

AA 研フォーラム

AA 研では、本研究所で実施された研究の成果を口頭で発表し、相互理解を深めると共に、新たな共同研究の芽を育てていくこと、また質疑応答を通じて研究の一層の深化・発展を図るため、年間を通して月に数回、公開発表会（AA 研フォーラム）を開催しています。皆様、お誘い合わせの上、ご参加ください。

The Reconstruction of Criminal Procedure in the Early Han Period Based on the Recently Excavated Bamboo Slips of Zhangjiashan

Speaker : **Ulrich Lau**

(Heidelberg University / Visiting Professor, ILCAA)

This paper will draw on the Zouyanshu 奏讞書, a collection of precedents, and the Ernian lüling 二年律令, a version of the Han code from 186 BC, which both were excavated 1983 at Zhangjiashan 張家山 near Jiangling 江陵 /Province Hubei. These two corpora of legal texts are invaluable because they richly illustrate the practice of jurisdiction at the beginning of Chinese empire (Qin dynasty and first two decades of Han dynasty 221-186 BC).

The paper analyzes five criminal cases from Zouyanshu. It will be demonstrated in detail how criminal proceedings were typically conducted and which different stages of criminal procedure were passed through. In addition, specific measures to prevent miscarriage of justice will be touched on. Finally the paper will come to conclusions concerning the degree of formalization of early Chinese penal law and the function of jurisdiction at the beginning of Chinese empire.

Date : 21 January, 2010 (Thu.) 15:00 ~ 17:00

Venue : Multimedia Conference Room(304), ILCAA

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