

Module Title:	Constitutional Law 2
Language of Instruction:	English
Credits:	5
NFQ Level:	8
Module Delivered In	4 programme(s)
Teaching & Learning Strategies:	<p>Lectures - communication of knowledge and ideas from the lecturer to the student. Problem Solving Exercises - the student will work as part of a team and will work together to resolve various legal scenarios. Class Discussion/Debate - Students will be encouraged to actively participate in the class sessions which will develop their analytical and communication skills. E-Learning - It is envisaged that the module will be supported with online learning materials. Self-Direct Independent Learning - the emphasis on independent learning will develop strong and autonomous work and learning practices.</p>
Module Aim:	<p>To provide students with a sound understanding of constitutional law and theory, and an appreciation of key doctrines including rights relating to the criminal trial; equality; unenumerated rights; guarantees relating to the family and education; freedom of religion, expression, association and assembly; the guarantee of personal rights and personal liberty; inviolability of the dwelling; constitutional policy on abortion and the Directive Principles of Social Policy.</p>
Learning Outcomes	
<i>On successful completion of this module the learner should be able to:</i>	
LO1	Apply critical analysis and problem-solving techniques to both essay and problem-based questions on the implications of constitutional provisions
LO2	Construct and produce analytical and persuasive writing on fundamental issues in the development of Irish constitutional law, grounding such analysis in the text of the Constitution and constitutional case law
LO3	Critically appraise case law interpreting the Constitution and formulate reasoned and persuasive positions on the future development of constitutional law
LO4	Critically evaluate and distinguish between the efficacy of the Irish constitutional framework and the constitutional frameworks of other jurisdictions
Pre-requisite learning	
Module Recommendations	
<i>This is prior learning (or a practical skill) that is recommended before enrolment in this module.</i>	
No recommendations listed	
Incompatible Modules	
<i>These are modules which have learning outcomes that are too similar to the learning outcomes of this module.</i>	
No incompatible modules listed	
Co-requisite Modules	
No Co-requisite modules listed	
Requirements	
<i>This is prior learning (or a practical skill) that is mandatory before enrolment in this module is allowed.</i>	
No requirements listed	

Module Content & Assessment

Indicative Content

Personal Rights and the Constitution

• Numerated and Unenumerated Constitutional rights • Hierarchy of Constitutional Rights • Interpretation of Constitutional Rights by the Courts • Qualification of Constitutional Rights • Inalienable Constitutional Rights • Remedies for Breach of Constitutional Rights

Tribunals

• Types of tribunal • Formation of a Tribunal • Constitutional Status

Life and Human Dignity

• Right to Life • Abortion • Genocide • Death Penalty • Right to Die • Torture and Degrading Treatment

Equality

• Connotations of Equality • Scope of the equality guarantee • Exceptions

Personal Liberty

• Right to Personal Liberty • Permissible detentions • Restrictions on Movement • Habeas Corpus and the Article 40.4 Inquiry • Bail

Freedom of Expression

• Right to Freedom of Expression • Restrictions on Expression • Compelled Expressions • Regulating the Media

Freedom of Association and Assembly

• Right to Freedom of Association • Restrictions on Association • Forced Association • Right to freedom of Assembly • Restrictions on Assembly • Use of Force • Public Fora

The Family and Education

• Definition of "Family" • Marriage, Discrimination and Autonomy • Right to Procreation • Family Property Rights • Deportation of family members • Custody and Control of Children • Non-Marital Children • Divorce • The Unborn • Rights to Primary and Secondary Educ

Religious and Property Rights

• Property Rights • Freedom of Religion

Other Unenumerated rights

• Rights to Privacy and Marital Privacy • Right of Access to the Courts • Right to Travel • Right to Fair Procedures in Decision making • Other Unenumerated Rights

External Sources of Fundamental Rights

The European Convention of Human Rights, The Charter of Fundamental Rights of the European Union, the EU's accession to the Council of Europe, other human rights treaties to which Ireland is a party.

Assessment Breakdown

	%
End of Module Formal Examination	100.00%

No Continuous Assessment

No Project

No Practical

End of Module Formal Examination

Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Formal Exam	n/a	1,2,3,4	100.00	End-of-Semester

SETU Carlow Campus reserves the right to alter the nature and timings of assessment

Module Workload

Workload: Full Time		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	Every Week	3.00
Independent Learning	Every Week	6.00
Total Hours		9.00

Workload: Part Time		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	Every Week	1.50
Total Hours		1.50

Module Delivered In

Programme Code	Programme	Semester	Delivery
CW_BBLAW_B	Bachelor of Business (Honours) in Business with Law	4	Elective
CW_BBLEG_C_1	Higher Certificate in Arts in Legal Studies	4	Elective
CW_BBLAW_C	Higher Certificate in Business with Law	4	Elective
CW_HHLAW_B OLD	Honours Bachelor of Laws Degree - LLB	2	Mandatory