

## **Research on the Legal Precedents About Matrimonial Property Regimes of Ta-Li-Yuan in the Early Republic of China**

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### **Abstract**

While the Western legal systems were receipted in the early 20<sup>th</sup> Century, the paradigm of male chauvinism of traditional Chinese law was challenged by the new legal circumstance and had to adjust. Ta-Li-Yuan (大理院), the supreme court in the early Republic of China, played the role of the law maker in some degree as well as took its legal responsibility as a court. A series of legal precedents of matrimonial property regimes from Ta-Li-Yuan provide an important way to observe the change of matrimonial relationship regimes at that time. This article's perspective was according to wives' property rights to analyze the relations of matrimonial property from Ta-Li-Yuan's related legal precedents and wives' rights of certain property. According to this article, Ta-Li-Yuan's standpoints about wives' property rights were still conservative as a whole, although it had defined wives' property rights and broadened them in a certain degree as well. Both the social atmosphere at that time and the obligation for legal trials confined Ta-Li-Yuan's efforts to improve wives' status.

**Keywords:** Ta-Li-Yuan, legal precedents from Ta-Li-Yuan, matrimonial property regime, wives' property rights