

Tsung-Chun Chen

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Education

The University of Illinois College of Law

Candidate, Doctor of Science of Law (J.S.D.), 2019–present

- **Doctoral Dissertation:** (in progress)
 - *Does Civil Disobedience Defend Liberal Constitutional Democracy? A Historical Analysis of Democratic Taiwan (2006–2021)*
 - Committee: Francesco Biagi, Jimmy Chia-Shin Hsu, Jason Mazzone (chair), Colleen Murphy, Jacqueline E Ross
- **Adjunct Instructor:**
 - *LLM Legal Writing and Research* (College of Law, serving as a small section instructor under the guidance of Professors Shannon M. Moritz and Travis McDade, tasks including lectures and student assignment evaluations, 08/2024)
- **Teaching Assistant (TA):**
 - *The Best of American Case Law* (College of Law, various professors, responsible for class coordination, 07/2021)
 - *Constitutional Law I* (College of Law, Professor Jason Mazzone, responsible for holding TA office hours and conducting review sessions, 01/2024–05/2024)
- **Research Assistant (RA):** (College of Law, 10/2022–01/2024)
 - I assist Professor Matthew W. Finkin in researching ancient wage labor systems in Chinese dynasties from the late Shang dynasty (around 1100-1046 BC) to the end of the Jin dynasty (around 420 AD).
- J.S.D. representative (10/2023–present)
- Law as Science Project (a project founded by numerous former JSD/SJD candidates across the U.S. dedicated to incorporating scientific methodologies into legal studies and regularly hosting lectures by scholars with diverse methodological backgrounds):
 - Representative (promoting Law as Science workshops at the University of Illinois College of Law, 08/2023–present)
 - Coordinator (organizing and hosting Law as Science workshops on a rotating basis, 08/2024–present)

The University of Iowa College of Law

Master of Laws (LL.M.) (Research Track), 2019

- **LL.M. Research Track Thesis:** (unpublished)
 - *A Systematic Analysis of the Legitimate Issues of Judicial Review in the United States*
 - Advisor: Professor John C. Reitz
- **Research Assistant (RA):** (College of Law, 09/2018–06/2019)
 - I assisted Professor Lea VanderVelde in researching the original intent of the 13th Amendment to the U.S. Constitution. I studied the Congressional Globe Volume 38th Congress to analyze the Radical Republicans' influence on the Reconstruction Congress.

Soochow University (Taiwan)

Master of Laws (LL.M.), 2017

- **Master's Thesis:** (published in THE CONSTITUTIONAL REVIEW (In Chinese))

- *The Historical Development of the Right of Freedom of Assembly in the United States: A Comparative Study on Tensions and Conflicts Between Public Order and Freedom of Assembly in Taiwan*
- Committee: Nigel N. T. Li, Jenny H.Y Shyu, Sea-Wain Yau (chair)

Central Police University (Taiwan)

Bachelor of Arts (B.A.) in Police Administration, 2011

- **Undergraduate Thesis:** (published in NATIONAL TAIWAN POLICE COLLEGE BULLETIN (In Chinese))
 - *An Ethical Study on Police Issuing Traffic Tickets: Ethical and Legal Dilemmas* (2011)
 - Advisor: Tsui-Fang Weng
- Gender Equity Education Committee (student representative; Summer 2010–Spring 2011)
- Bayou Connection Exchange Program, University of Houston-Downtown (Winter 2011)

National University of Kaohsiung

College of Law, fall 2007–summer 2009 (transferred to Central Police University)

Taiwan Police College

Associate of Arts (A.A.) in Police Administration, 2005

Work Experience

Special Police Sixth Headquarters, National Police Agency (Taiwan) 2011–2022

- *Lieutenant Captain*
 - The Chief Justice’s Residential Team (2016–18)
 - The Premier’s Personal Security Detail (2013–16)
 - The Premier’s Residential Team (2012–13)
 - The Premier’s Advance Team (2011–12; 2020–2022)
- The Second Grade Police Medal (Awarded by the Ministry of the Interior, Taiwan, 2016)

Taichung City Police Department (Taiwan) Summer 2010

- *Police Inspector Internship*

Pingtung County Police Bureau (Taiwan) 2005–2009

- *Police Officer*
 - Duty Command Center (2008–09)
 - Foreign Affairs Division (2007–08)
 - Chaozhou Precinct (2006–07)
 - Criminal Investigation Corps (2005–06)

Kaohsiung City Police Department (Taiwan) Summer 2004; Winter 2005

- *Police Officer Internship*

Research Interests

My research interests include constitutional law and theory, civil disobedience, modern democratic backsliding, liberalism, and critical theory. My dissertation explores the realist study of civil disobedience in defending the traditional core features of liberal democratic constitutionalism, utilizing long-term newspaper coverage in Taiwan as the research sample.

Publications (All under double-blind peer review)

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- Tsung-Chun Chen, *A Comparative Study of Negligent Infliction of Emotional Distress (NIED) in the United States and Taiwan*, 35 CENTRAL POLICE UNIVERSITY LAW REVIEW 165–219 (2018) (Taiwan)

(written in Chinese) (陳宗駿，過失侵權行為致第三人「休克損害」之美國法比較研究，中央警察大學法學論集，第 35 期)

In this article, I first explain why the NIED case represents a loophole under Taiwan's Civil Code. I then discuss the controversies surrounding the legal elements, causation, and measurement of indemnity in NIED cases. Additionally, I analyze and evaluate how American state courts have approached NIED cases with varying philosophies. Finally, I conclude my analysis by proposing insights for addressing NIED cases in Taiwan.

- Tsung-Chun Chen, *An Ethical Study on Police Issuing Traffic Tickets: Ethical and Legal Dilemmas*, 6-8 NATIONAL TAIWAN POLICE COLLEGE BULLETIN 1–12 (2018) (Taiwan) (written in Chinese) (陳宗駿，警察人員舉發交通違規之倫理研究—法律規範及執法倫理之探討，警專學報，第 6 卷第 8 期)

The article demonstrates that some rigid traffic laws in Taiwan create ethical dilemmas for police officers by limiting their discretion in certain cases. While the laws themselves may not present moral issues, their application can conflict with the officers' moral duties (e.g., deontological ethics). This article argues that the ethical dilemmas faced by police officers in traffic regulation should be taken seriously and that trust should be placed in their professional judgment. Therefore, it is desirable to consider a proper expansion of police discretion in the future.

- Tsung-Chun Chen, *The Historical Development of the Right of Freedom of Assembly in the United States: A Comparative Study on Tensions and Conflicts Between Public Order and Freedom of Assembly in Taiwan*, 42-4 THE CONSTITUTIONAL REVIEW 375–434 (2017) (Taiwan) (陳宗駿，美國集會遊行自由權保障之歷史發展—兼論我國集會遊行與公共秩序之折衝，憲政時代，第 42 卷第 4 期)

On the one hand, this article analyzes how American courts, particularly the U.S. Supreme Court, have shaped the development of the country's freedom of parade and assembly, and how historical contexts have influenced the scope of these rights. On the other hand, the article introduces the unique experience of freedom of parade and assembly in Taiwan. Compared with its American counterparts, the development of this right in Taiwan is markedly different. The Taiwanese experience illustrates how the "law in action" can deviate significantly from the "law on the books." Taiwanese law regarding freedom of parade and assembly is rigid and has been criticized as outdated and unconstitutional. In response, law enforcement and the courts systematically bypass this rigid law, showing leniency toward unlawful parade and assembly events. As a result, unlawful assemblies have become more common than lawful ones in recent Taiwanese society. However, this phenomenon is dangerous, and the article demonstrates why this substantial gap is detrimental to both the rule of law and the freedom of assembly in Taiwan.

Miscellaneous Publications

- 陳宗駿，因應疫情而禁止高中以下師生出國，是否違憲？憲法觀點下的顧慮有哪些？法律白話文運動 <https://plainlaw.me/2020/05/18/covid-19-2/> (This analysis examines the constitutionality of Taiwan's ban on overseas travel for teachers and students in high school and below due to COVID-19.)

- 陳宗駿，由中原大學招明威事件，看美國校園反歧視與言論自由間的兩難。法律白話文運動 <https://plainlaw.me/2020/06/23/freedom-of-speech-003/> (This analysis examines a Taiwanese professor's stereotypical remarks about Chinese students and reflects on how the U.S. navigates the fine line between freedom of speech and anti-discrimination.)

Presentations

- *The Impact of Civil Disobedience as A Law-Changing Mechanism on Constitutional Democracy—A Case Study of Taiwan (1996–2022)*
 - **2022 National S.J.D. Roundtable**, American University Washington College of Law, Washington, D.C., April 7–8, 2022
 - **The 9th Asian Constitutional Law Forum**, Institutum Iurisprudentiae, Academia Sinica (IIAS), Taipei, Taiwan, May 13–14, 2022
- *A Critique of the Value of Civil Disobedience in Defending Constitutional Democracy*, **Doctoral Student Colloquium (with the University of Luxembourg)**, University of Illinois College of Law, Champaign, IL, November 1, 2022
- *Does Civil Disobedience Defend Liberal Constitutional Democracy? A Historical Analysis of Democratic Taiwan (2006-2021)*
 - **The 2023 Global Summit on Constitutionalism**, The University of Texas at Austin School of Law, Austin, Texas, March 16-18, 2023
 - **JSD Symposium**, Washington University School of Law, St. Louis, Missouri, October 7, 2023
 - **Illinois-Luxembourg Exchange Conference**, The Faculty of Law, Economics and Finance (FDEF) at the University of Luxembourg, Luxembourg, October 23-27, 2023
 - **2024 National S.J.D. Roundtable**, American University Washington College of Law, Washington, D.C., April 12, 2024
- *Necessity Film Series, Part I: Oil, Water, and Climate Resistance*, **Spurlock Museum Workshop**, Spurlock Museum, University of Illinois at Urbana-Champaign, Champaign, IL, April 5, 2024 (commentator)

Peer Reviewer

International Journal of Transitional Justice (one article)

LANGUAGES

Mandarin Chinese (native), English (fluent)