



**Submission by Atheist Ireland**

**To OSCE  
Human Dimension Implementation Meeting  
Warsaw, Poland**

**Working Session 2: Freedom of thought, conscience, religion or belief**

**Tuesday 27 September 2011**

The OSCE website pledges to combat “all forms of racism, xenophobia, and discrimination, including anti-Semitism, and discrimination against Christians and Muslims.” But why are these three religions given this special emphasis? Surely members of smaller religions and atheists are equally, if not more, subject to religious discrimination?

In Ireland, atheists are certainly more discriminated against than religious believers. Our Constitution begins by stating that all authority comes from the Holy Trinity, and continues in that tone. We are just starting a presidential election campaign in which atheists cannot stand, because you have to swear a religious oath to take office. The same religious test applies to becoming a judge in Ireland. And our outgoing government passed a new law against blasphemy in the 21st century.

Nine out of ten Irish primary schools are run by the Roman Catholic Church, in which the Roman Catholic ethos permeates the entire school curriculum. This infringes on the human right to freedom of conscience of atheist parents. The Roman Catholic Church has no tolerance for atheism. In recent years Pope Benedict has said that atheism is an obstacle to the development of peoples, and Cardinal Murphy O'Connor has told the BBC that atheists are not fully human.

Earlier this year, the World Atheist Convention in Dublin launched a new umbrella advocacy group called Atheist Alliance International, which we hope will be liaising with the OSCE on a regular basis in future years. Delegates also debated and adopted the Dublin Declaration on Secularism and the Place of Religion in Public Life.

**Recommendations:**

We urge all OSCE States and NGOs to discuss, adopt and promote the principles in the Dublin Declaration on Secularism:

**1. Personal Freedoms**

(a) Freedom of conscience, religion and belief are private and unlimited. Freedom to practice religion should be limited only by the need to respect the rights and freedoms of others. (b) All people should be free to participate equally in the democratic process. (c) Freedom of expression should be limited only by the need to respect the rights and freedoms of others. There should be no right ‘not to be offended’ in law. All blasphemy laws, whether explicit or implicit, should be repealed and should not be enacted.

## 2. Secular Democracy

(a) The sovereignty of the State is derived from the people and not from any god or gods. (b) The only reference in the constitution to religion should be an assertion that the State is secular. (c) The State should be based on democracy, human rights and the rule of law. Public policy should be formed by applying reason, and not religious faith, to evidence. (d) Government should be secular. The state should be strictly neutral in matters of religion and its absence, favouring none and discriminating against none. (e) Religions should have no special financial consideration in public life, such as tax-free status for religious activities, or grants to promote religion or run faith schools. (f) Membership of a religion should not be a basis for appointing a person to any State position. (g) The law should neither grant nor refuse any right, privilege, power or immunity, on the basis of faith or religion or the absence of either.

## 3. Secular Education

(a) State education should be secular. Religious education, if it happens, should be limited to education about religion and its absence. (b) Children should be taught about the diversity of religious and nonreligious philosophical beliefs in an objective manner, with no faith formation in school hours. (c) Children should be educated in critical thinking and the distinction between faith and reason as a guide to knowledge. Science should be taught free from religious interference.

## 4. One Law For All

(a) There should be one secular law for all, democratically decided and evenly enforced, with no jurisdiction for religious courts to settle civil matters or family disputes. (b) The law should not criminalise private conduct because the doctrine of any religion deems such conduct to be immoral, if that private conduct respects the rights and freedoms of others. (c) Employers or social service providers with religious beliefs should not be allowed to discriminate on any grounds not essential to the job in question.

In particular, we urge the Irish State to hold referenda to remove the religious clauses of our Constitution, to establish a secular State education system that respects the human rights of all citizens, to replace religious oaths for officeholders and in courts with neutral declarations, and to repeal the Irish blasphemy law and the clauses that exempt religious organisations from complying with Irish equality laws.

Religious States promote religion. Atheist States promote atheism. We want a secular State, which promotes neither. We want a secular State for a pluralist people, where citizens behave ethically and the State does not take sides on religious issues.

## Appendix:

Our specific recommendations for the Irish State include the following, which we have also submitted to the United Nations Universal Periodic Review of Ireland which will take place in October 2011:

- (a) Incorporate all UN Treaties into Irish law, and amend Article 40.1 of the Irish Constitution to reflect a more expansive interpretation of equality.
- (b) Restore the funding of the Equality Authority and the Irish Human Rights Commission, and ensure that the work of the NCCRI continues elsewhere.
- (c) Promote the understanding of human rights in the public and civil service, teacher training colleges and schools, and throughout society.
- (d) Amend Articles 12.8, 31.4 and 34.5 of the Irish Constitution, to replace the religious oaths with neutral declarations that do not refer to the religious or nonreligious philosophical beliefs of the officeholder, and from which no information can be inferred about the religious or nonreligious philosophical beliefs of the officeholder.
- (e) Replace all oaths in Courts with neutral declarations that do not refer to the religious or nonreligious philosophical beliefs of the person declaring, and from which no information can be inferred about the religious or nonreligious philosophical beliefs of the person declaring.
- (f) Amend Article 40.6.1 of the Irish Constitution to remove the offence of blasphemy. Remove Sections 36 and 37 of the Defamation Act 2009.
- (g) Remove Section 7.3(c) of the Equal Status Act and Sections 12.4 and 37.1 of the Employment Equality Act, which explicitly allow discrimination on the grounds of religion.
- (h) Remove Sections 3.1(c) and 3.4 of the Charities Act 2009, which privileges the advancement of religion over the advancement of nonreligious philosophical lifestyles.
- (i) Remove Section 15.2(b) of the Education Act 1998 and Rule 68 of the Rules for National Schools which obliges Boards of Management to integrate religion into all subjects.
- (j) Establish non-Denominational state schools throughout the country and take responsibility for protecting the human rights of minorities in the education system. Remove Sections 12.4 and 37.1 of the Employment Equality Act, which explicitly allow discrimination on the grounds of religion. Establish non-denominational teacher training colleges.