

Developments in the Law in 2015: Constitutional Law

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Abstract

This article reviews constitutional interpretations, legislative enactments and major events in 2015 with two perspectives: external and internal. The author finds that important developments –notwithstanding constitutional imperfections– have occurred both externally and internally. Internally, focuses were placed on the enhancement of public participation and the guarantee of due process. The Constitutional Court’s interpretations have been pivotal to the affirmation of these key values. Externally, constitutional matters are more challenging especially for the Constitutional Court. Instead, the executive and legislature are the main vehicles for resolving disputes. Facing those more entrenched constitutional imperfections, both political branches and civil society must have more dialogue and establish deeper cooperation, with what the author calls ‘civil constitutionalism’, in the years to come.

Keywords: constitutional interpretations, due process, cross-strait relations, judicial function, civic constitutionalism

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