

T H I R D   E D I T I O N

**Constitutional  
Law and  
Constitutional  
Rights  
in Ireland**

B R I A N   D O O L A N

# Constitutional Law and Constitutional Rights in Ireland

THIRD EDITION

BRIAN DOOLAN

GILL & MACMILLAN

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## PREFACE TO THE THIRD EDITION

It is an axiom that constitutional law is the foremost legal subject within our system of laws. As a body of first principles it is rapidly expanding. In the ten years since the first edition of this book, which has become the standard comprehensive introduction to the subject, the case law has increased from 101 primary cases to just over 200. There have been a number of amendments to the Constitution and a number of statutes which have altered areas of the subject matter.

Our constitutional law lends itself to a natural division of the subject matter into political rights and personal rights. This division is emphasised in the scheme of this book. Part One considers such political and governmental matters, from a purely legal viewpoint, as the Nation, the State and the institutions of government. There have been major developments in this area as these aspects of the Constitution are subjected to judicial comment. Part Two concentrates, individually, on the various personal rights available to the individual.

A study of constitutional law would be incomprehensible without a working knowledge of the case law. Law reports are often inaccessible, time-consuming to read because of their length, confusing because of the differences of reasoning or conclusion of the judges on the same subject — even in the one case, and difficult to grasp because of their language, diffusion, and sheer breadth of topics covered. As a first step in the introduction to the case law, I have retained a feature, innovative in the first edition, which was universally welcomed by reviewers and readers alike. Part Three contains, in alphabetical order, a synopsis of the 200 or so cases of constitutional importance. When the case is reached in the text the reader is referred to that case by a distinctive number which provides a quick method of reference to the facts and decision, and the otherwise constant repetition of the facts of the case is thus avoided.

I have endeavoured to explain the law as it stood on 1 January 1994.

Brian Doolan  
Dublin Institute of Technology  
6 January 1994

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