

Convention on the Constitution recommends that the offence of Blasphemy in the Constitution should be replaced

Sunday, 3rd November, 2013: The Convention on the Constitution has today voted in favour of recommending that the offence of blasphemy in the Constitution is altered and replaced with a new general provision to include incitement to religious hatred.

Separately, Convention members also strongly recommended creating a new set of detailed legislative provisions to include incitement to hatred on a statutory footing.

Over two days this weekend, members heard a comprehensive overview of the constitutional position of the blasphemy clause. Members of the Convention heard presentations by academics and legal experts and participated in roundtable discussions and feedback sessions.

In addition to this, members of the Convention heard evidence from various interest groups on either side of the issue. These included presentations from Atheist Ireland, the Humanist Association of Ireland, the Irish Council of Civil Liberties, the Islamic Cultural Centre of Ireland, and other submissions that were received through the website.

Following a wide ranging discussion, members were presented with a number of options.

The first questions asked members:

- Should reference to the offence of blasphemy in the Constitution be kept as it is?

On this question members voted:

- Yes - 38%
- No - 61%
- Undecided - 1%

Delegates were then asked:

In the event that the Convention favours change to the Constitution should the offence of blasphemy be:

- Removed Altogether – 38%
- Replaced with a general provision to include incitement to religious hatred – 53%
- Undecided – 9%

The third question asked members:

- Should there be a legislative provision for the offence of blasphemy?

On this, members voted:

- Yes – 49%
- No – 50%
- Undecided – 1%

The final question asked members:

- In the event that the Convention favours a legislative provision, it should be:

On this question members answered:

- The existing legislative blasphemy provision – 11%
- A new set of detailed legislative provisions to include incitement to religious hatred – 82%
- Undecided – 7%

A detailed report will now be compiled containing all of the evidence that was presented over the weekend and the recommendations of the Constitutional Convention will go to Government.

In addition to this, members of the Convention also discussed what issues should be looked at next arising from the thousands of public submissions that have been received for the “Any Other Amendments” part of the Convention’s agenda.

The Convention is in the process of assessing the next issues that should be looked at by members and heard presentations in this regard from academic and legal experts. These presentations gave a broad overview of the various themes which have been arising in the current series of regional meetings and through the website.

These include:

- The Environment
- Economic, Social and Cultural Rights
- Church and State
- Political and institutional reform
- The Family, and issues of morality
- Bill of Rights

Speaking today, Mr Tom Arnold, Chairman of the Convention of the Constitution, said:

“I would like to thank everyone who participated in our discussions this weekend relating to the offence of blasphemy in the Constitution. There was a high level of public interest in this part of the Convention’s business and there were varying viewpoints on the merits of a blasphemy provision in the Constitution of a modern democracy.

It was the task of Convention members to assess these issues in a respectful and dispassionate way. It was incredibly important that all sides of this discussion were treated in fairest possible manner and the arguments for-and-against were treated with the utmost respect.

I would like to commend the members of the Convention for their commitment to this issue and for carrying out their assigned roles in such a responsible and comprehensive manner. In addition, I would like to sincerely thank the academic and legal teams which offered such invaluable assistance and the various citizen groups for their practical insight into the issue.

This is the last plenary meeting in the current work programme of the Convention on the Constitution. We are currently in the process of assessing the thousands of public submissions that we are receiving through our website and matter that are raised through our regional outreach meetings. I would like to encourage all citizens to participate in this process and to make their views known if they feel that an issue should be looked at by the Convention.

Following the outcome of our meeting on blasphemy, we will now be lodging a formal report with Government notifying them of the recommendations of the Convention on the Constitution."

ENDS

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Notes to the Editor

Constitutional Convention

The Convention on the Constitution was established by Resolution of both Houses of the Oireachtas. Its purpose is to consider and **deliberate on eight separate matters on which it will make recommendations [as possible future amendments to the Constitution] and** report to the Houses of the Oireachtas. For its part, the Irish Government has undertaken to respond to the Convention's recommendations within four months by way of debates in the Oireachtas and where it agrees with a particular recommendation to amend the Constitution, to include a timeframe for a referendum.

The Convention is to complete its work within 12 months. Each topic will be deliberated at a weekend meeting of the Convention.

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