

The changed and unchanged of the law and Society in Ming and Qing China – a Observation of legal Documents

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Abstract

Most legal scholars think that Qing China had adopted the legal system of Ming China. Therefore the most research of the Qing legal history have almost focused on “The great Qing code 大清律例”. However, the Population of the Qing Dynasty have been changed, in the Qing-Dynasty the population are not only people of the Ming, but also included the people of Manchuria and Mongolian.

How the Qing Government had ruled the register of the Population to deal with the change of the population is the main thesis of this paper. This paper focused on a comparative analysis of “The Great Ming code 大明律” and “The great Qing code 大清律” and “The Regulations of the Ministry of the households 欽定戶部則例” in the Qianlong period of Qing Dynasty.

This paper try to find out how the Qing Dynasty had been used the existing legal structure of the Ming Dynasty to ruling the majority Han people and created the new legal system to respond the new social change with “The regulations of the Ministry of the households 欽定戶部則例”, especially focused on the regulations of the Household and on the regulations of Household and Service.

Keywords: The great Ming code, The great Qing code, law of Household, Household and Service, Banners, Provincial People, Distinction of Manchu and Han People