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The New Irish Constitution

J. H. MORGAN

A
PUBLIC DOMAIN
BOOK

New Irish Constitution

S Marginson



New Irish Constitution:

The Constitution of Ireland Oran Doyle, 2018-11-29 This book provides a contextual analysis of constitutional governance in Ireland. It presents the 1937 Constitution as a seminal moment in an ongoing constitutional evolution rather than a foundational event. The book demonstrates how the Irish constitutional order revolves around a bipartite separation of powers. The Government is dominant but is legally constrained by the courts, particularly in their interpretations of the fundamental rights protected by the Constitution. In recent decades, the courts have weakened the constitutional constraints on the Government. Political constraints imposed by opposition parties in Parliament and new accountability institutions such as the Ombudsman have moderately strengthened but the Government remains by far the most powerful political actor. There is a risk that such executive dominance could lead to democratic decay; however, the referendum requirement for constitutional amendment has prevented Governments from accumulating greater constitutional power. The book begins with an overview of Irish constitutional history leading to the enactment of the 1937 Constitution, before exploring the foundational decisions made by the Constitution in relation to territory, people, and citizenship. Particular attention is paid to the constitutional relationship with Northern Ireland, currently unsettled by the decision of the United Kingdom to leave the European Union. The book details the key institutions of state: Government, Parliament, President, and courts, before analysing how different constitutional actors exercise their respective powers of governance, contestation, and oversight. A thematic approach is taken to the courts' interpretation of fundamental rights, showing how judicial attitudes have markedly changed over time. Further attention is paid to both formal amendment and informal constitutional change. The Constitution today is markedly different from 1937: it is non-committal on national reunification, less influenced by Roman Catholic natural law teaching, and generally more permissive of Government action. It is perhaps these developments, however, that explain its continued success or at least its longevity.

Constitutions of the World Robert L. Maddex, 2014-03-05 From Algeria to Zimbabwe, *Constitutions of the World* is a guide to the constitutions and constitutional histories of eighty nations. It will prove an invaluable resource for any teacher or student interested in politics, law, human rights, or the political history of nations across the world. Structured alphabetically, each chapter profiles one country in an easy-to-use format. For every country, a wealth of information is to be found.

The Literary Digest, 1892 **The United Kingdom Constitution** Nicholas William Barber, 2021 This volume is an introduction to the United Kingdom's constitution that recognises its historical, political, and legal dimensions. It pays attention to the revival of the constituent territories of the UK. The constitution is shaped by constitutional principles including state sovereignty, separation of powers, democracy, and subsidiarity.

Literary Digest, 1922 *Literary Digest: a Repository of Contemporaneous Thought and Research as Presented in the Periodical Literature of the World* Edward Jewitt Wheeler, Isaac Kaufman Funk, William Seaver Woods, 1922

The Making and Re-Making of Public Law Jason NE Varuhas, Sarah Fulham-McQuillan, Eoin Carolan, 2025-04-17 This volume originates from the fourth

Public Law Conference held in Dublin in 2022 Leading scholars and judges from across the common law world presented papers on the making and re making of public law across country studies historical studies and studies of contemporary and future issues The book has three broad categories of contribution country studies which consider the evolution of public law within a particular jurisdictional context historical studies which shed light on the foundations of public law and studies of contemporary and future issues namely populism COVID 19 protection of Indigenous peoples and the public private divide

The New Irish Constitution: An Exposition and Some Arguments Various,2020-03-16 The New Irish Constitution An Exposition and Some Arguments edited by J H Morgan is a significant and informative ebook that delves into the intricacies of Ireland s constitutional development Through a collection of diverse viewpoints and compelling arguments this ebook presents readers with a comprehensive understanding of the new Irish constitution and its impact on the nation s political landscape Morgan s careful curation of various perspectives provides readers with a well rounded view of the debates and discussions that shaped the constitution s formulation As Ireland navigates through this transformative phase of its history this ebook serves as a valuable resource for anyone interested in exploring the intricacies of constitutional law and its implications for the future of the nation

Brexit, Union, and Disunion Sionaidh Douglas-Scott,2023-11-09 This book provides a critical analysis of Brexit placing it in the broader context of the historical development of the British Constitution and earlier disputes as to the meaning of statehood sovereignty and territorial boundaries Some of the greatest challenges posed by the UK s withdrawal from the EU are those it places on the British Constitution which is already unsettled and under strain This book investigates this impact but also uniquely locates Brexit in the broader context of historically significant British acts of union or disunion such as the loss of former US colonies and British Empire and the place of Scotland and Ireland in the Union These precedents help us understand how a British constitutional identity has been shaped or dismantled by legal concepts of union or sovereignty

The Offences Against the State Act 1939 at 80 Mark Coen,2021-03-11 This timely edited collection brings together experts in the fields of legal history criminal justice human rights and counter terrorism law to appraise Ireland s Offences Against the State Act on the eightieth anniversary of its enactment The origins development invocation and extension of the powers contained in the legislation are analysed and critiqued using a broad range of methodologies The book engages fully with the 1939 Act s scope and complexity including consideration of the impact of the Act on issues as diverse as trial by jury paramilitary organisations organised crime disclosure the rules of evidence freedom of expression and association parliamentary oversight of legislation and adherence to international human rights norms In addition the interplay of the Act with the universal themes of normalcy exceptionalism contagion and due process are explored throughout This book will appeal to an audience beyond those with a particular interest in the Act itself It combines historical and contemporary insights with theoretical and practical perspectives that will enrich the reader s understanding of emergency law wherever it arises

Decolonisation and the British Empire,

1775-1997 George Boyce,1999-09-20 This book combines an analysis of the ideas and policies that governed the British experience of decolonization It shows how the British perhaps more correctly the English political tradition with its emphasis on experience over abstract theory was integral to the way in which the empire was regarded as being transformed rather than lost This was a significant aspect of the relatively painless British loss of empire It places the process of decolonization in its wider context tracing the twentieth century domestic and international conditions that hastened decolonization and through a close analysis of not only the policy choices but also the language of British imperialism it throws new light on the British way of managing both the expansion and contraction of empire **Towering Judges** Rehan Abeyratne,Iddo

Porat,2021-03-25 In **Towering Judges** A Comparative Study of Constitutional Judges Rehan Abeyratne and Iddo Porat lead an exploration of a new topic in comparative constitutional law towering judges The volume examines the work of nineteen judges from fourteen jurisdictions each of whom stood out individually among their fellow judges and had a unique impact on the trajectory of constitutional law The chapters ask what makes a towering judge what are the background conditions that foster or deter the rise of towering judges are towering judges on balance positive or detrimental for constitutional systems how do towering judges differ from one jurisdiction to another how do political and historical developments relate to this phenomenon and how does all of this fit within global constitutionalism The answers to these questions offer important insight into how these judges were able to shine to an uncommon degree in a profession where individualism is not always looked on favourably **Longman Handbook to Modern British History 1714 - 2001** Chris Cook,John

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and capitalism as well as art and poetry The Long Shadow is stunningly broad in its historical perspective Reynolds throws light on the vast expanse of the last century and explains why 1914-18 is a conflict that America is still struggling to comprehend Forging connections between people places and ideas The Long Shadow ventures across the traditional subcultures of historical scholarship to offer a rich and layered examination not only of politics diplomacy and security but also of economics art and literature The result is a magisterial reinterpretation of the place of the Great War in modern history

The Use of Foreign Precedents by Constitutional Judges Tania Groppi, Marie-Claire Ponthoreau, 2013-03-28 In 2007 the International Association of Constitutional Law established an Interest Group on The Use of Foreign Precedents by Constitutional Judges to conduct a survey of the use of foreign precedents by Supreme and Constitutional Courts in deciding constitutional cases Its purpose was to determine through empirical analysis employing both quantitative and qualitative indicators the extent to which foreign case law is cited The survey aimed to test the reliability of studies describing and reporting instances of transjudicial communication between Courts The research also provides useful insights into the extent to which a progressive constitutional convergence may be taking place between common law and civil law traditions The present work includes studies by scholars from African American Asian European Latin American and Oceania countries representing jurisdictions belonging to both common law and civil law traditions and countries employing both centralised and decentralised systems of judicial review The results published here for the first time give us the best evidence yet of the existence and limits of a transnational constitutional communication between courts

Asian Yearbook of International Law, Volume 4 (1994) Sik Ko Swan, J. J. G. Syatauw, M. C. W. Pinto, 2020-01-29 The Asian Yearbook of International Law is the first publication dedicated primarily to international law as seen from an Asian perspective It provides a forum for the publication of articles in the field of international law written by experts from the region and also other articles relating to Asian topics Its aim is twofold to promote the dissemination of knowledge of international law in Asia and to provide an insight into Asian views and practices which will be especially useful to a non Asian readership As a rule each volume of the Asian Yearbook contains Articles Notes State Practice a Chronicle of Events and Incidents United Nations Activities with Special Relevance to Asia a Survey of Activities of the Asian African Legal Consultative Committee a Bibliography and a Documents section

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