

Developments in the Law in 2011: Constitutional Law

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Abstract

This article observes and analyzes the constitutional development based on the Judicial Yuan Interpretations made in 2011, on the legislative acts highly related to the constitutional law and on the significant constitutional events. This article argues that on the whole the Judicial Yuan Interpretations have the following features: lack of objects of the constitutional interpretation relating to the governmental structure; the continuing judgement-order-like style of the holdings Judicial Yuan Interpretations; a little breakthrough relating to the constitutional review of the objects of unified interpretations; the consolidation of the opinion that judges cannot petition for constitutional interpretation of precedents; the subtle tendency that the Constitutional Court reviews an individual case in petitions for constitutional interpretation by people. As regards the individual Judicial Yuan Interpretations, this article focuses especially on Interpretation Nos. 684, 685, 686, 687, 689 and 690. As to the legislative acts highly related to the constitutional law in 2011, the enactment of the Judges Act is most worth recording. As to the significant constitutional events, this article narrates and discusses the controversies surrounding the centennial celebrating activities and the combination of the election of president and vice president and that of legislators.

Keywords: Judicial Yuan Interpretation, Judges Act, petitions for constitutional interpretation by people, petitions for

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constitutional interpretation by judges, constitutional interpretation, unified interpretation