

Leading Cases of the Taiwan Constitutional Court

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Volume Three

Judicial Yuan

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Preface to Volume Three

In August 2018, we published Volume One of the Leading Cases of the Taiwan Constitutional Court (“TCC”) to celebrate our court’s seventieth anniversary. Volume One selected twenty important cases regarding the democratization of Taiwan, separation of powers and protection of individual rights rendered during the same seventy-year period. We then subsequently published Volume Two in November of the next year, featuring an additional twenty-eight leading cases on individual rights. To complete this publication project, we now present to you Volume Three, which contains twenty-one leading cases concerning separation of powers issues. Altogether, these three volumes contain sixty-nine leading cases out of the total of 767 J.Y. Interpretations as of August 2018. We hope that the publication of these leading cases may facilitate the interested readers’ understanding of the framework and performance of our Court, as well as serve to honor the contributions of our predecessors on the Court. With publication of Volume Three, we now formally conclude this Leading Cases project on time as planned. We expect that the future TCC will initiate a new project to publish another volume of the leading cases rendered in the eighth decade of the TCC, *i.e.*, from 2019-2028, and then continue to do so every ten years in the future.

My colleague, Justice Jau-Yuan HWANG, did an excellent job in selecting the twenty-one leading cases and ensuring their translation for publication. I am grateful for his contribution. Professor Charles WHARTON and Ms. Szu-Chen KUO assisted in editing the English translation and provided numerous valuable comments on the merits. Without their input, the quality of this volume would certainly be lessened. Under the guidance of Director Chen-Chou HSU, the entire administrative staff, especially Ms. Mei-Hui WANG, made every effort to publish this high-quality volume. I must offer my deep appreciation to all of them here.

We are proud to share our work with the English-speaking world and remain humble in welcoming comments and responses from the global community of constitutional courts and scholars.



Tzong-Li HSU
Chief Justice of the Taiwan Constitutional Court &
President of the Judicial Yuan

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