

## STAGE 2

<b>Module</b>	Constitutional Law
<b>Course code</b>	LLBH-CL
<b>Credits</b>	15
<b>Important notes</b>	Available for year abroad students only.
<b>Allocation of marks</b>	40% Continuous assessment 60% Final examination

### **Intended Module Learning Outcomes**

On successful completion of this module, learners will be able to:

1. Identify the context in which Irish constitutional law developed and how this impacts on current jurisprudence
2. Describe the function and composition of the institutions of the State and apply fundamental constitutional principles in Irish constitutional law such as the separation of powers
3. Analyse factual scenarios and apply their understanding of Irish constitutional law to them
4. Recognise the nature and effect of individual fundamental rights
5. Identify the obligations of the State to the individual
6. Discuss the role of the Constitution in the protection of the citizen
7. Evaluate and apply the fundamental principles operating throughout the Constitution
8. Employ research skills and communicate effectively in relation to Constitutional Law;

### **Module Objectives**

1. To provide the learner with a detailed understanding of fundamental principles of constitutional law and the rule of law;
2. to familiarise the learner with the fundamental principles and substantive rules of Irish constitutional law;
3. to provide the learner with an in-depth understanding of the doctrine of separation of powers;
4. to familiarise the learner with the role of international legal instruments such as the ECHR in the constitutional order;
5. to provide the learner with a knowledge of the substantive rules of constitutional law particularly in relation to fundamental rights and to develop in the learner an understanding of the impact of these rights in factual situations.

### **Module Curriculum**

#### **Semester 1**

Introduction: Constitutional History in Ireland

- The Nation, the State & Sovereignty

- Constitutional Interpretation
- The President
- The Legislative Power and Separation of Powers Issues
- The Executive Power and Separation of Powers issues
- The Judicial Power and Separation of Powers issues
- Socio-economic Rights and Mandatory Orders
- Judicial Review
- The European Convention on Human Rights

## **Semester 2**

Introduction: Introduction to Rights Adjudication

- Express Personal Rights
  - Right to life
  - Right to life of the unborn
- The Family, Education & Children
- Unenumerated Rights
  - The Right to Privacy
  
- Fair Trial & Personal Liberty
- Equality
- Free Speech, Free Assembly, Free Association
- Private Property
- Religion
- The Referendum Process