



## **Institute on Religion and Public Policy Report:**

### **Religious Freedom in the Dominican Republic**

#### **Executive Summary**

The government of the Dominican Republic generally upholds its constitutional policy of religious freedom, but it does maintain a relative bias toward the Catholic Church, which is perpetuated by a concordat signed in 1954. Although the government does not place serious restrictions on religious liberty, the minority groups in the Dominican Republic, specifically Haitians and Dominico-Haitians, suffer from sustained persecution and human rights abuses. Women are also subjecting to continuing violence and discrimination.

#### **Institute on Religion and Public Policy**

The Institute on Religion and Public Policy is an international, inter-religious non-profit organization dedicated to ensuring freedom of religion as the foundation for security, stability, and democracy. The Institute works globally to promote fundamental rights and religious freedom in particular, with government policy-makers, religious leaders, business executives, academics, non-governmental organizations and others. Twice nominated for the Nobel Peace Prize, the Institute encourages and assists in the effective and cooperative advancement of religious freedom throughout the world.

#### **History of Religious Freedom and Politics in the Dominican Republic**

After a brief attempt at independent rule from 1844-1861, the Dominican Republic attained full independence from Spain in 1865. A legacy of unsettled, mostly non-representative rule followed, culminating in the dictatorship of Rafael Leonidas Trujillo from 1930-61. Juan Bosch was elected president in 1962, but was deposed in a military coup in 1963. In 1965, the United States led an intervention in the midst of a civil war sparked by an uprising to restore Bosch. In 1966, Joaquin Balaguer defeated Bosch in an election to become president. Balaguer maintained a tight grip on power for most of the next 30 years until the international reaction to corrupt elections forced him to curtail his term in 1996. Since then, regular competitive elections have been held in which candidates from varying sides have secured the presidency fairly. Former President Leonel Fernandez Reyna (1996-2000) was elected to a second term in 2004 following a constitutional amendment allowing presidents to serve more than one term.

The Roman Catholic Church was apolitical during much of the Trujillo era, although a pastoral letter protesting the mass arrests of government opponents

was issued in 1960. This letter incensed Trujillo enough that he ordered a campaign of harassment against the Church; his assassination was the only roadblock that prevented his plan to imprison the country's bishops from being implemented. The papal nuncio attempted to administer humanitarian aid during the 1965 civil war, and the bishops also issued various statements throughout the 1970's and the 1980's calling for respect for human rights and an improved standard of living. As an example of the Catholic bishops' activism, Bishop Juan Antonio Flores de La Vega campaigned for indemnification for peasants displaced by the expansion of the Pueblo Viejo mine. Bishop Juan F. Pepen and Bishop Hugo Polanco Brito both supported the efforts of peasants and sugar *colonos* to organize. Thus, the Catholic Church's advocacy efforts have increased over the past few decades, particularly when advocating for equality and justice in the Dominican Republic.

### **Legal Status**

The Constitution specifies that there is no state church and accounts for freedom of religion and belief. However, in 1954 the Government signed a concordat with the Vatican designating Catholicism as the country's official religion and extending to the Catholic Church special privileges not granted to other religious groups. These include the legal recognition of church law, use of public funds to underwrite some church expenses, such as rehabilitation of church facilities, and a complete exoneration from customs duties. Religious groups are required to register with the Government, and non-Catholic groups may request exoneration from customs duties from the Office of the Presidency. Catholic weddings are the only religious wedding ceremonies that the Government recognizes.

On October 23, 2008, the Supreme Court upheld the Concordat between the Vatican and the State which originally was approved by Congress in June 1954. The ruling came after a complaint filed July 2006 by the Ministerio Jesús es Sanidad y Vida Eterna (Jesus is Health and Life Eternal Ministries), an evangelical Christian organization, challenged the constitutionality of the concordat between the state and the Vatican, particularly with regards to the state teaching Catholic dogma in public schools. In August 2006, the Office of the Attorney General recommended that the constitutional challenge be denied. After hearing the case in 2008, the court ruled that while the State assumes the obligation to teach the Catholic religion and moral education in elementary and secondary public schools, it in no way prohibits other religious groups from providing education within their own establishments.

### **Specific Instances of Religious Discrimination**

Aside from complaints of preferential treatment towards Catholics, the Dominican Republic does not suffer from extreme religious discrimination. Dominican Foreign Ministers have repeatedly urged international communities to set aside histories of extremism and religious differences to work toward stability and

security. Government officials claim that the Dominican Republic's strengthening of relations with the Muslim world demonstrates their commitment to religious pluralism.

While the large majority (generally estimated at around 90%) of Dominicans are professed Roman Catholics, the population does not necessarily adhere to the strict dogmatic guidelines of the Vatican. Dominican Catholicism is an eclectic mix of Roman Catholic traditions and African-rooted religions/ceremonies, or Santeria, and is widespread in the Dominican Republic. Most Dominicans have established relationships with their parish priests, who work with civilians at the local level, while the upper echelons of the clergy (often foreign) are viewed as more distant.

In September 2008, President Leonal Fernandez submitted a proposal to Congress to amend the Dominican Constitution to define the right to life as "from conception to death." The proposal remains under review by the Parliamentary Assembly for Revision of the Constitution, and if passed would severely limit a woman's options when she becomes pregnant. Furthermore, changes to the Penal Code are also under review, which contain a provision that would require the imprisonment of women who become pregnant as a result of rape, incest or involuntary assisted fertilization and seek to terminate their pregnancy. By criminalizing abortion, the Dominican government would likely force women to seek unsafe, unregulated methods for terminating a pregnancy and would subsequently deny them proper medical attention.

Although the freedom of religion is not severely hampered, the Dominican Republic continues to engage in egregious human rights abuses involving human trafficking, violence against women, forced housing evictions, unlawful killings enacted by police and security forces, intimidation and harassment surrounding media workers hindering freedom of press, and discrimination against Haitians and Dominico-Haitians.

### **United States Foreign Policy**

According to the US State Department, the U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. Representatives of the U.S. Embassy met with leaders of various religious communities, including those of minority groups.

The U.S. Agency for International Development (USAID) mission is focused on improving access of underserved populations to quality health care and combating HIV/AIDS and tuberculosis (TB); promoting economic growth through policy reform, support for CAFTA-DR implementation, and technical assistance to small producers and tourism groups; environmental protection and policy reform initiatives; improved access to quality primary public education and assistance to at-risk youth; a model rural electrification program; and improving

participation in democratic processes, while strengthening the judiciary and combating corruption across all sectors.

## **Conclusion**

The situation surrounding human rights in the Dominican-Republic remains precarious; however, there are no egregious abuses of religious freedom. The preference afforded the Catholic Church by the government does present a few minor entanglements with religious liberty because it inherently discriminates against non-Catholic religious groups. However, the government does seem to take this into account. The Dominican Republic does have serious human rights abuses, however, which could present a serious threat to any citizen, particularly minorities and women.