

MASTER'S THESIS

The withering sprout: prefectural judiciary and legal professionalism in the early Qing dynasty

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Abstract

This study highlights the influence of the Ming-Qing transition on legal justice in China. According to mainstream sinicisation (Hanhua 漢化) theory, Manchu was assimilated into the Han majority and ruled China using the old Ming government system. This study proves otherwise via an extensive examination of the transition's effect on legal justice, particularly the abolition of the *prefectural judge* (tuiguan 推官) position during the early Qing Dynasty. In the Yuan and Ming eras, judges emerged as unique officials specialising in juridical responsibilities and demonstrating the sophistication of legal justice. However, institutional reform during the Qing Dynasty pushed local administrators (prefects; zhifus 知府) into taking over prefectural judiciary responsibilities, gradually blurring the functional line between justice and civil executives until prefectural judges were ultimately banished from service. This study investigates the reasons behind the elimination of the prefectural judge position and the decline of legal professionalism in sixteenth and seventeenth century China. The findings demonstrate the great differences between the Ming and Qing legal systems and an alternative perspective for assessing the significance of the Ming-Qing transition is proposed.

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