

The Discussion on the Illegal Releasing of Prisoners in The Great Ming Code and Ming Society

Lien, Chi-Yuan*

Abstract

It is illegal that release the prisoners without the permission of government under the legal system. However, the similar situations and events were happened in various period times in ancient China. Some officials even use to do this by their own authority, in order to make a name for themselves and improve the social status. Then the few China emperors, especially Tang-taizong (唐太宗), also tried to gain the political purposes and keep up appearances with the way of illegal releasing the prisoners. It would be serious punished by the Great Ming Code if event of illegal release prisoners were happened. Although the cases of political release the prisoners were criticized, but scholars and officials raise the different standpoints in Ming. They discussed from the legal and emotional aspects to observe mainly and how to comprehend the different between the two discussions. The text tries to discuss how the situation of illegal releasing prisoners would be happened and became the exceptional paradigm? How the situation would damage legal system and local social order in Ming dynasty?

Keywords: Ming dynasty, The Great Ming Code, illegal releasing prisoners, jail, legal system

* Associate Professor, Department of History, Chinese Culture University.