

Japan Academy Prize to:

Kaoru UMEHARA
 Director, Kurokawa Institute of
 Ancient Cultures
 Professor Emeritus, Kyoto University



for *The Judicial System
 Under the Song Dynasty: 960–1279*

Outline of the work:

The system of the Code (penal as well as administrative) along with the channels of central and field bureaucracy under the Tang dynasty (618–907) were rendered obsolete during the political separatism brought about by the rebellion of military governors that continued over two centuries from 755. The Song, which was successful in establishing a long-lasting dynasty (960–1279), made painstaking efforts to rebuild centralized control over the empire by reinforcing the intrinsic qualities of civil bureaucracy on one hand and by reconstructing the system of the Code comparable to that of the Tang dynasty on the other. Thus, although the outward form of the Song bureaucracy and the Code presented an appearance of proximity to those of the Tang, their components differed markedly from the Tang predecessors as they had undergone substantial reorganization to fit them into the new social reality. It goes without saying that the task of unraveling this complex process of transition requires a thorough examination of its factual bases.

Dr. Umehara's work *The Judicial System Under the Song Dynasty: 960–1279* is the result of his exhaustive lifelong investigation into the systemic changes that occurred in the administration of justice during the Tang-Song transition. In his previous work *The System of Bureaucracy Under the Song: 960–1279* (1985), Dr. Umehara examined the overall composition of the Song civil-bureaucracy, both central and field bureaucracies, and showed how institutional confusion at the time of the transition was turned into an effective administrative structure by around 1030, or the year that the prolonged early-Song endeavor of administrative reform ended.

In the present study, Dr. Umehara concentrates his energies on the Song administration of justice. First of all, the study sheds great light upon many of the dark problems of the lowest tribunals at the levels of counties and prefectures where a magistrate was authorized to pronounce sentences in civil and minor criminal cases for which the punishment was no more severe than a beating. It also showed how a magistrate, with the help of underlings, detected, apprehended, and detained suspects, how he conducted inquests, hearings, and investigations of suspects at trials over which he presided, and how he handed down a sentence with a statement of decision. Moreover, the study demonstrates clearly how the judicial offices at such levels were organized and staffed, how judicial officials were promoted or demoted, and how the surviving tradition of military arbitrariness was superseded with new organs of civil administration.

As for more serious cases involving penal servitude, banishment or death, the cases and their proposed sentences had to be reported to the magistrate's superior officials and finally up to the Board of Justice at the central court for approval. When the magistrate's recommended sentence was a penalty for homicide, it was retried by the judicial intendant of the provincial administration and then reported to the Board of Justice.

The same meticulousness was seen in inquiries to the highest offices of judicial administration at the central court, or the Office of Judicial Control, the Board of Justice, the Supreme Court of Justice, the Censorate, and the Office of the

Governor of the State Capital. While these offices functioned jointly as the keystone of the overall judicial system, they also contributed to enhancing the emperor's direct control over the judiciary. A salient example of this sort of contribution was illustrated in the role played by the Office of Judicial Control. Though it was smaller in size, the Office, established in 991, took over such key duties from the Bureau of Justice, which was languishing at that time, as conducting the final check on the emperor's behalf of sentences for more serious cases and editing the Code, Statutes and Regulations. The Office of Judicial Control remained the nucleus organ of the central judicial administration until 1080, when it was incorporated into a much-vitalized Board of Justice.

Generally, the Song reform of the judicial administrative system undergirded the stability of the bureaucratic empire in that it laid a firm foundation for its later development and elaboration under the Ming (1368–1644) and the Qing (1616–1912) dynasties.

Dr. Umehara's exhaustive research on the Song dynasty, as described above, stands out as a notable landmark along the path of progress in elucidating the historical institutions of the Chinese bureaucracy.