

Judicial Totem and the Reception of Legal Consciousness – What happened after Justitia met Judge Bao

Chiang Yu-Lin

Abstract

On May 18 2005, the Judicial Yuan-Taiwan's highest judicial authority-released a new "badge of the judicial system" to represent the judicial spirits. In this badge, we see an "azure" judicial symbol made up by three visual figures: "libra", "gavel" and "human silhouette". We also read several its judicial ideas such as "justice", "solemnity", "professionalism", "humanism", "amiability", "gentleness", "comprehensiveness", "benevolence", "purity" and "trustworthiness". By seeing and reading all its instructions, we might ask ourselves: What kind of legal consciousness stands already behind this "badge of the judicial system"? Although the western figures, like "libra" and "gavel", have been introduced into our today's legal consciousness, it cannot be concluded that our legal consciousness about law, justice and fairness has been completely westernized. The "azure" color, which can be also seen in the collar of judge costume and which brings us the feelings of "purity" as well as "trustworthiness", is rightly the symbol of legal virtues always pursued in the traditional judicial culture and demanding all judges to keep them in mind. The best example to describe these "azure" legal virtues, especially those at trial, is the story of Judge Bao in the Song Dynasty, who has been highly praised for his "azure" integrity and trust in the popular culture. In a word, even though we live now in a legal order based on the reception of

western constitutionalism, there are some traditional legal virtues that still remain in our inner consciousness.

.

Keywords: Judicial Totem, Legal Consciousness, Badge of the Judicial System, Judge Bao, Justitia, Judicial Yuan