

GX 1650

**Ollscoil na hÉireann, Gallimh**  
**National University of Ireland, Galway**

**SEMESTER 1 Examinations, 2003/2004**

<b>Exam Code(s)</b>	2BA1, 2BA6
<b>Exams(s)</b>	2 <sup>nd</sup> Bachelor of Arts 2 <sup>nd</sup> Bachelor of Arts (Public & Social Policy)
<b>Module Codes(s)</b>	LW302
<b>Module(s)</b>	Constitutional Law I
<b>Paper No.</b>	1
<b>AUTUMN PAPER</b>	
<b>External Examiner(s)</b>	Professor Colin Harvey
<b>Internal Examiner(s)</b>	Mr. Donncha O'Connell
<b>Instructions</b>	Answer <b>TWO</b> questions All questions carry equal marks
<b>Duration</b>	<b>TWO</b> Hours
<b>No. of Answer Books</b>	
<b>Requirements:</b>	
<b>Handout</b>	
<b>MCQ</b>	
<b>Statistical Tables</b>	
<b>Graph Paper</b>	
<b>Log Graph Paper</b>	
<b>Other Material</b>	Bunreacht na hÉireann, 1937
<b>Department(s)</b>	Law

1. "The marginal role assigned to the Oireachtas in the implementation of European Directives makes a mockery of Article 15.2 of the Constitution". Discuss with reference to the policies underlying the separation of powers doctrine and decided cases.
2. "The distinction between commutative and distributive justice can result in 'negative activism' by the judiciary". Discuss with particular reference to recent decisions of the Irish Supreme Court.
3. "The office of the Irish President is little more than an elected monarchy and the functions and powers given by the Constitution to the President are of negligible significance by contrast to those given to other high offices of state mentioned in the Constitution". Discuss.
4. "The courts are ill-equipped to deal with disputed historical questions. This is especially evident in the case law on royal prerogatives". Discuss with reference to decided cases and academic commentaries.
5. "To infer a principle of absolute cabinet confidentiality from the text of the Irish Constitution was questionable for a variety of reasons. The 'solution' embodied in the Seventeenth Constitutional Amendment only partially addresses the problems identified". Discuss.

**END**