

## **Cross boundaries, crime in passion and legal order: Laws and social issues in the Taiwan frontier during Emperor Qianlong's ruling**

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### **Abstract**

This study analyzes the problems of social security issues and application of judicial trial for the results of love conflicts among cross ethnic groups in the cross Taiwan frontier. The parties of the three cases attempted from several ways to avoid being convicted, to privately reconcile with money, or to mislead the direction of handling the case. This also showed the implement of rule of law was really enforced in that area under Qing Dynasty's judicial system, and the effect of intimidation was enough for people to obey the law. The criminals knew that the state law was hard to be tolerated and they intended to escape from guilty.

The three cases of trial process clearly revealed the trial procedure in early Qing Dynasty, which attached to the principle of evidence- the witness of confession, the defendants' words, and the evidence. The results of the judgement could also be seen as the effect of practice of national laws, police training, enlightenment, and governance. All criminals were sentenced and punished from the viewpoint of crime, principal or accomplice. The legal design and punishment for "women" crime also reflected the value of Han Chinese

Due to the difference of national law and Shu Fan customary law, it is questionable whether the cultural differences could achieve "affair and ration are alike" and "the crime being adapt to the punishment" in the

process of judicial proceedings.

This may reflect the difficulty of internalization and identity for Shu-Fan under Qing's ruling.

Keywords: Cross boundaries, crime in passion, legal order, Emperor Qianlong's ruling, Taiwan frontier