

The Sovereign Constitution

Irish Tricolour Starry Plough Sunburst flag Easter Lily
Other movements
Anarchism {{IrishA}}
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is Indefeasible. M.G

The **Constitution of Dáil Éireann** (Irish: *Bunreacht Dála Éireann*), more commonly known as the **Dáil Constitution**, was the constitution of the 1919–22 Irish Republic. It was adopted by the First Dáil at its first meeting on 21 January 1919 and theoretically remained in force for four years. As adopted it consisted of only five short articles. Article 1 declared that the Dáil had "full powers to legislate" and would consist of representatives elected in elections conducted by the British government. For the exercise of executive power it created a cabinet, answerable to the Dáil, called the Aireacht (or Ministry), headed by a prime minister called the "Príomh Aire" (in practice also known as the President of Dáil Éireann). The constitution made no reference to a judiciary but this did not prevent the Dáil from establishing a system of Dáil Courts. The final article of the constitution declared that it was intended to be a provisional document, in the sense that it was subject to amendment. As adopted the constitution came to only around 370 words. In comparison the modern Constitution of Ireland has approximately 16,000 words. Overall, the structure of the document was roughly as follows:

- **Article 1:** Dáil Éireann
- **Article 2:** Ministry
- **Article 3:** Chairman of the Dáil
- **Article 4:** Finance
- **Article 5:** Amendments

THIS IS NOT THE
SOVEREIGN CONSTITUTION

As first adopted the Dáil Constitution made no provision for a head of state. Some deputies believed that the Dáil did not have authority to elect a President of the Republic and that there should be a direct election for the post. It was also the case that Sinn Féin had almost split between monarchists and republicans at its 1917 Ard fheis. However in August 1921 the constitution was amended to state, vaguely, that the cabinet would be headed by "the President who shall also be Prime Minister". This allowed the then head of government, Éamon de Valera, to begin using the title *President of the Republic*. However after de Valera left office in 1922 leaders resumed the practice of using the lesser title *President of Dáil Éireann*. The constitution provided that it could be amended in the same way it had been adopted, by a simple resolution of the Dáil. Changes were made to the document on two dates:

- **1 April 1919:** Five amendments were made to the constitution on this day. These included adding provision for a deputy president called the "President-Substitute"

and for the appointment of Minister-Substitutes. The cabinet was also increased from four members to "not more than nine". A minor change was made to the dates for the auditing of government accounts in Article 4.

- **25 August 1921:** A single constitutional amendment was adopted, which altered the title of the head of government, so he could be referred to as the 'President of the Republic', and reduced the cabinet to six members. The amendment also made further changes to the dates mentioned in Article 4.

The constitution's close modelling of its institutional system on the Westminster system of government, specifically with the inclusion of a parliament from whom a ministry was both chosen and to whom it was answerable, has been noted by Irish political scientists and historians, notably Professor Brian Farrell, who suggested that the leaders of the new state stuck to a system that, through Irish participation in the United Kingdom of Great Britain and Ireland, the new Irish political elite had close experience of, and identification with, notwithstanding their radical republican rhetoric.

In 1922 after the ratification of the Anglo-Irish Treaty, the institutions mentioned in the Dáil Constitution began to operate in parallel with a rival set of structures. In order to implement the Treaty the Parliament of the United Kingdom adopted the Irish Free State (Agreement) Act, 1922. This provided for an executive, called the Provisional Government, and a "house of parliament" to which it would be accountable. However in practice the two systems of government were eventually merged. When the "house of parliament" was convened in 1922 it was treated by those in attendance as the Third Dáil, and its first act was to merge the Provisional Government and the Ministry of the Dáil into a single cabinet. The Dáil Constitution finally became defunct when the new Constitution of the Irish Free State came into force on 6 December 1922.

THIS IS THE FREE STATE
CONSTITUTION
SAORSTÁT ÉIREANN
IMPOSE IN 1922 BY
KING GEORGE V OF ENGLAND

"Under the threat of immediate and terrible war"
"as a British apartheid system for the 26 and 6 Counties
of Ireland as an Orange Free State for Ireland and
a Provisional Government for the 26 and 6 Counties
of Ireland."

Mr. G.