

Developments in the Law in 2021: Constitutional Law

Wen-Chen Chang*

Abstract

This article looks into the development of Taiwan's constitutional law in 2021 in three aspects: constitutional interpretations, important legislation, and key events of constitutional importance. First, there were fourteen interpretations rendered by the Constitutional Court in 2021. Topical issues included indigenous people's right to traditional culture, street performing artists' freedom of expression, female workers' right to work at night, and forced labor. Second, important legislation included the Special Judicial Procedural Act during the Spreading Period of Serious Communicable Disease that mitigated challenges brought to the judiciary particularly by the Delta and Omicron variants amid the COVID-19 pandemic, and the two acts –the Act on National Key Fields Industry-University Cooperation and Skilled Personnel Training and the Organic Act of Ministry of Digital Affairs– that facilitated Taiwan's digital transformation. Last but not the least, the key events of constitutional importance began with young people's frenzy of name change for free Salmon sashimi, a heightened Level-3 alert for COVID-19, and the exercises of public referendum and recalls. All in all, the year of 2021 represented Taiwan's constitutional resilience amid the COVID-19 pandemic and continuation in progress of democracy, rule of law and human rights.

Keywords: constitutional interpretation, indigenous people's right to traditional culture, indigenous people's hunting right, gender

* Distinguished Professor of Law, College of Law, National Taiwan University; Jointly Appointed Professor, School of Law, National Yang Ming Chiao Tung University.
E-mail: wenchenchang@ntu.edu.tw

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