

## It's my sacred right to leave the Catholic Church

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By JP O'Malley

BETWEEN 1914 and 1915, the Jewish Czech writer, Franz Kafka, wrote the mesmerising novel, *The Trial*. Today, 100 years later, it illuminates the connection between bureaucracy and power.

In *The Trial*, a young bank official, Joseph K, is arrested for a crime that doesn't seem to exist. He is taken to a quarry outside of his town and killed.

The word 'Kafkaesque' is overused by journalists, but it is appropriate in describing my experience when attempting to 'excommunicate' myself from the Catholic Church. Attempting to leave this immensely powerful organisation is like being locked in a crystal maze with no exit sign in sight.

Ostensibly, my official attempt to depart from Catholicism started last October. But the philosophical quest began 18 years ago. As a young boy, the Catholic Church was vital in shaping my cultural and intellectual identity.

There was a picture of the Sacred Heart in my bedroom. Every night, until I was eight years old, my brother and I would kneel and say prayers before sleep.

A decade of the rosary was said in the family when someone got sick or when there was a crisis. As a small child, one Lent I attended mass every single morning. My uncle is a practicing Catholic priest in Limerick City. And my father still has many close friends who are priests. All of them are good, decent, honest men, with strong moral convictions.

Historically, even for all its failings, the Catholic Church played a positive role in people's lives.

The rhythms and rituals of prayer divided the day into sections that gave people meaning. The introspective space of a building provided a place to seek spiritual comfort, to create community networks, and to enable people to believe in the idea of a cohesive society with a shared sense of purpose, rather than a cluster of random individuals.

I recall these positive outcomes, because it's insulting to the generation that came before my own to somehow believe that their value system, which derived from Catholicism, can now, rather facetiously, be seen as farcical.

However, these positive traits, were, over time, supplanted by an obsession with power.

I made my First Communion in 1992.

This was just one year after the arrest of Father Brendan Smith, the notorious paedophile priest whom the Catholic Church initially protected, but who was eventually convicted of several, depraved sex crimes on innocent children: first in Northern Ireland, in 1994, and then again in the Republic, in 1997.

From aged 12, I had no belief, whatsoever, in the concept of a divine being.

By the time I was in my 20s, I was a militant-atheist.

And after my close reading of the 'Ferns', 'Murphy', and 'Ryan Reports', I was fully convinced that this was not an organisation I wanted to be associated with in any way.

It came as a huge surprise to me, then, last October, after I wrote to Reverend Fintan Gavin, the assistant chancellor of the Dublin Dioceses, asking if I could formally leave the Catholic Church, to be told that it was impossible.

The official reply I received mentioned that, in 1983, the Vatican brought in a law that allowed members to defect.

The measure was implemented, I was told: "to ensure that any marriage entered into after formal defection would be valid in the eyes of the Catholic Church." I've read this part of the letter many times and it still makes no rational sense. It's the kind of absurdity one finds in a legal document: where words become so ambiguous that they cease to have meaning.

However, there was some information that confirmed what I was looking for. Fintan Gavin reiterated that since canon law was changed in 2009 “those [former] defections do not have legal effect.” In other words: the Catholic Church refuses to allow its members to walk away voluntarily.

When one has no affiliation — culturally, spiritually, or otherwise — to such an organisation, it’s easy to read this letter with a dose of Father Ted-style humour. But while the Church and State are completely separate — in terms of the common law in Ireland — that relationship has never been as simple as either the Irish government, or the Catholic Church, presently define it.

Since the founding of the Irish State, in 1922, the Church has provided a free service to the Irish government: a de facto, bureaucratic invisible hand to keep the population under control. If the Soviet Union had the Cheka to enforce public morality through fear, Ireland had priests and bishops. The costumes may have been different, but the theme remained the same: unquestionable, totalitarian power.

While these methods of coercion were never legally recognised in the Irish Constitution, the country was, one could argue, unofficially a theocracy until the early 1990s.

Helen O’Shea, the current secretary of Atheist Ireland, who was able to formally defect from the Catholic Church pre-2009 — before the law was revoked by the Vatican — says that in the interests of democratic accountability the Irish state must operate in a consistent manner for all its citizens in terms of religious freedom.

“[Many] Irish schools are almost exclusively controlled by Catholic management. And when places are limited, a baptism certificate is often required. This is unacceptable in a supposedly non-theocratic state,” she said.

“Atheist Ireland are currently investigating setting up a website, so people can document their wish to leave the Church formally. It’s very ignorant [of the Church] to insist on membership when an individual requests the opposite,” said O’Shea.

Previously, a website, [Countmeout.ie](http://Countmeout.ie), assisted Catholics in leaving the Church.

From 2009, [Countmeout.ie](http://Countmeout.ie)’s members could download a form, have a small dialogue by email with their local dioceses, state why they wished to leave, and finally defect. In the first few months of the website’s existence, 12,000 people downloaded forms from it. As Canon Law changed that same year, however, the website had to cease operating, which it did in 2011.

According to the 2011 census in Ireland, 277,000 people declared themselves of no religious orientation.

That was a 44% increase on the previous census in 2006.

Which brings us to the question: should the Irish government implement a facility that allows Catholics to formally disassociate themselves from their former Church?

The more I thought about this issue, the more appropriate it seemed to bring this matter to the Irish government.

But the reaction I received from various departments was clouded in more bureaucracy than the Church.

When I asked the Department of Justice if such a facility could be set up, they replied that: “The State has no role in determining the rules and regulation of different religious denominations, including the canon law of the Roman Catholic Church. All citizens are equal before the law of the State, regardless of religious affiliation or non-religious affiliation.”

Similarly, the Data Protection Commissioner offered little wisdom, when I asked if it was appropriate that the Church be allowed to hold onto thousands of documents that contain false and misleading information.

Having raised this issue several times on social media, I then received a number of comments, likes, retweets, and emails, from fellow atheists, who shared their frustration at being prevented from leaving the Church.

One 34-year-old Dublin man, who wished to remain anonymous — but who provided me with adequate documentation backing up his claims — said that in Austria, where he currently resides, the state provides a service for citizens who want to leave the Catholic Church.

In both Germany and Austria, the Catholic Church imposes a 1% mandatory tax on all its members. This man explained how, as an Irish citizen, he was able, just last month, to officially leave the Catholic Church with the help of the Austrian government.

“[In Austria] the state provides information online about how to leave the Catholic Church,” he said. “I was able to register that I was officially leaving the Church, simply by returning a completed form.

“The state also provided an online system, where you can register as having left the Church. I really don’t see why this same criteria could not be implemented in Ireland.”

After a plethora of predictable and stale replies from official governmental channels, I then contacted all the political parties in Ireland.

Just one party, however, showed an interest.

Joe Higgins, of the Socialist Party, says that the Catholic Church should “remove members from their ‘lists’ if they don’t consider themselves a member anymore.”

Deputy Higgins then brought the matter up in Dáil Éireann, on my behalf.

Deputy Higgins sent a written address to the Minister for Public Expenditure and Reform, Brendan Howlin, asking if he could consider extending the Freedom of Information legislation to cover records, such as baptismal certificates, that are currently kept by religious institutions.

The Department replied that: “A new Freedom of Information Bill is expected to be enacted before the end of the year. It might be the case that some religious institutions, or additional bodies run by religious congregations, providing a service to the public, could be prescribed as Freedom of Information bodies under section 7 of the [new] Freedom of Information Bill, when [it is] enacted.”

I then contacted the editor of the Irish Catholic newspaper, Michael Kelly. He said that he would not comment, because he had “little faith that the article would present a fair assessment”.

Seamus Aherne is a practicing priest of 41 years, and a member of the Association of Catholic Priests. I asked him if he was in favour of the Church making it easier for Irish citizens who want to leave the organisation. He said: “In regard to the State, people note on their census form what their affiliation is or isn’t. That is the official State paper.”

Finally, he said: “We won’t be grieving. It isn’t important. There is no restraint. There is no one forcing you to belong [to the Church], JP. I am not coming after you. Don’t make it a problem.”

My journey, therefore, to leave the Catholic Church, is still, I believe, in its infancy. And there is still much work to be completed. But I do feel that I have come to some conclusions, thus far.

Namely, that if the Vatican wants to hold me ransom as a member of their Church — even if it is against my will — it bears no legal rights over me as an Irish citizen. So, in theory, I should not be bothered if the Church refuses to delete my name off their list in an official capacity.

But do we, as citizens, really see everything in such black-and-white legal terms?

And do we equate civic morality and human identity only with legal pieces of paper?

Has the abuse of power within the Catholic Church ever happened in a legal manner? Were the thousands of mothers who were sentenced to a life of labour and guilt inside convent walls for decades — for simply procreating — sentenced in a courtroom with a judge? Were thousands of young children subjected to years of torturous sexual abuse by members of the clergy with the backing of the law? As I’m sure you are aware, these questions are all rhetorical. But this next one is not. And it’s worth giving serious consideration: Does the present Irish Government not owe its citizens — given the unique relationship that existed between the Roman Catholic Church and the Irish State — a more thorough form of assistance to help them redefine their secular identity in an official capacity?

Challenging power in society usually starts with a symbolic gesture rather than an immediate change to the law.

Which brings us back to Kafka and *The Trial*. The central theme of the book explores the extent to which power relies on the absolute complicity of its victims. Kafka’s genius as a writer was his foresight in comprehending that human beings are amalgamated into pieces of data: usually without their consent or knowledge.

In Kafka’s eyes, bureaucracy itself is not the person we should blame. The buck stops at each individual. And until we live

in a society where each person is fully prepared to state publicly their belief system — be it cultural, sexual, or religious — an egalitarian Republic exists in writing, but certainly not in practice.

Yes, the State must take responsibility. But, as citizens, we must let the State know what kind of freedoms we expect as individuals.

That is why we elect them as our representatives.

This seemingly insignificant list of de facto Catholics — located in some computer hard drive that no Irish citizen is allowed to access — does, I believe, yield an enormous amount of power: far more than the Catholic Church, or the Irish Government, for that matter, are prepared, or want, to talk about.

But let us begin the conversation now.

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Appendix

<http://www.catholicdoors.com/faq/qu286.htm>

Frequently Asked Questions

regarding

HOW TO QUIT

THE CATHOLIC CHURCH.

Q. 1. Is it possible to quit the Catholic Church? As a child, I was baptised and confirmed in the Catholic Church. That was not my choice; it was my parent's choice. Since I left home, I have never practiced any religions. I am an atheist. I do not believe in God. I want to make sure that the Catholic Church is not counting me as one of its followers.

A. 1. Yes, it is possible to quit the Catholic Church.

Q. 2. How do I go about doing it?

A. 2. You must file a copy of the "Defectio ab Ecclesia catholica actu formali," ("Defection from the Catholic Church by a Formal Act"), with the Office of the Bishop.

An of defection includes 3 sections:

- A) an internal act of will;
- B) an external manifestation of that act; and
- C) communication of the fact in writing to your local Bishop.

Q. 3. What does the "Defection from the Catholic Church by a Formal Act" Form look like?

A. 3. The following is a sample:

#### DECLARATION OF DEFECTION FROM THE ROMAN CATHOLIC CHURCH

I \_\_\_\_\_, do hereby give formal notice of my defection from the Roman Catholic Church. I want it to be known that I no longer wish to be regarded as a member of the Roman Catholic Church.

I further declare that I am aware of the consequences of this act regarding the reception of the sacraments of the Church, including the sacraments of the Eucharist, marriage and the sick and also with regard to burial.

I undertake to make this decision known to my next of kin and to ensure that they are aware of these circumstances in the case of my being incapacitated.

I acknowledge that I make this declaration under solemn oath, being of sound mind and body, and in the presence of a witness who can testify as to the validity of this document.

Signed: \_\_\_\_\_ Address: \_\_\_\_\_

Witness: \_\_\_\_\_ Address: \_\_\_\_\_

Date: \_\_\_\_\_

With the above Form, you should include a letter with the following PRINTED information:

Your name,  
Your full address,  
The name under which you were baptised if married since,  
The date of your baptism,  
The parish Church of your baptism,  
Your date of birth,  
The name of your parents, and  
The name of your godparents.

Q. 4. As a result of this process, will my Baptismal and Confirmation Certificates be destroyed by the Catholic Church as if they never existed?

A. 4. No. The processing of a "Declaration of Defection" means that an annotation of this declaration is made in the Baptismal register in the relevant parish and diocese. The actual data cannot be deleted from the Register as it is essential for the administration of Church affairs to maintain a register of all the people who have been baptised. Indeed it is of course a factual record of an event that happened.

Q. 5. Does the Vatican website have any information on this matter?

A. 5. Yes, you can view the document ACTUS FORMALIS DEFECTIONIS.

To submit your question, please send to our: NEW EMAIL ADDRESS  
(On the subject line: Indicate "FAQ" for "Frequently Asked Questions.")