

The Formation History of The Construction Statutes

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Abstract

According to the survival historical materials, the laws and regulations of the manufacture and construction affairs had existed in the legal system no later than Qin dynasty (B.C. 221-B.C. 206). There are quite a few content on the Bamboo slips of Qin Dynasty which were relevant to the regulations of manufacture and construction affairs. With the diversity and complexity of the contents and chapters of laws as well as the imperfection on the legal system in Han dynasty (B.C. 206-A.D. 220), and the richness and diversity of manufacture and construction affairs, the laws and regulations of the manufacture and construction affairs of convicting and sentencing in a long time had existed in the laws of Tian (the law of field), Jin-bu (the law of monetary, including coins and textiles), Yao (the law of labor conscripting) and etc. during Han dynasty, and in the laws of Xing-shan (the law of labor conscripting), Hui-sun (the law of official tools damage), Za (the law of miscellany) and etc. after Wei dynasty (A.D. 220-A.D. 265), one of the states of three kingdoms. Meanwhile, the part of canonical legislation of manufacture and construction affairs probably had existed in the Miscellany Statutes. The reasons of the appearance of the Construction Statutes in Tang China(A.D. 618-A.D. 907) can be concluded as following: Firstly, it's the logical outcome of the evolution of laws and regulations of the manufacture and construction affairs in the long run.

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Secondly, it can ascribe to the improvement of legal system in Tang dynasty by learning a lesson from the defect of the legal system in Sui dynasty (A.D. 581-A.D. 618).

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