



# THE CONSTITUTION AT 70

## Information / Reservations

**Fee\*:** €200 for 1; €360 for 2; €510 for 3; €640 for 4 and €750 for 5  
*Reduced rates* for trainee solicitors, barristers or 5 years standing or less - (€125).  
*Student rates* of €60 (upon proof of a valid student identification card)

**Reservations:** To reserve your place please complete and return the enclosed form.

\*Fees are inclusive of materials and tea/coffee breaks. Please make cheques payable to TCD No. 1 Account

### DAY ONE: Friday 8 June 2007

#### 9.30 AM: PLENARY 1: FAMILIES AND THE CONSTITUTION

"The Constitution, the Family and Education: the Case for a New Approach"  
*Professor Ronan Keane*

"All in the Family: Gendered Citizenship, the Family and the Irish Constitution"  
*Dr Siobhán Mullally*

"21st Century Families, 19th Century Values: Modern Family Law in the Shadow of the Constitution"  
*Dr Fergus Ryan*

#### 11:00 – 11:30: Tea/Coffee Break

#### 11.30am: First Session

##### Parallel 1A: Religion and the Constitution

"The Definition of Religion in Article 44"  
*Professor Gerry Whyte*

"Article 44: Privileging the Rights of the Faithful"  
*Dr. Oran Doyle*

"In God's Name, What Next? Religion, the Constitution and the New Ireland"  
*Professor Patrick Hannon*

OR

##### Parallel 1B: Irishness and the Constitution

"The Rights of Irish Children Born to non-Irish National Parents"  
*Ms Patricia Brazil*

"Constitutional Contradictions: Accommodating Multiple Identities after the Good Friday Agreement"  
*Dr Richard Humphreys*

#### 1:00 – 2:00: Lunch (not included)

#### 2:00: Second Session

##### Parallel 2A: Equality, Dignity and the Constitution

"Dignity as a Constitutional Concept"  
*Professor William Binchy*

"The Constitution and the Accommodation of Difference"  
*Dr Alpha Connelly*

"From 'Equality under the Law' to 'Equal Benefit of the Law': Social and Economic Rights for All"  
*Dr Rory O'Connell*

OR

##### Parallel 2B: The Impact of the Constitution

"The Constitution and the Demise of Majoritarian Democracy"  
*Dr Bill Kissane*

"The Impact of the Constitution in the Deliberations of the House of the Oireachtas"  
*Mr John O'Dowd*

"Privatization of Government Functions and the Constitution"  
*Dr Catherine Donnelly*

#### 3.30 – 4:00: Tea/Coffee Break

#### 4:00 – 5:30: Third Session

##### Parallel 3A: Other Instruments for the Protection of Human Rights

"The ECHR and the Irish Constitutional Scheme of Rights: Complementary or Divergent?"  
*Dr Colm Ó Cinnéide*

"The Added-Value of Sub-Constitutional Incorporation: ECHR Act 2003"  
*Mr Donncha O'Connell*

"A Charter of Rights for Ireland: Risk or Opportunity?"  
*Ms Suzanne Egan*

OR

##### Parallel 3B: Philosophical Influences on the Constitution

"Natural Law and Natural Justice in Irish Constitutional Jurisprudence"  
*Dr Timothy Murphy*

"Squaring Judicial Activism with Democracy: John Hart Ely and Irish Constitutional Law"  
*Professor Gerard Quinn*

"Interpreting Essentially Contested Concepts in the Constitution"  
*Professor Desmond Clarke*

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DAY TWO: Saturday 9 June 2007

9.30am: Fourth Session

**Parallel 4A: Interaction with EU law**

“The Identification of Law in the Age of Interacting Constitutions”  
*Dr Diarmuid Rossa Phelan*

“The Adoption of EU Law in the Irish Constitutional Order”  
*Mr Noel Travers*

OR

**Parallel 4B: The Constitution, Policing and Rules of Evidence**

“Policing and the Constitution”  
*Professor Dermot Walsh*

“Constitutional Implications of Technological Advances in the Gathering and Presentation of Evidence”  
*Dr Liz Heffernan*

The Constitutionalisation of the Laws of Evidence”  
*Mr Declan McGrath*

11:00 – 11:30: Tea/Coffee Break

2:00 – 3:30: Fifth Session

**Parallel 5A: Separation of Powers**

“Recent Developments in the Separation of Powers”  
*Professor David Gwynn Morgan*

“The Separation of Powers and Administrative Government”  
*Dr Eoin Carolan*

“The Power of the Courts to Review Parliamentary Procedures and Proceedings”  
*Mr Brian Murray*

OR

**Parallel 5B: Property rights and the Constitution**

“Property Rights and the Power of Eminent Domain”  
*Dr Ailbhe O'Neill*

“The Protection of Private Property under the Irish Constitution: A Comparative and Theoretical Perspective”  
*Professor André Van der Walt*

“Do Rich People Have Rights? (2)”  
*Mr Donal O'Donnell*

1:00 – 2:00: Lunch (not included)

2:00 – 3:30: Sixth Session

**Parallel 6A: Constitutional rights after the unenumerated rights doctrine**

“A Cry for Help? Freedom of Expression and Unenumerated Rights in the Irish Constitution”  
*Dr Eoin O'Dell*

“Judicial Deference, Separation of Powers and the Failure to Vindicate the Rights of the Individual”  
*Mr David Langwallner*

“Are Constitutional Rights Worth Having?”  
*Professor Conor Gearty*

OR

**Parallel 6B: Historical Influences**

“How Catholic was the Constitution?”  
*Dr Gerard Hogan*

“Articles 41 and 44: Minority Religious Opinion 1937-1980”  
*Dr Daithí Ó Corráin*

3.30 – 4:00: Tea/Coffee Break

4:00 – 5:30: **PLENARY 2: NEW DIRECTIONS AND NEW PERSPECTIVES FOR THE CONSTITUTION**

“The Irish Constitution at 70: Perspectives from Abroad”  
*Professor Barry Sullivan*

“Future Directions for the Constitution”  
*Professor Ivana Bacik*

**Profiles of Speakers**

**Professor Ivana Bacik** is Reid Professor of Criminal Law, Criminology and Penology in Trinity College, Dublin. Her research interests also include constitutional law, feminist theories and law, human rights and equality issues in law.

**Professor William Binchy** is Regius Professor of Laws in Trinity College, Dublin and a member of the Irish Human Rights Commission. He has written widely in the areas of constitutional law, human rights law, family law and the conflicts of laws.

**Ms Patricia Brazil** lectures in family law and criminal law at Trinity College, Dublin. She is researching her PhD on domestic immigration and asylum law.

**Dr Eoin Carolan** lectures in constitutional law and legal systems at Trinity College, Dublin. He has recently completed his PhD on public law and the separation of powers.

**Professor Desmond Clarke** is a member of the philosophy department in University College, Cork. He has particular interests in the history of philosophy, church-state relations and nationalism.

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**Dr Alpha Connelly** is Chief Executive of the Irish Human Rights Commission. She is an expert in Constitutional Law, Human Rights Law and Public International Law, and has published extensively in these fields.

**Dr Catherine Donnelly** a lecturer in Trinity College, Dublin. Her main research and teaching interests are EU, administrative and constitutional law.

**Dr Oran Doyle** lectures in jurisprudence and constitutional law at Trinity College, Dublin. He is the author of *Constitutional Equality Law*.

**Ms Suzanne Egan** is a Human Rights Commissioner and has been a lecturer at UCD, Dublin since 1992. She has published widely in the area of human rights, particularly with regard to refugee law and policy.

**Professor Conor Gearty** is director of the Centre for the Study of Human Rights at the London School of Economics. He has published widely in the fields of terrorism, civil liberties and human rights.

**Professor Patrick Hannon** is Professor of Moral Theology at Maynooth. He is the author of *Church, State, Morality and Law* and has written widely in the areas of law and morality.

**Dr Liz Heffernan** is a lecturer in law in Trinity College, Dublin. She has written widely in the area of human rights law and has recently published *Evidence: Cases and Materials*.

**Dr Gerard Hogan** is a Senior Counsel and a lecturer in constitutional law at Trinity College, Dublin. He is the co-author of *The Irish Constitution*.

**Dr Richard Humphreys** is a practising barrister and has published widely in the fields of constitutional law and constitutional theory.

**Professor Ronan Keane** is Adjunct Professor at the law school in Trinity College, Dublin. He served as Chief Justice between 2000 and 2004 and has published books in the areas of Company Law, Equity and Local Government Law, as well as numerous journal articles.

**Dr Bill Kissane** is a lecturer in politics at the Government Department in the LSE. His particular areas of interest include democratisation, nationalism and Irish politics.

**Mr David Langwallner** is a barrister at law and a member of the bar of England and Wales. He is a lecturer in constitutional law and jurisprudence at Griffith College and the Honourable Society of King's Inns.

**Mr Declan McGrath** is the Averill Deverill Lecturer in evidence at Trinity College, Dublin and a practising barrister. He is the author of *The Law of Evidence* and co-author of *Civil Procedure in the Superior Courts*.

**Professor David Gwynn Morgan** is a member of the Law Faculty at University College, Cork. He has written widely in the areas of administrative law and constitutional law with a particular focus on the separation of powers and judicial activism.

**Dr Siobhán Mullally** is a senior lecturer at the Law Faculty in University College, Cork. She has published widely in the fields of human rights law; immigration and refugee law; gender and law.

**Dr Timothy Murphy** is a lecturer in law at University College, Cork. His research interests include jurisprudence, constitutional rights and constitutional theory, drug law and policy, and law and globalization.

**Mr Brian Murray** is a Senior Counsel and former lecturer in law at Trinity College, Dublin.

**Mr Colm Ó Cinnéide** is a lecturer in law at University College London. He has also lectured in Constitutional Law at the University of Limerick.

**Mr Donncha O'Connell** is the Dean of the Faculty of Law at NUI, Galway where he teaches Constitutional Law, Legal Systems, European Human Rights and Equality Law.

**Dr Rory O'Connell** is a lecturer in law at Queen's University, Belfast. His research and teaching is in the areas of Human Rights and Equality, Constitutional Law and Legal Theory.

**Dr Daithí Ó Corráin** is a postdoctoral research fellow in the School of History and Humanities at Trinity College. His PhD was titled "Rendering to God and Caesar: the Irish Churches and the two States in Ireland".

**Mr John O'Dowd** lectures in constitutional law in University College Dublin. Also among his research interests are media law, human rights law and jurisprudence.

**Dr Eoin O'Dell** lectures Contract, Restitution and Freedom of Expression at Trinity College, Dublin and has published widely in these fields.

**Mr Donal O'Donnell** is a Senior Counsel and Law Reform Commissioner.

**Dr Ailbhe O'Neill** lectures in corporate law at Trinity College, Dublin. She has completed her doctoral thesis on "The Rights of Companies Under the Irish Constitution: A Philosophical and Comparative Analysis".

**Dr Diarmuid Rossa Phelan BCL** is a practising barrister and lectures in Competition Law, Jurisprudence, and European Community Law. He is the author of *Revolt or Revolution: at the Constitutional Boundaries of the European Union*.

**Professor Gerard Quinn** is a member of the Human Rights Commission and holds the main statutory chair in law at the National University of Ireland, Galway where he lectures in jurisprudence and constitutional law.

**Dr Fergus Ryan** is the Acting Head of the Department of Legal Studies at Dublin Institute of Technology. Dr Ryan is the author of several law texts including two on Constitutional Law.

**Professor Barry Sullivan** is a partner in the Chicago law firm of Jenner Block. He is a former Dean of Washington and Lee Law School and has published widely in the area of US constitutional law.

**Mr Noel Travers** is a barrister and a research associate at Trinity College, Dublin. He was formerly a référendaire at the European Court of Justice and Director of the Irish Centre for European law.

**Professor Dermot Walsh** is Chair in Law at the University of Limerick, where he is Director of the Centre for Criminal Justice. An expert in human rights and constitutional law, he is the author of *Criminal Procedure*.

**Professor André Van der Walt** is a member of the Law Faculty at the University of Stellenbosch in South Africa, where he lectures in property law and legal philosophy.

**Professor Gerry Whyte** is an Associate Professor and Head of the Law School at Trinity College Dublin. He is the co-author of *The Irish Constitution*.