



Affiliated to Humanists International & Member of the European Humanist Federation

Humanist Association of Ireland Submission to the Minister for Justice on the General Scheme of the Judicial Appointments Commission

11/05/2021

Dear Minister Humphreys

The Humanist Association of Ireland, who advocate for the equal treatment of the non-religious, strongly believe that the current requirement for Judges being constitutionally obliged to swear a religious oath is a barrier for non-religious citizens.

In this regard we are concerned that, while Head 55 of the Draft Bill which makes provision for published statements on selection procedures and skills, there is no similar requirement covering diversity and in our case religious belief or non-belief.

Currently every person appointed a judge must take the oath set out in Article 34.6.1 of the Constitution which is as follows:

"In the presence of Almighty God, I do solemnly and sincerely promise and declare that I will duly and faithfully and to the best of my knowledge and power execute the office of Chief Justice (or as the case may be) without fear or favour, affection or ill-will towards any man, and that I will uphold the Constitution and the laws. May God direct and sustain me."

Under our Constitution, high public office in Ireland can only be attained if one holds a religious belief. Our court system ignores the rights of the non-religious despite the fact that one in ten Irish citizens now claim to have no religion (Census 2016).

The Humanist Association of Ireland (HAI) believes that it is fundamental to democracy that all citizens are treated equally regardless of their religious or non-religious beliefs.

We hereby call on the Minister to avail of this opportunity through the Judicial Appointments Commission to amend the Draft Bill by removing the necessity for a religious oath.

This will allow the judiciary to move towards improving diversity and inclusion and be more reflective of the pluralist Ireland reflected in Census 2016.

Board of Directors:
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The ending of religious oaths for judges would be a welcome move toward a secular republic.

Yours sincerely

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