

Minority religions under Irish law: Islam in national and international context, edited by Kathryn O'Sullivan, Leiden & Boston, Brill, 2019, 254 pp., €99 (hardback), ISBN 978-90-04-39823-8, (e-book), ISBN: 978-90-04-39825-2

This book is a welcome addition to the limited literature available on Muslims living in Ireland. It enters the wider discussion on the recognition and accommodation of religious minorities worldwide and more specifically the debates centred on Muslims in Europe. It builds on previous works such as the *Journal of Muslim Minority Affairs* special issue on Islam in Ireland (2011) with an introduction by Oliver Scharbrodt and Tuula Sakaranaho, and contributions from others on the topics of migration, finance, education, and Islamophobia to name a few. Scharbrodt's et al.'s (2015) *Muslims in Ireland: Past and Present* further explores the themes of immigration, mosques, governance, and diaspora identity. These discussions and many more are expanded upon by *Minority Religions under Irish Law*, which acknowledges that the accelerated influx of migrants to Ireland within the last twenty-five years poses new legal challenges to the Irish state in recognising and accommodating Muslims in Ireland.

The book consists of ten chapters organised into three distinct parts: accommodating minority religions; Islam and Irish law; and Shariah councils. The themes of each chapter invariably move between the debates on Islam and religious minorities in international context and in the Irish context. M. Christian Green lays out key international arguments over the treatment of religious minorities, examining legal pluralism, human rights, religious freedom; and questions the different ways to serve their needs as individuals and as a collective, against discrimination and in attaining equality. Such thoughts are further examined at a national level and in the Irish context by Eoin Daly, who provides a concise examination of the Irish constitution, highlighting the general lack of specific guidance provided by Irish law on regulating religion. Claire Hogan argues that although the Irish constitution recognises religion, the role of the state is as yet undetermined in many issues due to the lack of litigation by religious minorities in cases regarding employment, education, and healthcare. Here lies one of the major contexts within this book: whilst there is a long-standing history of migration to Ireland from the eighteenth century onwards, as discussed by James Carr, it is only within the last twenty-five years that there has been a major influx of immigrants. The balance has shifted from educated individuals arriving on Ireland's shores for educational purposes in the early part of the twentieth century to economic migrants in the 1990s, to the more recent intake of refugees from the European Union, which Ireland is a part of. Thus, in her introductory chapter, Kathryn O'Sullivan highlights that the real problem of recognising and accommodating religious minorities in Ireland will be in the years to come, when the number, as well as the diversity of Muslims, is anticipated to increase, leaving the Irish courts under pressure to strike a balance in the recognition or accommodation of minority religions in its jurisdiction. Hence, Carr argues that to treat the Irish Muslim community as homogenous is impractical, as there are sizeable communities from the Shia to the Ahmadis, who along with the majority Sunni community, represent the third largest religion in Ireland.

Two of the chapters are dedicated to Islamic marriage and divorce, one of the most debated topics on Muslims in Europe. Indeed, the practice of Muslim family law among diasporic communities proves problematic for several reasons, in the first place because Islamic marriages need to meet the requirements of the state to afford legal recognition. Whilst there is much literature discussing the context of nikah-only marriages and their status as non-marriages in the English context. Susan Leahy and Kathryn O'Sullivan bring a much-needed perspective to the debate. For example, their empirical work identifies that Islamic marriages not conforming to formalities in Ireland are considered void

marriages, unlike in England where they are called ‘non-marriages’; nonetheless, a void marriage does not entitle the parties to financial relief in Ireland, whereas in England there would be financial relief in instances of a void marriage. Secondly, overseas marriage and divorce can be problematic where they conflict with public policy. Máire Ní Shúilleabháin presents polygamy as a potential problem for authorities whether it is *muta* (temporary marriage) as found in the Shia community or potential/actual polygamy as found in other Muslim-majority countries. Moreover, she argues that divorce laws in Ireland have not progressed to resolve the religious aspect of divorce, thus leaving Muslim women in limping marriages. This raises the question of alternative forums to resolve religious divorce, which points towards Shariah councils as discussed in the third part of this book.

One of the main controversies in recent decades has been the emergence of Shariah councils – often referred to as quasi-legal, unofficial forums for dispute resolution, and described by Samia Bano as a British phenomenon, though others have found similar experiences in North America. Nonetheless, the volume includes a detailed discussion on Shariah councils; Amin Al-Astewani proposes an English model of alternative dispute resolution (ADR) for Ireland, whilst Bano explores the potential of a ‘parity governance model’. What is clear from both these chapters is that Muslims currently do not face the same level of difficulty resolving religious divorce in Ireland as in other Muslim-minority countries, for example, England. There are therefore no Shariah councils in Ireland. As such, readers may find the context of these chapters, and the chapter on Islamic finance by Edana Richardson, discussing problems in the Irish Muslim community less relevant. One suspects that these issues – over time and with an increase in the Muslim population in Ireland – will require further empirical studies to uncover the actual reality of the problem.

As the book intended, *Minority Religions under Irish Law* firmly focuses attention on the socio-legal position of Muslims in Ireland. As such, the book is a valuable resource for those wishing to understand the specific national context of problems faced by Muslims in Ireland. Most importantly, this edited volume fills the current void in the wider discourse on Muslims in Europe, whereby by the Irish context is often overlooked due to the relatively smaller population of Muslims in Ireland in comparison to the United Kingdom, France, and Germany. Nonetheless, the contributors clearly argue that with a rise in the Muslim Irish population, Ireland will face many of the problems seen in Europe. However, having a constitution that favours the recognition and accommodation of religion, Ireland may develop different approaches to the rest of Europe; as such, I agree with O’Sullivan that this collection better informs us of the current debates and the discussions yet to come.

Islam Uddin
Middlesex University, London, UK
i.uddin@mdx.ac.uk