God be in my mouth and in my speaking:

God be in our hearts and in our thinking. **Amen**

It is a great privilege for a retired attorney to be invited to deliver the address at the Annual Law Service, marking the opening of the legal year and I thank the Archbishop for it.

I would like this morning, to make a few observations, on the importance of contested space and contested heritage when planning authorities assess applications for development within sacred buildings. The development plans of the various Dublin local authorities list churches owned by Roman Catholic, Church of Ireland, Presbyterian, Methodist and Baptist Churches and the Society of Friends. The effect since 2000 is to preclude ecclesiastical owners from adapting such buildings to current liturgical needs without some form of secular authorisation under the planning acts.

Contested space is where historic objects, structures, buildings, places and their associated meaning have become challenged. Contested heritage is when there is an association with individuals from the past whose conduct is considered abhorrent and inimical to contemporary values. In this the Christian Churches are concerned with theology and standards of behaviour.

At one level this is about memory, and how different people with different perspectives view a particular place. At another level, it is the management of change: pastoral change, to remove a context that causes hurt, disconnection and dissension. At rock bottom, this management of change raises straightforward issues within civil society. A spiritual perspective then changes the level so that resolution in a civil setting, becomes complex.

Different churches will have different issues in manging their sacred space. As cultural tastes change, the approach to church services adapts, generating needs to alter buildings. Many church buildings were re-ordered during the 1960’s and 70’s. Many of the changes were controversial and it is difficult to see them now being nodded through the planning process. Pews and benches are a case in point for it is argued their replacement by chairs adds to the flexibility of a building for contemporary church services. Naturally this is resisted by traditional congregations. Each seeks to encounter God in their own way.

The older a building is, the more intricate and complex its relationship with the faith community and wider culture becomes. With churches, each generation leaves its own mark. Families develop close ties through the rhythm of worship and the rites of passage marking birth, marriage and death. Social status has left its mark in dedication plaques on benches and other furniture, in memorial tablets on walls, stained glass in windows and perhaps on the headstones of an adjoining graveyard.

God, people, and place converge in many places across our city and countryside. This creates a geography of holiness without dimension in its spirituality but flat in the temporal street plan. Here there are places of community, of people and their stories, to be treated sensitively. If only the stones could speak. Yet this temporal dimension does speak. It speaks to everyone who enters the church. Each of us knows instinctively the difference between a living church building and a former church such as St Mary’s Heritage Centre in Kilkenny.

A contested space originating in liturgical change has an importance for the church. The change is driven by an intention to assist the worshiper to see around or beyond the veil. In our material world, this veil conceals eternity from us. Such a change does not have any other moral dimension. The other type of contest arises because some heritage artefact or memorial intrudes; discomforts the worshiper, so that it inhibits seeing beyond the veil. Something intrudes because the memory of that worshiper conflicts with the memory or culture recorded in the Church.

I do not want to get into what threshold of discomfort is material nor do I wish to create controversy by instancing fresh Irish examples. We are familiar with the Collison statue in Bristol and the Cecil Rhodes statue in Oxford both in the public square. Within ecclesiastical buildings there has been the Rustat memorial in the chapel of Jesus College, Cambridge and the Gordon case in St Peter’s, Dorchester. Rustat and Gordon were both associated with slavery.

In Ireland we do not have the Windrush generation from the Caribbean nor their children to draw our attention to such matters. There may however be an underlying Irish problem as suggested by the controversy at Trinity College over the naming of what my generation always called the New Library, and the recent article in the Guardian concerning the Fitzwilliam Museum at Cambridge. Its great benefactor the 7th Viscount Fitzwilliam developed so much of South Dublin’s Georgian streetscape. These public examples are distinct from our indigenous difficulties including the Corn Laws, the Famine, ownership of Coffin ships, and agricultural clearances.

In the century following the First World War, unlike country houses, RIC Barracks and Dublin’s equestrian statues, churches were not contested spaces. Churches, together with the war memorial at Island Bridge, the Fusiliers Arch on St Stephen’s Green, and the Imperial Yeomanry memorial in the grounds of the former St Andrew’s Church, went unmolested.

When a contested space is identified, it is all too easy for the parties to talk past one another. Some express concerns, conscious how events from the past shape their current circumstances. Their difficulty is that they are surrounded by people and institutions which are not conscious of how events resonate from the past. Consequently, the responsibility of our society for past events goes un-debated. Memorials of the past endorse participants and events which were then legal but are now reprehensible by modern standards. Retaining those memorials continues that endorsement but the neighbour principle requires that if a memorial gives genuine offence to people who resort to the church, some action must be taken.

Historians and those charged with the preservation of culture and heritage will wish to follow the principle of “Retain and Explain”. But how should the explanation be communicated within an ecclesiastical heritage building? The rolling of the Collison statue into the dock at Bristol symbolically displayed a desire for a different approach: “Remove and Forget”. Dishevelled and dirty its subsequent removal to a museum brought it into the realm of “Remove and Explain”. The difficulty with both approaches is that they leave unaddressed the current consequences of past events. There is within such approaches a have your cake and eat it concept, as conscience is salved and consequence ignored.

Another unsatisfactory approach is “Forgive and Forget”. It does not work either, because the owner of the building is neither the wronged nor the wrongdoer and so has no locus to forgive or forget.

We are on stronger ground with a concept of “Live with and Redeem”. This approach accepts responsibility and refuses to endorse the past. The past cannot be changed. It has to be understood, lived with and atoned for, however, uncomfortable that may be. Communicating this subtlety requires great care, particularly by churches and cathedrals which are major tourist attractions with heavy footfalls.

The difficulty with internal rearrangement within churches is that in so many cases the Church is not a sole agent. Its internal procedures will consider the spiritual and temporal aspects of a church. Then its authorities can decline to make a change; and live with things as they are. Alternatively, they can seek the requisite secular planning permission to permit the change. Where secular change is sought a tension arises between public good and pastoral concern. The older the building and the greater the historical and artistic significance, the greater it’s cultural value and so the higher the bar permitting change will be set.

Noise inhibits worship. Like the noise created by the merchants and money changers whom Jesus turned out of the Temple at Jerusalem, heritage creates its own noise. Conservators state, that the best way to preserve a heritage building is to continue the use for which it was designed: but where the needs of that use alter, the building may become unsuitable and cease to be used for its original purpose. If the spiritual needs go unaddressed because the civil bar permitting change is set too high, then that religious community may find it has no future.

I leave you with a question.

“When determining the relationship between the past and present within a sacred building, what is the appropriate balance planning authorities should seek and what weight should they give to ecclesiastical values, especially if that past is odious?”