

THE COLLABORATIVE CONSTITUTION

Constitutional scholars have long debated whether courts or legislatures should have the last word on rights. In this book, Aileen Kavanagh offers a new collaborative vision of how to protect rights in a democracy. Rejecting the false dichotomy between courts and legislatures, Kavanagh argues that protecting rights is a collaborative enterprise where all three branches of government play distinct but complementary roles, whilst working together in a spirit of comity, civility, and mutual respect. Connecting constitutional theory to the practice of protecting rights in a working democracy, this book offers an innovative understanding of the separation of powers, grounded in the values and virtues of collaborative constitutionalism.

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THE COLLABORATIVE CONSTITUTION

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CAMBRIDGE
UNIVERSITY PRESS

Cambridge University Press & Assessment
978-1-108-49326-0 — The Collaborative Constitution
Aileen Kavanagh
Frontmatter
[More Information](#)



Shaftesbury Road, Cambridge CB2 8EA, United Kingdom
One Liberty Plaza, 20th Floor, New York, NY 10006, USA
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a department of the University of Cambridge.

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www.cambridge.org

Information on this title: www.cambridge.org/9781108493260

DOI: 10.1017/9781108680929

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First published 2024

A catalogue record for this publication is available from the British Library.

A Cataloging-in-Publication data record for this book is available from the Library of Congress

ISBN 978-1-108-49326-0 Hardback

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ACKNOWLEDGEMENTS

This book is the culmination of many years of reflection and writing about constitutional government. Though much of the hard labour was done in solitary confinement, the process as a whole was deeply collaborative, and I am grateful to all those who helped along the way. When I started thinking about the idea of the collaborative constitution, I was working at the University of Oxford, where I benefited enormously from numerous discussions, seminars, and lectures which helped to sharpen and deepen my ideas. Many of the key principles underpinning this book were discussed as part of the postgraduate BCL Seminars in Constitutional Theory, which I co-taught over a number of years with Nick Barber, Les Green, and Richard Ekins. I am very grateful for their insight and engagement, as well as those from the excellent students who took the course. Whilst at Oxford, I was also involved in running the Graduate Course in Legal Research Method, which brought together a number of colleagues from diverse subject-areas to think through the challenges of legal research and writing. As part of this course, I benefited from excellent discussions on how to write about law with Alan Bogg, Hugh Collins, Anne Davies, Simon Douglas, Timothy Endicott, Liz Fisher, John Gardner, James Goudkamp, Tarunabh Khaitan, Jeremy Waldron, Alison Young, Lucia Zedner, and many more. I am hugely grateful for those discussions, which informed my approach to legal scholarship in lasting ways.

Beyond these seminars, I owe a debt of gratitude to a number of colleagues at Oxford who either read early versions of the material included in the book or generously discussed some inchoate ideas at crucial junctures. Paul Craig was especially helpful at the early stages. In numerous, insightful discussions over coffee at St John's, Paul helped me to formulate the pivotal questions as part of a structured inquiry. His support, encouragement, and critical engagement were enormously helpful in getting this book on the road. My colleague at St Edmund Hall, Adrian Briggs, applied his razor-sharp wit and acute legal mind to the

preposterous proposals of a public lawyer. Timothy Endicott, Les Green, and John Gardner all read some parts of this book and I am hugely grateful for their generosity, support, and critical feedback. Les Green always put something original and insightful on the table. Timothy engaged with the material closely, critically, and collegially. We will all miss John Gardner's unique combination of sharp insight, good humour, and generous spirit.

As my ideas developed, I ran a seminar series on comparative constitutionalism at Oxford, which engaged with collaborative constitutional themes with a number of friends and colleagues who were working on related issues. That seminar series was both immensely enjoyable and enormously enriching. I am grateful to all the contributors and commentators, including Jesse Blackbourn, Chintan Chandrachud, Hasan Dindjer, Timothy Endicott, Graham Gee, Tamas Gyorfi, Max Harris, Tom Hickey, Jeff King, Helle Krunke, Murray Hunt, Mariano Melero de la Torre, Conrado Hübner Mendes, Robert Sharpe, Björg Thorarensen and Kate O'Regan. I am particularly grateful to Kate O'Regan for numerous, insightful discussions about judging in a democracy, and for her thoughtful and supportive engagement with all the ideas advanced in this book. Her feedback on early drafts of chapters was invaluable, and all of her comments bore fruit in the final text. When talking with Kate, the collaborative constitution became doubly collaborative.

In 2016, I hosted a symposium on *Protecting Rights, Engaging Parliament* at St John's College, Oxford, generously funded by the British Academy. By combining academics, judges, civil servants, parliamentary counsel, parliamentary officials, a Law Commissioner, a former Attorney General, a former Director of Public Prosecutions, the Legal Advisor to the Joint Committee on Human Rights, as well as members of the House of Lords Constitution Committee, this one-day symposium was a microcosm of the collaborative constitution in action. My gratitude goes to all the speakers for contributing to this event, including Graham Gee, Daniel Greenberg, Dominic Grieve, Janet Hiebert, Murray Hunt, Helena Kennedy, Jeff King, Liam Laurence-Smith, Robert Leckey, Ken MacDonald, Rick Rawlings, Stephen Sedley, Philip Sales, Stephen Tierney, and George Williams.

In 2019, I moved to Trinity College Dublin and I am immensely grateful for the supportive and stimulating academic environment provided by the Trinity Law School, especially insightful discussions with Oran Doyle, David Kenny, Andrea Mulligan, David Prendergast, Surya Roy, Des Ryan, and Rachael Walsh. As Head of School, Mark Bell steered

the Law School through the choppy waters of the Covid pandemic, providing a steady, secure, and supportive environment which enabled us all to work as best we could under trying circumstances. I want to register my personal gratitude and professional admiration for that quiet and collaborative form of leadership. Whilst at Trinity, I co-taught a course in advanced constitutional law with Rachael Walsh, and many of her perceptive comments and probing questions have worked their way into the book. I am also grateful for lively and insightful discussions within the wider constitutional community in Ireland, including Justice Gerard Hogan, Chief Justice Donal O'Donnell, Maria Cahill, Laura Cahillane, Eoin Carolan, Conor Casey, Tom Hickey, Hilary Hogan, Davy Lalor, Conor O'Mahony, Ioanna Tourkochoriti, Eoin Daly, and many more.

The Annual Conference of the International Society of Constitutional Law (ICON-S) provided an enriching scholarly environment where I could test out the key ideas contained in this book. At the 2019 ICON-S Conference in Santiago de Chile, there was a panel on my book with Rosalind Dixon, Stephen Gardbaum, and Mark Tushnet, all of whose work is a deep inspiration for my own. At another ICON-S, I received insightful feedback on the book manuscript from Eoin Carolan, Michaela Hailbronner, James Fowkes and David Kosař. Both of these panels were a model of academic comity and collaboration where robust disagreement was combined with robust civility. When thinking about the arguments advanced in this book, I can rest assured that they have been tried and tested by the best in the business.

Whether in spoken or in written form, I have received invaluable feedback on aspects of this book from a number of colleagues and friends over the years, including Farah Ahmed, Richard Albert, Trevor Allan, Ittai Bar-Siman-Tov, David Bilchitz, Conor Casey, Cora Chan, Sam Bookman, Dan Coenen, Cathryn Costello, Erin Delaney, Rosalind Dixon, Oran Doyle, David Dyzenhaus, James Fowkes, Stephen Gardbaum, Graham Gee, Claudia Geiringer, Janneke Gerards, Tamas Gyorfi, Michaela Hailbronner, Carol Harlow, Tom Hickey, Janet Hiebert, Murray Hunt, Vicki Jackson, Jeff King, Dimitrios Kyritsis, Robert Leckey, Mary Liston, Janet McLean, Colm O'Cinnéide, Adam Perry, Gavin Phillipson, Jeff Pojanowski, Rick Rawlings, Denise Reaume, Kent Roach, Philip Sales, Fred Schauer, Stephen Sedley, Larry Solum, Scott Stephenson, Adrienne Stone, Maurice Sunkin, Yvonne Tew, Adam Tucker, Mark Tushnet, Adrian Vermeule, Rachael Walsh, Lulu Weis, Po-Jen Yap, and Jan Van Zyl Smit. I am grateful to them all. Robert

Leckey, Vanessa MacDonnell, and Kent Roach helped me to stake out the parameters of the collaborative constitution, whilst testing it against Canadian and comparative experience. Their combination of theoretical insight and practical application inspired my own approach. I am grateful to Dan Meagher and Matthew Groves for helping me to find a way into the impressive antipodean scholarship on the principle of legality. Murray Hunt shed light on the parliamentary protection of rights, particularly the role of the Joint Committee on Human Rights (JCHR), and made me think hard about the idea of the collaborative constitution and the role of justification within it. I am particularly grateful to David Dyzenhaus for nudging me over the finish line, and for insightful conversations on collaborative themes. Some of the central ideas for the book – including its title – were forged in lively discussion over dinner with David Dyzenhaus, Cheryl Misak, Murray Hunt, and Lois McNay.

Jeff King kindly and generously gave me his data-set on political responses to declarations of incompatibility in the first decade of the Human Rights Act (HRA). Together with Jeff's own insightful work on this issue, that data-set provided the initial grounding for Chapter 12 and I am extremely grateful to Jeff for sharing his data, and for the spirit of scholarly collaboration and collegiality which accompanied it. Throughout the book, I have drawn great inspiration from the work of Jeff King, Dimitrios Kyritsis, and Eoin Carolan, who were all working on collaborative themes from different angles. The intellectual debt I owe Jeff, Dimitrios, and Eoin is legible in every chapter of this book, but I also want to register my personal thanks for the numerous collaborative discussions over the years. At times, it was reassuring to have such insightful corroboration on collaboration.

I have been very fortunate to have had superb research assistance whilst writing this book, including from Eimear Dooley, Louis O'Carroll, Karl Laird, Lewis Graham, Daniel Gilligan, Samuel Lemire, and Adam Elebert. In particular, Louis O'Carroll did an enormous amount of excellent work on Chapter 12. Louis' transition from the undergraduate degree at Trinity College Dublin to the BCL at Oxford suited my geographically non-binary life perfectly. I am grateful to the British Academy and the University of Oxford for providing generous financial support for this research assistance, and to the Law School at Trinity College Dublin in the later stages. The book was also supported by Erasmus+ and the Jean Monnet Centre of Excellence in Law and Politics at Trinity College Dublin.

ACKNOWLEDGEMENTS

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Huge thanks go to Finola O’Sullivan, Marianne Nield, and Rachel Imrie at Cambridge University Press, who shepherded this book through its long gestation with professionalism and patience. I am particularly indebted to Finola O’Sullivan for providing that vital support at the outset. I am honoured to be part of the great Cambridge Studies in Constitutional Law series, which Finola created in collaboration with David Dyzenhaus and other editors.

A few months before I completed the book, my doctoral supervisor, Joseph Raz, died. I was due to meet him after I had finished the book, but that was not to be. I want to register my deep admiration and heartfelt thanks to Joseph Raz as the most inspiring and exacting teacher any doctoral student could hope to have. It was an honour to have been supervised by him, and a pleasure to have known him.

The greatest debt I owe is to my husband, Matthew Robinson, whose deep reserves of loving support, patient forbearance and unstinting good humour made this book possible. I treasure our life-long partnership, in which I have learnt so much about the values and virtues of collaboration as part of a long-term relationship. I also want to thank our children, Seán and Una, for enriching our lives and reminding us of what matters most. I dedicate this book to my father, Patrick Kavanagh, in admiration, love and gratitude for all the support he has given me over the years and still to this day.

ABBREVIATIONS

AG	Attorney General
CA	Court of Appeal
CLR	Commonwealth Law Reports
CO	Cabinet Office
DoI	Declaration of Incompatibility
DPP	Director of Public Prosecutions
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
HC	House of Commons
HCA	High Court of Australia
HL	House of Lords
HRA	Human Rights Act
JCHR	Joint Committee on Human Rights
MoJ	Ministry of Justice
NIHRC	Northern Ireland Human Rights Commission
SSHD	Secretary of State for the Home Department
UKSC	United Kingdom Supreme Court