

**Comparison between the text of the Weimar Constitution 1919**  
**and the text of the Constitution of Ireland 1937**

<b>The Weimar Constitution</b>	<b>The Constitution of Ireland</b>
<p><b>Preamble</b></p> <p>The German People, united in its tribes and inspired with the will to renew and strengthen its Reich in liberty and justice, to serve peace inward and outward and to promote social progress, has adopted this Constitution.</p>	<p><b>Preamble</b></p> <p>We, the people of Éire...seeking to promote the common good, with due observance of Prudence, Justice and Charity, so that the dignity and freedom of the individual may be assured, true social order attained, the unity of our country restored, and concord established with other nations, do hereby adopt, enact and give to ourselves this Constitution.</p>
<p><b>Article 1:</b></p> <p>The German Reich is a republic. State authority derives from the people</p>	<p><b>Article 5:</b></p> <p>Ireland is a sovereign, independent, democratic state.</p> <p><b>Article 6.1:</b></p> <p>All powers of government, legislative, executive and judicial, derive, under God, from the people...</p>
<p><b>Article 2:</b></p> <p>State territory of the Reich is composed of the territories of the German states...</p>	<p><b>Original Article 2:</b></p> <p>The national territory consists of the whole island of Ireland, its islands and territorial seas.</p>
<p><b>Article 3:</b></p> <p>The Reich colours are black-red-golden...</p>	<p><b>Article 7:</b></p> <p>The national flag is the tricolour of green, white and orange.</p>

<p><b>Article 4:</b></p> <p>The generally recognised rules of international law are valid as binding elements of German Reich law.</p>	<p><b>Article 29.3:</b></p> <p>Ireland accepts the generally recognised principles of international law as its rule of conduct in its relations with other States.</p>
<p><b>Article 22:</b></p> <p>Members of parliament are elected in a general, equal, immediate and secret election; voters are men and women older than 20 years; the election is held according to the principles of representative election...Further details are determined by the Reich election law.</p>	<p><b>Article 16.1.1:</b></p> <p>Every citizen without distinction of sex who has reached the age of 21 years and who is not placed under disability or incapacity by this Constitution or by law, shall be eligible for membership with Dáil Éireann.</p> <p><b>Article 16.1.2.i:</b></p> <p>All citizens...without distinction of sex who have reached the age of eighteen years [21 years] who are not disqualified by law and comply with the provisions of the law in relation to the election of members of Dáil Éireann, shall have the right to vote at an election for members of Dáil Éireann.</p> <p><b>Article 16.1.4:</b></p> <p>No voter may exercise more than one vote in an election for Dáil Éireann, and the voting shall be by secret ballot.</p> <p><b>Article 16.2.5:</b></p> <p>The members shall be elected on system of proportional representation by means of the single transferable vote.</p>
<p><b>Article 23:</b></p> <p>...The Reichstag has its first meeting, the latest, on the 30<sup>th</sup> day after the election.</p>	<p><b>Article 16.4.2:</b></p> <p>Dáil Éireann shall meet within 30 days from that polling day.</p>
<p><b>Article 25:</b></p>	<p><b>Article 13.2.1:</b></p>

<p>The Reich President has the right to dissolve the Reichstag, but only once for the same reason.</p>	<p>Dáil Éireann shall be summoned and dissolved by the President on the advice of the Taoiseach.</p> <p><b>Article 13.2.2.:</b> The President may in his absolute discretion refuse to dissolve Dáil Éireann on the advice of a Taoiseach who has ceased to retain the support of a majority in Dáil Éireann.</p>
<p><b>Article 26:</b></p> <p>Reichstag elects its President, his Vice-President and his Secretary.</p>	<p><b>Article 15.9.1:</b></p> <p>Each House of Oireachtas shall elect from its members its own Chairman and Deputy Chairman, and shall prescribe their powers and duties.</p>
<p><b>Article 29:</b></p> <p>Reichstag sessions are public. If 50 members apply and a majority of two thirds decide in favour, the public can be excluded.</p>	<p><b>Article 15.8.1:</b></p> <p>Sittings of each House of the Oireachtas shall be public.</p> <p><b>Article 15.8.2:</b> In cases of special emergency, however, either House may hold a private sitting with the assent of two thirds of the members present.</p>
<p><b>Article 32:</b></p> <p>To establish a decision in Reichstag, a simple majority of voters suffices unless the Constitution prescribes a different proportion of votes.</p>	<p><b>Article 15.11.1:</b></p> <p>All questions in each House shall, save as otherwise provided by this Constitution, be determined by a majority of the votes of the members present in voting other than the Chairman or presiding member.</p>
<p><b>Article 37:</b></p> <p>No member of Reichstag...may, without the approval by the House, the person in</p>	<p><b>Article 15.13:</b></p> <p>The members of each House of the Oireachtas shall, except in cases of treason</p>

<p>question is a member of, for the term of session, be arrested or interviewed in the investigation of a punishable activity, unless the member was caught in the act.... The same approval is required for any limitation on personal liberty which might harm the member's ability to fulfil his mandate.</p>	<p>as defined in this Constitution, felony on breach of the peace, be privileged from arrest in going to and returning from and while within the precincts of, either House, and shall not, in respect of any utterance in either House, be amenable to any court or any authority other than the House itself.</p>
<p><b>Article 40:</b></p> <p>Reichstag members enjoy the privilege of free transportation on German railways and will be compensated for their travel expenses according to Reich law.</p>	<p><b>Article 15.15:</b></p> <p>The Oireachtas may make provision by law for the payment of allowances to the members of each House thereof in respect of their duties as public representatives and for the grant to them of free travelling and such other facilities (if any) in connection with those duties as the Oireachtas may determine.</p>
<p><b>Article 41:</b></p> <p>The Reich President is elected by the entire German nation. Every German who has finished his 35<sup>th</sup> year of life is eligible. Further details are provided by a Reich law.</p>	<p><b>Article 12.1.2°:</b></p> <p>The President shall be elected by direct vote of the people.</p> <p><b>Article 12.4.1:</b></p> <p>Every citizen who has reached his 35<sup>th</sup> year of age is eligible for election to the office of President.</p>
<p><b>Article 42:</b></p> <p>The Reich President when taking his office, swears the following oath "I swear to devote my energy to the welfare of the German people, to increase its prosperity, to prevent damage, to uphold the Reich Constitution and its laws, to conscientiously honour my duties and to exercise justice to every individual." The addition of a religious formula is acceptable.</p>	<p><b>Article 12.8:</b></p> <p>The President shall enter upon his office by taking and subscribing publicly, in the presence of members of both Houses of the Oireachtas, of Judges of the Supreme Court and of the High Court and other public personages, the following declaration: "In the presence of Almighty God I do solemnly and sincerely promise and declare that I will maintain the Constitution of Ireland and uphold its laws, that I will fulfil my duties faithfully and conscientiously in</p>

	accordance with the Constitution and the law and that I will dedicate my abilities to the service and welfare of the people of Ireland. May God direct and sustain me.”
<p><b>Article 43:</b></p> <p>The term of office of the Reich President lasts seven years.</p>	<p><b>Article 12.3. 1°:</b></p> <p>The President shall hold office for seven years from the date upon which he entered upon his office...</p>
<p><b>Article 44:</b></p> <p>The Reich President may not simultaneously be a member of the Reichstag.</p>	<p><b>Article 12.6.1°:</b></p> <p>The President shall not be a member of either House of the Oireachtas.</p>
<p><b>Article 46:</b></p> <p>The Reich President appoints and discharges Reich...officers, unless specified otherwise by Reich law.</p>	<p><b>Article 13.5.2:</b></p> <p>All commissioned officers of the Defence Forces shall hold their commissions from the President.</p>
<p><b>Article 47:</b></p> <p>The Reich President has the supreme command over the armed forces, in their entirety.</p>	<p><b>Article 13.4:</b></p> <p>The supreme command of the Defence Forces is hereby vested in the President.</p>
<p><b>Article 49:</b></p> <p>The Reich President exercises the right of amnesty...</p>	<p><b>Article 13.6:</b></p> <p>The right of pardon and the power to commute or remit punishment by any court exercising criminal jurisdiction are hereby vested in the President...</p>
<p><b>Article 53:</b></p>	<p><b>Article 13.1.1°:</b></p>

<p>The Reich Chancellor, and, at his request, the Reich Ministers, are appointed and dismissed by the Reich President.</p>	<p>The President shall, on the nomination of Dáil Éireann, appoint the Taoiseach...</p> <p><b>Article 31.1.2°:</b> The President shall, on the nomination of the Taoiseach with the previous approval of Dáil Éireann, appoint the other members of the Government.</p> <p><b>Article 13.1.3°:</b> The President shall, on the advice of the Taoiseach, accept the resignation or terminate the appointment of any member of the Government.</p>
<p><b>Article 70:</b></p> <p>The Reich President has to sign laws such as have been passed according to the constitutional process, and to publish them within one month in the Reich Law Gazette.</p>	<p><b>Article 25.4.2°:</b></p> <p>Every Bill signed by the President under this Constitution shall be promulgated by him as a law by the publication of his direction of a notice in the <i>Iris Oifigiúil</i>, stating that the Bill has become law.</p>
<p><b>Article 73:</b></p> <p>A law passed by the Reichstag has to be presented in a plebiscite, if the Reich President decides so, within a period of one month. A law, the proclamation of which has been suspended because of a move supported by a minimum of one third of the members of the Reichstag has to be presented in a plebiscite, if one twentieth of the enfranchised voters demand so....</p>	<p><b>Article 27:</b></p> <p>...A majority of the members of Seanad Éireann and not less than one third of the members of Dáil Éireann may by a joint petition addressed to the President by them under this Article request the President to decline to sign and promulgate as a law any bill to which this Article applies on the ground that the Bill contains a proposal of such national importance that the will of the people thereon ought to be ascertained.</p>
<p><b>Article 102:</b></p> <p>Judges are independent and subject only to the law.</p>	<p><b>Article 35.2:</b></p> <p>All judges shall be independent in the exercise of their judicial functions and subject only to this Constitution and the law.</p>

<p><b>Article 109:</b></p> <p>All Germans are equal before the law. In principle, men and women have the same rights and obligations. Legal privileges or disadvantages based on birth or social standing are to be abolished. Noble titles form part of the name only, noble titles may not be granted any more. Titles may be granted, if they indicate an office or occupation; academic degrees are not affected by this Regulation. This State may no more bestow orders and medals. No German may accept titles or orders from a foreign government.</p>	<p><b>Article 40.1:</b></p> <p>All citizens shall, as human persons, be held equal before the law. This shall not be held to mean that the State shall not in its enactments have due regard to differences of capacity, physical and moral, and of social function.</p> <p><b>Article 40.2.1°:</b></p> <p>Titles of nobility shall not be conferred by the State.</p> <p><b>Article 40.2.2°:</b></p> <p>No title of nobility or of honour may be accepted by any citizen except with the prior approval of the Government.</p>
<p><b>Article 110:</b></p> <p>Nationality in the Reich...is acquired and lost according to the specifications of a Reich law...</p>	<p><b>Article 9.1.2°:</b></p> <p>The future acquisition and loss of Irish nationality and citizenship shall be determined in accordance with the law.</p>
<p><b>Article 114:</b></p> <p>The rights of the individual are inviolable. Limitation or deprivation of individual liberty is admissible only if based on laws...</p>	<p><b>Article 40.4.1.:</b></p> <p>No citizen shall be deprived of his personal liberty save in accordance with law.</p>
<p><b>Article 115:</b></p> <p>Every German's home is a sanctuary and inviolable. Exceptions are admissible only if based on a law.</p>	<p><b>Article 40.5:</b></p> <p>The dwelling of every citizen is inviolable and shall not be forcibly entered save in accordance with law.</p>
<p><b>Article 116:</b></p> <p>An action can only be punished if the</p>	<p><b>Article 15.5.1°:</b></p> <p>The Oireachtas shall not declare acts to be</p>

<p>action has been described as punishable by law, before the action was undertaken.</p>	<p>infringements of the law which were not so at the date of their commission.</p>
<p><b>Article 119:</b></p> <p>Marriage, as the foundation of the family and the preservation and expansion of the nation, enjoys the special protection of the Constitution. It is based on the equality of both genders. It is the task of both the State and the communities to strengthen and socially promote the family. Large families may claim social welfare. Motherhood is placed under state protection and welfare.</p>	<p><b>Article 41.1.1°:</b></p> <p>The State recognises the Family as the natural, primary and fundamental unit group of Society, and as a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law.</p> <p><b>Article 41.1.2°:</b></p> <p>The State, therefore, guarantees to protect the Family in its constitution and authority, as the necessary basis of social order and is indispensable to the welfare of the Nation and the State.</p> <p><b>Article 41.2.1°:</b></p> <p>In particular the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved.</p> <p><b>Article 41.2.2°:</b></p> <p>The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.</p>
<p><b>Article 122:</b></p> <p>Youth is to be protected against exploitation as well as moral and spiritual dissipation and bodily neglect. The State and communities have to take appropriate measures. Measures which compulsorily interfere with the parents' right to raise their children may only be taken if based on a law.</p>	<p><b>Article 42.5:</b></p> <p>In exceptional cases, where the parents for physical or moral reasons fail in their duty towards their children, the State as guardians of the common good, by appropriate means shall endeavour to supply the place of parents, but always with due regard for the natural and imprescriptible rights of the child.</p>

<p><b>Article 123:</b></p> <p>All Germans have the right to assemble peacefully and unarmed; such assemblies do not require any prior notification or special permit. A Reich law can require prior notification for assemblies taking place in the open, and it can in case of the imminent danger for public security, stipulate that such assemblies in the open may be prohibited.</p>	<p><b>Article 40.6.1°.ii:</b></p> <p>...The right of the citizens to assemble peaceably and without arms. Provision may be made by law to prevent or control meetings which are determined in accordance with law to be calculated to cause a breach of the peace or to be a danger or nuisance to the general public and to prevent or control meetings in the vicinity of the either House of the Oireachtas.</p>
<p><b>Article 135:</b></p> <p>All Reich inhabitants enjoy full freedom of liberty and conscience. Undisturbed practice of religion is guaranteed by the Constitution and is placed under the protection of the States. General State laws are not affected thereby.</p>	<p><b>Article 44.2.1°:</b></p> <p>Freedom of conscience and the free profession and practice of religion are, subject to public order and morality, guaranteed to every citizen.</p>
<p><b>Article 153:</b></p> <p>Property is guaranteed by the Constitution. Laws to determine its content and limitation. Expropriation may only be decreed based on valid laws and for the purpose of public welfare.</p>	<p><b>Article 43.1.1°:</b></p> <p>The State acknowledges that man, in virtue of his rational being, has the natural right, antecedent to positive law to the private ownership of external goods.</p>
<p><b>Article 154:</b></p> <p>The right of inheritance is guaranteed to according to civil law. The State's share in the inheritance is determined by the laws.</p>	<p><b>Article 43.1.2:</b></p> <p>The State accordingly guarantees to pass no law attempting to abolish the right of private ownership or the general right to transfer, bequeath, and inherit property.</p>
<p><b>Article 159:</b></p>	<p><b>Article 40.6.1°.iii:</b></p>

<p>The right to form unions and to improve conditions at work as well as in the economy is guaranteed to every individual and to all occupations. All agreements and measures limiting or obstructing this right are illegal.</p>	<p>...The right of citizens to form associations and unions. Laws, however, may be enacted for the regulation and control in the public interest of the exercise of the foregoing right.</p>
<p><b>Article 161:</b></p> <p>In order to maintain health and the ability to work, in order to protect motherhood and to prevent economic consequences of age, weakness and to protect against the vicissitudes of life, the Reich establishes a comprehensive system of insurance based on the critical contribution of the insured.</p>	<p><b>Article 45.4.1°:</b></p> <p>The State pledges itself to safeguard with especial care the economic interests of the weaker sections of the community, and, where necessary, to contribute to the support of the infirm, the widow, the orphan and the aged.</p>
<p><b>Article 163:</b></p> <p>...Every German shall be given the opportunity to earn his living by economic labour. In case appropriate job openings cannot be provided, he will receive financial support.</p>	<p><b>Article 45.2.i:</b></p> <p>That the citizens (all of whom, men and women, have the right to an adequate means of livelihood) may through their occupations find the means of making reasonable provision for their domestic needs.</p>