which can be at least partly explained by the fact that 25% of these religious minorities declared not knowing their rights under Irish Equality legislation (CSO 2011).

In Ireland the Equality Authority can take a case to court on behalf of a complainant. The Equality Authority has developed detailed criteria for deciding which cases to select to represent a victim in court, such as the interpretation of current legislation; reinforcement of legislation and strengthening of equality rights; the interests of the respective victim and the potential impact on his/her situation; and the balance between the different grounds of discrimination and resources available to the Authority (Ammer et al 2010).

The EU REMC project shows the difficult situation of teachers who do not share the religious ethos of their School. They are expected to teach religious education in primary schools in Ireland, and there is no provision for exemptions for specific teachers. In order to teach in primary schools, teachers obtain the Certificate in Religious Education. In theory this certificate is optional for teachers, in other words, they will qualify as teachers without it, but in practice, it is argued that it is harder to
get employed unless they have this certificate (ESRI and UCD 2011c). This situation constitutes a real form of discrimination for teachers with no religion affiliation but it is very difficult to build a case of discrimination, particularly in times of economic crisis and high unemployment.

The Irish National Teachers’ Organisation (INTO) recently stated that gay and lesbian teachers face a hostile work environment. Even though many teachers are extremely supportive of their LGB colleagues, there are others who are hostile and as a result, many teachers still witness, hear or are confronted by homophobia, particularly in primary schools. 

Dr Ann Louise Gilligan, who was married in Canada to Dr. Katherine Zappone, took the Irish State to court because of its refusal to recognise their Canadian marriage. At the time when the couple presented the case in court (2004), Dr. Gilligan waited until retiring from her position as teacher in St Patrick’s College in Dublin, a Catholic school run by the Archbishop of Dublin. The support for her cause was enormous and even though the couple are still waiting the result of their appeal to Supreme Court, it opened discussions about inequality in the educational system and the vulnerable situation of gay and other teachers such as single and divorced parents who do not conform to the ethos of these colleges and schools. Dr. Zappone is currently a Senator appointed by the Taoiseach. She is the first openly lesbian member of the Irish Senate.

The role of the Catholic Church in the ownership and governance of hospitals is still significant. Two of the biggest hospitals in the country, the Mater and St Vincent’s are run by two institutions where abuse took place. Members of the Church are chairmen of hospitals and local priests are also on the board. In a poll conducted in 2011, more than 75% of respondents across the country believed that the Catholic Church should pull out of the ownership and governance of healthcare institutions (Hunter 2011). The poll was conducted after the Cloyne report showed the presence of sexual abuse up to as recently as 2009 and that important members of the Catholic Church deliberately misled the authorities and took almost no interest in the cases until as late as 2008.

The influence of religious institutions in the formation and training of teachers constitute a clear example of violation of all workers’ rights to freedom of religion and equality. The following quote illustrates a common situation for many teachers in Ireland who have to hide their own personal beliefs in order to get a job in the education sector: “When I went into teacher training [...] I was shocked at the amount of time that religious education took up on the timetable. The compulsory religious education module was taught from a strong Catholic perspective. Many of the lecturers used to emphasise what ‘we as Catholics’ believe. It’s astonishing that, in order to get a job as a public servant, you have to espouse or pretend to espouse beliefs that are not your own or you endorse yourself. The cert is nominally optional,

---

15 Noreen Flynn, President of INTO with the occasion of launching the INTO Good Practice Guidelines. 5 March 2012.
16 The Magdalene Laundries illustrate one of the most dramatic cases of abuse, oppression and discrimination that religious institutions exercised against female “workers” in Ireland. It is estimated that 30,000 women (many single mothers whose babies were taken for adoption) were incarcerated in these religious-run institutions in Ireland until 1996 when the last one officially closed.
but it is strongly implied that if you don’t study it you will not get a job in a Catholic school. That’s over 90 per cent of schools” (Recent graduate from St Patrick’s College) (Faller 2012).

Some experts have addressed the need to include high quality intercultural educational training for all teachers, particularly those who include issues of racism and discrimination as part of their subject specialism. In the absence of this training, teachers end up avoiding discussions of racism, diversity and discrimination in their classrooms (Bryan and Bracken 2011).

As the REMC project shows, in Ireland teachers appointed to Catholic schools are mostly required to have a teaching qualification in Catholic religious education. The fact that schools run by religious bodies enjoy an exemption under equality legislation makes it difficult to challenge this situation. Additionally, the fact that religious education is taught by mainstream primary teachers, reinforces the compulsory of religious training even for non-religious teachers.

Ireland has a complex system of state funding in primary education. The Department of Education pays salaries directly to teachers (but schools are their legal employers) and gives grants directly to schools for day-to-day running costs (Maussen and Bader 2012). In practice, this situation creates space for inequality and discrimination against teachers.

The case Quinn’s Supermarket v Attorney General constitutes an important precedent in the arena of religious freedom in Ireland. The Court granted exemption to Kosher meat shops from restrictions on hours of trading recognising the needs to be met of those of Jewish religion. The Court stated that the Constitution guarantees free profession of religion and against discrimination on the grounds of religious profession (Dublin, Dun Laoghaire and Bray Order, 1948 (S.I. No. 175 of 1948), Arts. 2, 4 - Shops (Hours of Trading) Act, 1938 (No.3), s. 25 - Constitution of Ireland, 1937, Articles 40, 44) (Daly 2008).

In terms of good practices, IBEC, the Irish Business and Employers’ Confederation has developed information and educational tools to facilitate employers implementing diversity in their workplace. Religious diversity is part of these resources that constitute good practice at the level of human resources. The Health Service Executive (HSE) is also implementing specific guidelines for religious diversity, from awareness about the plurality of religion in a country of a Catholic majority, to the establishment of relationships with diverse minority community religions. This good practice seeks to incorporate equal treatment in relation to religion in a space still under the patronage of the Catholic Church.

Ireland is quite particular within the EU context in terms of religious discrimination. On the one hand, Ireland is relatively homogenous in terms of religious, with Catholicism the predominant religion. In addition, a group that faces severe discrimination within Irish society, Travellers, are almost entirely self-identified as Catholic. On the other hand, the Irish population has become more

17 For more information see http://www.ibec.ie/.
pluralistic over the past decade. However, Catholicism is also the religion practiced by the largest migrant community (Polish). Race/ethnicity overshadows the impact of religious based-discrimination, which is reflected in the almost absent coverage of this kind of discrimination in the media. In this sense, there is no a particular community that is visible as the target of religious discrimination. Having said that, however, the hegemonic prevalence of the Catholic Church in Ireland, though diminishing, has profound effects on all aspects of Irish society.

The primary example of this (reflecting the views of the experts mentioned in the report) is religious patronage in schools and hospitals. The non-separation of church and state in relation to schools and hospitals continues to be the main source of discrimination. While the Catholic Church predominates in Ireland (84% of the population identifying itself as Catholic at the last census in 2011), the balance of the education and healthcare system, is, for the most part, controlled by the Protestant churches in Ireland. Non-Christian parents face the dilemma of finding real options for the education of their children in non-denominational schools. There are exemptions to the Equal Status legislation on grounds of religious ethos and there are real issues around discrimination in religious schools, particularly for LGBT teachers, students and parents. The Christian churches have an extremely high level of control over the education and training of teachers at primary level, which also creates real discrimination for non-Christian teachers who don’t fulfil the religious ethos of these organisations. In the healthcare sphere, there is hardly any major acute teaching hospital in Ireland which is not controlled by one of the Christian churches (predominantly by the Catholic Church, but also the Protestant Churches in the case of, for example, Tallaght Hospital). What is remarkable is while both education and health are controlled by the Catholic and, to a much lesser extent, the Protestant churches, they continue to be funded primarily from State resources. This presents a classic case of the civil authorities paying the bill, but without the control and direction that might be expected to have. Instead the Irish State is the funder but the Catholic (and other Christian) churches controls the “ethos” of schools and hospitals.

Religion and discrimination in education

The Constitution of Ireland recognises parents as the primary educators of their children and “guarantees to respect the alienable right and duty of parents to provide according to their means, for the religious and moral, intellectual, physical and social education of their children.”

The system of national education introduced in 1831 was intended to be non-denominational, but this was subverted by the churches. The system became de facto denominational. Irish independence in 1921 reinforced the strong collaboration between the new State and the Catholic Church. The 1937 Constitution created a situation in which education is administered in a religious environment. Experts in the field described the period, between 1850 to 1970 as the “long nineteenth century of Irish Catholicism” and although the Irish society has dramatically changed, denominational education remains predominant (Coen 2008).

---

19 Article 42.1, Constitution of Ireland.
The legal framework that governs all state-founded primary schools in Ireland stipulates that what is known as the “integrated curriculum” must be taught whereby religion plays an important part in the life of the schools. Religious teaching is expected to be incorporated into each subject and throughout the daily life of the school.20

In contrast with the 1971 Primary School Curriculum, the current one (dated from 1999) does not express in an explicit manner the support for an integrated curriculum, but it does recognise the ethos of the 1971 one. In other words, in practice, religion is integrated comprehensively across all subjects and permeates all lessons (Mawhinney 2007). This situation sustains the discrimination against children and teachers who don’t share the religious ethos of the schools in which they work and learn. Empirical research shows that 70% of schools surveyed hold a school assembly on a regular basis in which religion plays a central part. It comprises prayers, bible stories, hymns singing and addresses by the clergy. The ethos of the school is also represented by the holding of religious services, and the presence of religious symbols. Many teachers interviewed expressed their discomfort and total impotence in working in a place that is constantly policing their faith and behaviour (Mawhinney 2007).

The issue of religion in education continues to be a controversial topic in Ireland. In a recent national poll 75% of parents would prefer to send their children to primary schools run by patron bodies or Vocational Education Committees on behalf of the State rather than by churches. 24% would prefer multidenominational primary schools and 20% would opt for State-run primary schools (Irish Times 2012b).

In 2007 a number of children of Nigerian origin residing in Dublin could not get access to local schools because they did not hold Catholic baptismal certificates. As an emergency measure, the government had to open a non-denominational school in the area targeting almost exclusively children of African origin (Daly and Hickey 2011). Evidently, this policy did not challenge the core element of discrimination created by these Catholic schools and in fact created a situation of religious segregation.

Members of the Government or any other person from any organisation who expresses support for more secular education in Ireland face strong opposition from leaders of the Catholic Church. In a recent ceremony in the largest primary-teacher training college in the country, the president Reverend Hayes gave a speech in front of the Minister for Education Quinn. The Minister is openly critical of the strong focus on religion in these institutions that are publicly funded. Reverend Hayes called for a more explicit awareness of the college’s Catholic identity and the college Catholic ethos.

---

20 “Of all parts of a school curriculum, Religious Instruction is by far the most important, as its subject matter, God’s honour and service, includes the proper use of all man’s faculties, and affords the most powerful inducements to their proper use. Religious Instruction is, therefore, a fundamental part of the school course, and a religious spirit should inform and vivify the whole work of the school”. Rules for National Schools under the Department of the Education. Dublin: The Stationary Office, 1965).
There are four Catholic colleges and one Church of Ireland college. They are managed by a board of trustees who appoint the governing body of the college, controls all affairs of the college, including academic appointments and membership of the governing bodies. The trustees also appoint the president of the college. Positions in religious education, and theology and religious studies are also subject to approval by the trustees. The colleges are funded through the Higher Education Authority; apart from a small additional amount of money it receives through student fees and research grants (It received €18 million from the exchequer in 2011) (Faller and McGuire 2012). In other words, these colleges are publicly funded, but the Catholic Church and Church of Ireland retains control.

By law denominational (faith) schools cannot discriminate against pupils based on their parents' religion affiliation or belief. However, if the school has more applicants than places, they are allowed to employ a “sanctioned system of preference” by which students who have an older sibling in the school and those who live in the local area have preference. What is considered discriminatory in this system is that also gives preference to students who share the “school ethos” over those who don’t. In practice, this system constitutes a legitimised form of discrimination against students who don’t share the school religion. This situation is particularly worse for parents from rural areas who have no choice but to send their children to the only school in the area, which will likely be Catholic.

The European Commission published in 2011 the results of a research project on religious education in primary schools in Ireland, Scotland, Belgium, Germany and Malta (REMC-Religious Education in a Multicultural Society). The report, based on primary and secondary data is important for stakeholders and policy-makers in the education sector (European Commission 2011). The report shows that in many denominational primary schools, students with migrant background and non-Catholics are allowed to place posters on the schools walls in several languages about their national festivals and other cultural activities. However, there is no information about tolerance for disseminating these students’ religious festivities (European Commission 2011).

The EU REMC gathered information about parents with no religious affiliation who felt discriminated because of this religious ethos. They have no choice but baptise their children in order to get a place in the vast majority of Irish schools. In some cases, these parents had even to hide their non-religious affiliation in order to get their children into the school: “the secretary rang me back a few weeks later and she was saying ‘on the form, you wrote that you were of no religion... she said, Look, I have to tell you that you just won’t get a place if you write that’... she really wanted to give us a place... we would have gotten a place if we had lied” (Parent from a denominational school) (ESRI and UCD 2011b).

Children in the second and sixth classes have to prepare for the sacraments of Holy Communion and Confirmation in Catholic Schools. Parents can request their children not to be part of these studies if they wish but in most cases they are part of the school day and minority religions are not provided for. Religion was a particular factor in school choice for some parents, particularly those with minority or no religious beliefs. Parents with secular beliefs and Muslim parents indicated the significant waiting list for accessing schools of their choice (ESRI and UCD 2011b).
The Advisory Group on Patronage and Pluralism recommends that boards of managements should develop school policies regarding "religious artefacts, celebrations and other non-taught issues". These policies should be supported by Department guidelines on religious and cultural celebrations in their schools. Boards should ensure that all celebrations are "inclusive, educational and respectful of the differing traditions of the children of their schools". The Advisory group recommends that the display of religious and non-religious artefacts ought not to be exclusive to any faith or tradition but should have a balance reflective of the beliefs of all children. Most importantly, the Group recommends that communal prayers, hymns or school assemblies should be respectful of the beliefs of all children and must not be in conflict with their constitutional, legal or human rights (Coolahan et al. 2010).

In most Catholic schools, Muslim students have been allowed to wear veils in schools. There was a controversy when a principal asked the Ministry of Education to issue guidelines on how to accommodate religious minorities on the request of a school headmaster. The guidelines issued by the Department of Education left this to the decision of the principal. There were no strict limits although the ministry did not recommend "wearing clothing in the classroom which obscures a facial view and creates an artificial barrier between pupil and teacher" (Maussen and Bader 2012).

The Irish team of the EU REMC project found interesting results in terms of children’s agency about their own religious and moral formation. Contrary to previous research that often frames children as “passive” receptors; Irish students from primary schools seem to negotiate between what is thought at home and school. Despite the strong relationship between self-described religious beliefs of children and parents (particularly mothers), a number of children from religious backgrounds had begun to question the nature of content of beliefs: “My mum made me make my confirmation... Yah, but like she still doesn’t know that I don’t believe in God, the only person who knows is my big brother... and people in the class” (Child from Sixth class –aged 11-12) (ESRI and UCD 2011a).

A word which is used as a synonym of ethos in education discourse is “climate”. In almost all cases, this “ethos” focuses on the sexual lives of employees. In this sense, religious organisations are not only policing and seeking to control peoples’ conduct at work, but also in their private lives. For many experts, this failure to respect the private life of employees of religious institutions (manifested in the expectations of these organisations that the personal beliefs of employees should cohere with the beliefs of their institutions) constitute a violation of the European Convention of Human Rights (ECHR) (Coen 2008).

Not only Catholic organisations benefit from the religious ethos. In 2007, four Irish Protestant schools initiated High Court proceedings seeking a declaration that their constitutional rights had been breached by a Department of Education employment scheme which would require them to accept teachers of other denominations from schools which had closed down. The schools argument was that they would be “forced to hire” these teachers who might not subscribe to the ethos of the schools. The hearing has not yet taken place.

The Irish media and population have experienced dramatic changes in the last decades. Several scholars and stakeholders have consistently called for increased religious diversity in Irish Schools and for a more active secularisation of the State.
The media regularly covers scholars and activists who advocate for urgent reform of the patronage model and for non-denominational education. Some experts have pointed out that the way in which the media debates beliefs and schooling has focused on the issues of how best to provide for different faith groups, thus usually neglecting the position of families with no religion or secular beliefs (European Commission 2011).

Community National Schools (CNSs) constitute a new model of primary school patronage in which the State is directly involved in the provision of primary education. These multi-denominational schools represent a new policy initiative that was approved by the former Government in 2007 to provide better choices in education provision at primary school level. It is intended to deal with the increasing demand of religious and cultural diversity in the country. The pilot model is currently being tested in five primary schools in Ireland.

A multi-belief entitled “Goodness Me! Goodness You!” provides religious education and faith formation in the CNSs. In this programme, the children are taught together for most of the time, using stories, songs and poems from many belief traditions. Two to three times a week, students with monotheistic background (e.g. Christians and Muslims) will say a prayer to their God and the polytheists, Humanists and atheists will meditate on the lesson instead. For either three or four weeks during the year, children spend all belief classes in the main faith groups (Catholic, Christian, Muslim and Other to date) and are taught faith specific material.21 Children receive the multi-belief programme together in the same group with the same teacher for at least 80% of the time allocated for religious instruction (Human European Consultancy 2012).

Conclusions and recommendations

Ireland is quite particular within the EU context in terms of religious discrimination. On the one hand, Ireland is very homogenous in terms of religious diversity, with Catholicism the predominant religion. In addition, a group that faces severe discrimination within Irish society, Travellers, are almost entirely affiliated to the Catholic Church. On the other hand, the Irish population has become more pluralistic over the past decade. However, Catholicism is also the religion practised by the largest migrant community (Polish). Race/ethnicity overshadows the impact of religious based-discrimination, which is reflected in the almost absent coverage of this kind of discrimination in the media. In this sense, there is no a particular community that is “visible” as the target of religious discrimination. Having said that, however, the hegemonic prevalence of the Catholic Church in Ireland, though diminishing, its profound in all aspects of Irish society.

The primary example of this (reflecting the views of the experts mentioned in the report) is religious patronage in schools and hospitals. The non-separation of church and state in relation to schools and hospitals is still, in our understanding, the main source of discrimination. While the Catholic Church predominates in Ireland (over 84% of the population identifying itself as Catholic at the last census in 2011), the balance of the education and healthcare system, is, for the most part, controlled

21 For more information about this policy, see: www.codubvec.ie/index.cfm/do/gmgy.
by the Protestant churches in Ireland. Non-Christian parents face the dilemma in finding real options for the education of their children in non-denominational schools. There are exemptions to the Equal Status legislation on grounds of religious ethos and there are real issues around discrimination in religious schools, particularly for LGBT teachers, students and parents. The Christian churches have complete control over the education and training of teachers at primary level, which also creates real discrimination for non-Christian teachers who don’t fulfil the religious ethos of these organisations. In the healthcare sphere, there is hardly any major acute teaching hospital in Ireland which is not controlled by one of the Christian churches (predominantly by the Catholic Church, but also the Protestant Churches in the case of, for example, Tallaght Hospital). What is remarkable is while both education and health are controlled by the Catholic and to a much lesser extent the Protestant churches, they funded primarily from State resources. This presents a classic case of the civil authorities paying the bill, but without the control and direction which that might be expected to be associated with that. Instead the Irish State pays the bills and the Catholic (and other Christian) churches controls the “ethos” of schools and hospitals.

Said that, there are important changes taking place. There is an increasing pluralism in Irish society due to a) migration, b) the impact of the EU, and c) the global media (McGrady 2005). The contradiction between a) falling mass attendance and the increase in the number of people with no religion on one hand, and b) persistent association with Catholicism can be explained not only by the increase in the number of Catholic immigrants who come to Ireland, but also by the fact that Irish society is moving towards a cultural rather than a religious identification (McGrady 2005). The on-going debate about whether Catholic Ireland is becoming a secularised society remains latent today. It seems that the majority of Catholics still have a strong sense of loyalty to the Catholic heritage, but many are gradually becoming more detached from the institutional Church.

Ireland has no formal agreement to regulate the relationship between church and state. This situation represents potential tension between religious institutions, the Government, other organisations and civil society. Ireland has evolved from the times when the Catholic Church and the state worked “hand in hand”. However, little institutional and legal change has taken place.

Ireland represents a unique case in the developed world in which the vast majority of their primary schools are under denominational or faith patronage. Education remains the workplace where non-Catholics continue to be discriminated due to the expectation of compliance with the Catholic ethos of these institutions. This situation has lessened in health and social services.

There is a crisis of authority within the Catholic Church. However, despite this crisis that many describe as the most difficult moment of the Catholic Church in its history in Ireland, few changes are taking place in the structures and hierarchies of the Catholic Church.

The presence of an “integrated curriculum” in the vast majority of schools in Ireland constitutes a flagrant violation of children’s’, parents’ and teachers’ rights to diversity and equality. Any change in the educational system needs to address this situation.
‘Educate Together’ schools in Ireland are an example of Multi-denominational primary schools in which teachers promote ideas of diversity and the importance of different worldviews and beliefs systems. Students in these schools are thought about world religions. There are 44 Educate together schools in Ireland. This model should be taken into consideration when evaluating the educational system that includes a focus on moral ethical education instead of faith-based education.

The Irish National Teachers’ organisation (INTO) launched Good Practice Guidelines for creating an inclusive work environment for Lesbian, Gay and Bisexual staff (Transgender individuals are not included in this guideline). INTO represents more than 38,000 members in the island of Ireland and these guidelines constitute the first of its kind that directly address the issue of LGB teachers working in a religious environment. A group of LGBT teachers was also created within INTO and it has become very visible in the media and public events such as conferences and Pride marches in June where LGBT teachers are gradually “coming out” not only to their families, but in their work environment as well, challenging the religious ethos of their institution.22

For most experts in the field, a form to end discrimination in schools and hospitals is to simply delete the problematic subsection 37 of the Employment Equality Act, which still allows religious-run institutions discriminate against teachers, parents, students, nurses, doctors and any person who works in their schools and hospitals. The fact that these religious-run institutions constitute the vast majority of schools and a great percentage of hospitals shows the dimension of the problem and the current institutionalised inequality in Ireland, particularly as these organisations are largely publicly funded.

The question remains unanswered if, after the scandals of sex abuse become less prominent in the media, religious institutions that are owning and running schools and hospitals will dismiss an employee who has participated in a same sex civil union introduced in 2011. The current equality legislation has to be revised to eliminate these gaps and shadows that creates vulnerabilities for employees and gives these institutions the legal framework to discriminate against people who do not align to their “ethos”. The government initiative to reform the school patronage system is experiencing strong opposition from religious leaders and other conservative organisations.

A major public discussion needs to take place to question and challenge the nature of “religious freedom” of organisations that effectively discriminate against individuals who do not conform to their religious ethos. The equality and human rights framework needs to be addressed in these discussions that need to involve stakeholders, scholars, activists and politicians across the country.

The Employment Appeals Tribunal has established a programme entitled “School Out: Learning in the Workplace” aimed at students in 2nd and 3rd levels of

22 For more information about the INTO LGBT group activities see: http://www.into.ie/ROI/InformationforTeachers/TeacherSpecialInterestGroups/LesbianGayBisexualTeachersGroup/.
education. The programme seeks to educate and inform students on the importance of employment rights in Ireland through visits to the Tribunal’s hearings and learning at first hand the procedures of the Tribunal. The Tribunal is coordinating with the National Council for Curriculum Assessment (NCCA) in order to make the programme more widely available to schools and colleges across the country. This initiative has received very favourable feedback from the visitors and other stakeholders because it represents a unique opportunity to introduce students to cases of discrimination in the workplace, particularly those related to discrimination in the educational sector.

At European Union level in relation to education there is currently only protection from religious discrimination for vocational training connected to employment under the Framework Directive. It is expected that more comprehensive legislation that provides protection from religious discrimination in all forms of education and training will be announced (Equinet 2011).

Ireland is experiencing an interesting time in revising its educational system. The recent publication of the Forum on Patronage and Pluralism is expected to provide the impetus for these long waited changes. Experts in the field consider that changes in society have a positive impact on introducing changes in the educational system. For instance, a new RME curriculum with emphasis on both private (prayer) and public (community involvement) aspects of religion has been developed and piloted.

The 1937 Irish Constitution gave special position to Religion as an “anchoring point of national identity”, while at the same time also includes “guarantees of freedom of conscience and religion, and of equality on religious grounds” (Daly 2012). Despite important changes towards secularisation, there is an article in the Constitution that still shows the predominant role of the Catholic Church in the Irish state affairs: “The State acknowledges that the homage of public worship is due to Almighty God. It shall hold His Name in reverence, and shall respect and honour religion.” (Article 44, Constitution of Ireland). There are some movements among the Labour party (in government) and among academics about the need for a new constitution that removes the influence of the Catholic Church in public affairs. However, this approach is meeting opposition from conservative politicians and, despite the crisis of credibility in the Catholic Church, for many Irish people their loyalty to the Church seems to prevail.

Several stakeholders and NGOs have expressed concern that the wording of exemptions in relation to religious ethos may allow for discrimination on other grounds, in particular family status and sexual orientation (ERA 2011; Walsh and Feeley forthcoming). The situation is that schools run by religious organisations still have the right to control who is hired and who is removed from the organisations. Teachers and other employees who work in these institutions face the additional challenge that identifying discrimination is not an easy task. There is a “hidden curriculum” in schools that produce and perpetuate inequalities in Ireland (Lynch 1989).

---

23 For a full version of the Constitution and recent amendments, see: www.constitution.ie/constitution-of-ireland/default.asp?UserLang=EN.
Discrimination based on the ground of religion or belief is only prohibited with regard to employment, occupation and vocational training, but not in areas outside the working environment.\textsuperscript{24} Even though the Equal Status Act applies also to religion and belief and covers access to services, several stakeholders and organisations have been advocating for the introduction of a more comprehensive legislation that extend the prohibition of discrimination on the nine grounds to areas outside working life.

\textbf{References}


\textsuperscript{24} This situation is the same for the other eight grounds mentioned before.


Irish Times “Majority prefers schools not run by church”. 30 April 2012b.


